

# An Introduction to Ethics (Moral Philosophy)

Chapter 25 and 26 from: *The Meaning of Love*

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## Chapter 25

### About the Subject of Ethics

This and the next chapter are meant to serve as an introduction to ethics, particularly for those who have never had a good course in it. I believe it is important to have such a section because too many people do not realize what tremendous progress has been made in reflective ethical thought; and they then virtually begin from scratch in their ethical reflections and therefore too often reason from principles which, unknown to them, have been modified, refined, or disproved and abandoned through intense scrutiny and criticism over time. This section is not meant to be a complete summary of the history of ethics, but it is meant to be a readable and understandable introduction to many of those historically important methods, ideas, and principles that have modern relevance. I believe they will most accurately and readily help you resolve with reasonable people most of the kinds of ethical questions, issues, and disagreements that arise today, especially those in everyday life and in relationships.

I think being able to figure out proper values and correct or reasonable moral principles requires certain kinds of moral sensitivity and certain kinds of reasoning or logical ability as well as general knowledge of the physical world. (Knowledge of the physical world is important in order to fully understand about acts and their consequences, which is important in many cases in order to know what is right. And it is important for you to be able to accomplish what your principles tell you is right. Principles without knowledge can be misguided or lead to foolhardiness.) I think most people have these traits in various degrees and that each kind of trait can be cultivated and improved with the proper guidance. Unfortunately such guidance is not always available, and therefore many people are left on their own to develop ethical values and principles. This they do to the extent of their own needs, experiences, abilities, and intellectual interests, but it is a very inefficient (and sometimes impossible) way of learning ethics, just as it would be a very inefficient (and sometimes impossible) way of learning anything.

The sensitivity required for being able to discover and appreciate sound moral values and principles includes being able to understand your own feelings, desires, and needs, and being able to understand those of other people; it includes being able to empathize and sympathize with others, having compassion and kindness; and it includes having some reasonable sense of fairness about how to divide benefits and burdens in a given situation. The necessary logical ability includes being able to see the simpler components (if any) of complex problems, situations, and disputes; it includes being able to see or to appreciate the logical consequences and ramifications of ethical principles in order to decide their merit and/or their limits; it includes being able to see the relevant moral aspects of different situations in order to know which principles ought to apply to them; and it includes being able to see the relevant similarities and relevant differences among different, often complex, situations in order to make certain that moral inconsistencies can be seen and reasonably remedied.

My discussion of ethics will primarily focus on its logical aspects. Sensitivity is usually better developed by actual life experiences with others who have feelings they meaningfully display to us (even with pet animals, as well as with other people) and by the kinds of literary and dramatic depictions that vividly portray such feelings. For example, I think some ethical sensitivity is being developed or cultivated in a child when a parent explains that petting the family dog hard (smacking rather than petting -- the way kids usually do the first time) will hurt the dog, and "you don't want to hurt him do you; so just pet him gently like this, and it will feel good to him. See how he loves that!" I saw on the national news one time that one prison system was trying to rehabilitate hardened vicious criminals by giving them pet parrots to train and keep. The idea was that they would learn to care for the feelings of others by developing caring feelings for their pet. I do not know how that experiment turned out, but my suspicion was that it would help these people develop sensitive feelings for their parrots, but that they would probably kill anyone who touched their bird or said something derogatory about it. (I suspect sensitivity toward other species and toward other people or groups generally needs to be cultivated in a number of different specific situations before it becomes more generally felt, but that is just a hunch on my part; and I am sure it is not true for everyone -- some children seem very naturally sensitive toward all people and animals.) Regarding the potential moral sensitivity value of literature and drama, most people have seen some work or other that changed the way they thought about a certain "kind" of person or group of people. I vividly remember my sister just bawling her eyes out as a child at the shabby treatment and heartfelt tears of the ugly duckling before it turned into a swan, in Walt Disney's cartoon. I think that cartoon made an impression on her at a time and in a way that gave (or brought out in) her a special sensitivity toward unpopular or oppressed animals and people. In this section on ethics, however, I will not so much be trying to cultivate moral sensitivity as I will be presupposing it and trying to show how to rationally and rightfully refine, utilize and channel it.

Though without modern paraphrasing or the added inclusion of more modern examples much of Plato's works or particular points seem difficult to comprehend, many of his dialogues I think show the right way to conduct ethics discussions and ethics education -- one-to-one or in small groups, questioning the remarks you do not understand or agree with, explaining what needs to be explained, and objectively or logically showing and following the consequences of each other's ideas to see whether those ideas hold up or whether they lead either to logical absurdities or to morally unpalatable conclusions you do not want to maintain.

Of course, one often meets people like some of the people in Plato's dialogues who will only stick with such an endeavor for a short time, if at all, or until they see their opinions will not hold up, take that as a personal affront and find some excuse to terminate the conversation. As portrayed by Plato, however, Socrates was quite willing to be shown new ideas and was not intimidated by the potential of having a belief shown to be false. He could then replace it with the new belief, or simply at least be shown he did not know the answer after all, even if no new answer could replace his previous erroneous one. As he states in the Apology he believed it better to know your ignorance on a matter than to believe some false or wild answer.

I think much could be learned by using this method of dialogue with others, though it is sometimes difficult to see the consequences of some positions, know alternative positions, or be able to discover the convincing arguments that show where mistakes are being made. And, of

course, many people do not really want to pursue the truth or take the time and effort to do it, but just want to state, or to try to convince you, of their opinions. But if you do find someone willing to pursue ideas and truth, there really is in a sense no time limit on that pursuit though there may be limitations of time, energy, concentration, or creativity in any particular discussion period. Some topics need to be continued when these resources can be replenished. In dialogues by the philosopher George Berkeley, one of the characters is unconvinced by the other, yet does not know how to respond, so he asks for a day to think about it. This happens to him twice, so the dialogues supposedly take place over a three day period. A couple of times I have resumed a discussion after a year's time when a new idea about an old conversation suddenly crept up on me. One time I even called up a student a year after the course I taught him was over; I had figured out some new reasons to try to show him why some point he held in disagreement with me on one topic was wrong. He still was not convinced; but he was very surprised. In teaching philosophy classes, there were a number of times overnight reflection on a point a student had raised led me to a better or amended answer the next class period. One day in particular I was so amazed and baffled that virtually my whole class held, as we began to study ethics, a version of a principle no person I had ever met had actually preached, a principle known in the literature as ethical egoism -- that (according to my students' version) it was right to do anything you wanted to any time you wanted to, since that was what people did anyway, and since it was the honest thing to do -- that I could not really think of anything to say which they could appreciate before the class period mercifully ended. I had already asked about things like whether they thought it was all right to break a date, even for a prom, as the fellow drove up in a rented car and rented tuxedo with his expensive corsage in hand, just because you had changed your mind and didn't feel like going. They said, sure, that would be the honest thing to do; better do that than fake the evening or put energy into trying to psych yourself up for something your heart was not already in. "What about murdering someone else?" "They can try to stop you; and with the possibility of punishment it would be stupid to murder someone anyway...." Hence, they thought murder was only wrong because it would not really be in the murderer's self-interest. They had become wedded to their principle and were not about to let counter-examples like that talk them out of it.

That night a possibly mightier demonstration occurred to me. Maybe their own bad grades would disturb them more than someone else's hypothetical murder. The next class period I falsely announced, with feigned anger, that since they were obviously not paying careful attention in the course, keeping up with the reading, or being serious in class, I was revoking my promise at the beginning of the term (12 weeks earlier) that there would be no written exams in the course, and I told them they would have a comprehensive two part exam on Monday and Tuesday covering everything in the course. This gave them four days, including the weekend (homecoming weekend by the way) to study. I expected an uproar, but instead they became very passive and only asked which areas would be covered on which days. I told them they were responsible for everything already and that I would not give them any strategy hints. Finally, I had to pry out of them that this was a terrible thing for me to do, that I was a real jerk for doing it, and that it was terribly wrong.

I agreed it was wrong and told them I really was not going to do it and that they could relax since there would be no such exam. That really set them off, not because there was not going to be an exam but because for nearly an hour I had scared them to death about how terrible it was going to be. They asked why I had done it. I reminded them of their supposed supreme ethical

principle, that it was right for anyone, and therefore for me, to do anything they (I) wanted to; and that if they thought that, they had to think it was right for me to give such an exam at such a time; and if they thought it was right for me to do it, they couldn't really hold that if I did it I was being a terrible person or doing an undeservedly rotten thing. A call for a show of hands about how many still wanted to hold the principle showed that all but two of them then immediately abandoned that principle as demonstrably disproved. I hoped future classroom consideration of alternative principles might persuade the two diehards to later reconsider.

### **Introductory Remarks About Ethics**

Before discussing actual ethical principles and values, I want to deal with some issues that concern ethics and which, when not understood, too often plague, disrupt, and retard ethical inquiry or debate over principles and values. In the remainder of this chapter I want to try to (1) show that ethics is objective; (2) show how it should be done properly; (3) show that we understand what ethical words like good, bad, right, and wrong mean, though there might be some ambiguities and nuances we need to be careful about with some ethical terms and concepts; (4) show what it means to be responsible for an action; and (5) show that people are in fact generally responsible for their actions -- perhaps more often than they think or would accept, and certainly more than some psychiatrists and defense attorneys might argue.

First I want to comment on the objectivity versus the subjectivity or relativity of ethics -- the question of whether ethics is just a matter of taste or opinion (subjectivity) or whether there are correct or true answers to whether a given act is right or wrong, regardless of what anyone or everyone might believe about it (objectivity).

I believe that ethical judgments are objective, rather than subjective or rather than just matters of relative tastes. The reasons I believe this are the following. (1) If ethics were subjective, one would not have to search for ethical standards or ethical principles; one could simply dream up the easiest or most pleasant ones to follow, if any. Since there is nothing to discover but your own tastes, why have or develop tastes that make it hard on you? If you find yourself with a principle that causes you some anguish about how you should act, find a principle that doesn't. But this is not the way one goes about trying to figure out what is right or wrong.

(2) If ethics were not objective, there would be no reason to ever dispute; it would be like disputing about what the best-tasting vegetable or favorite color is, or ought to be. There would be no reason to say some acts were deplorable or dreadful, that some people were despicable -- one would only need to say he did not like those acts or people very much, like one might say he cannot stand the taste of eggs. Such statements would really be more about one's self than they would be about eggs, acts, or other people. If ethics were subjective, then if someone were to aim a gun at your child and start to squeeze the trigger, you might as well say, "I won't like that, but if you would like to shoot, go ahead; I cannot say on any objective grounds that that would be wrong."

(3) If ethics were subjective there would be no point in trying to improve situations or conditions in the world, for there is no reason to believe you are in any sense improving anything -- that is making it better -- you may be only making them more suitable to your liking or taste. Others

may favor the status quo or some different situations. And there would be no reason to think one person's taste is any better, any more an improvement, than another's.

Now to say that ethics is objective is not to say the principles you or I have at any one time are necessarily the right ones, but it is to say that there are some right ones, whether you know what they are or not, or whether anyone knows them or not. This is not unlike mathematics, which is objective: there may be easy problems we can know we have correctly solved, but there may be some cases we are not certain whether we have the right answer, and some we are even certain we haven't the right answer. Sometimes we may even feel certain we have the right answer and yet be wrong. But that does not mean there is no right answer, or that any opinion is as good as any other. When you are trying to balance your bank statement or reconcile it with the bank's figures you do not just figure any answer is as good as any other, or that the bank's and your different opinions can both be right, or that it is just a matter of taste. Some theorems and problems in higher mathematics are very difficult to prove or to solve, but that does not mean there are no proofs or solutions to be discovered.

Of course there may be more than one right thing to do in a given situation (in mathematics there may be more than one correct way of proving a theorem). In a trivial case, under ordinary circumstances it is right to put on either your left shoe or your right shoe first; there is nothing wrong with putting on either first. Less trivially, if you are not feeling well but are not contagious nor in danger of becoming more seriously ill, and you have a friendly date that is not terribly important for either of you, then it may be right either to keep the date or to break it, if you break it properly. Or it may be right to fight a war or to abstain from fighting if the consequences were equally bad one way or the other, though different, and if there were nothing (such as your breaking a peace treaty) other than consequences to consider in making the proper decision. This does not mean that all situations have more than one correct solution or that no solution could be a bad or wrong one. There are many clear cut cases of one act's being right and its opposite being wrong (clearly it is wrong to torture innocent children simply for the pleasure of the torturer); and the fact that there are some difficult cases to decide, and the fact that there are some cases where many alternatives may be equally justifiable or right, does not alter this.

There are a number of objections to the objectivity of ethics, but these objections are themselves faulty. 1) There is the objection that because different groups or different people behave differently, they have different ethical principles. This is a mistaken conclusion, for it does not follow that because different people behave differently that they have different principles; different people might behave differently while following the same principles, if their circumstances are different. For example, primitive peoples with little food may kill old or ill people who cannot produce and who might make others starve or be less productive if they are cared for, whereas a modern society of plenty may care for its ill and elderly. Yet both may be following a principle of utilitarianism -- that is (stated here in an abbreviated form), to do the greatest good for the greatest number. It is just that the different circumstances in each society might make what is best for the greatest number in one not be what is best for the greatest number in the other. The objection that different behavior implies different ethical principles is like saying that people who bet differently in a poker game are following different principles of gambling at poker. They may not be; they may have hands of widely different value.

2) There is the objection that different people disagree on ethical principles. This is supposed to imply in some way then that they can both be right and that therefore ethics is relative. Surely people sometimes do disagree on ethical principles or ethical values. But people sometimes disagree on which horse will win a race, on the occurrence, causes, or significance of different historical events, on the truth of various scientific theories, on whether their checkbooks balance, and on all kinds of other things. Such disagreement however does not mean that they are necessarily both right. In some cases of disagreement, both parties may even be wrong. Two people might argue about which baseball player holds a certain record and both might be wrong because a third player altogether may hold the record. When Archie Bunker is wrong or the Nazis were wrong, their blindness to their wrong does not make them right. Just being believed, popular, or even unanimous does not make a wrong position right.

When someone wants to argue about the relativity of ethics based on the differences primitive peoples may have from modern societies, they perhaps also should then argue the relativity of science or technology since primitive peoples often have different notions (if any) of how things work. Much progress has been made in science, engineering, medicine, art. We do not consider people who are ignorant of such advances, whether they lived in the past or live in the present, as knowledgeable as those who are aware of them. Why should we in ethics. Ethics too has made great advances in knowledge. Many are aware of them, even though a great many are not. Students in good introductory ethics courses often in one term see their own improvement in making ethical distinctions and decisions.

Ethics is not all that difficult to do, but not all ethical principles are as obvious or simple as they might seem at first. But that is not peculiar to ethics or to supposedly subjective matters. There are many, many things in physics, in probability theory, and in geometry that seem very counterintuitive (even when you know they are true), and which most ordinarily intelligent people would probably bet lots of money against being true, even after they thought about it on their own a while. Not everything that is true is obvious or simple. But many of these things can nevertheless be shown to these people to be true and of significant practical value by various kinds of proofs and/or demonstrations. (Some examples: in a group of 25 or more people, the odds are over 50% two of them will have the same birthday -- not necessarily being born in the same year, but on the same day of the year; you can usually make five pat poker hands out of 25 randomly dealt cards; a raw egg dropped from a one or two story window (sometimes higher) into a normally lush (that is, reasonably well-kept) lawn will not break, as long as it lands in the grass itself and not on a rock or bare spot; and, if the earth were smooth (no mountains or hills) and you tied a string tightly around it at the equator and then added a one yard long loop in the string, smoothing out the slack all around so that the string would be evenly raised everywhere off the surface of the earth, the string would end up being six inches off the ground around the entire globe.)

Notice too though that two people or peoples agreeing on an ethical principle does not thereby demonstrate the objectivity of ethics. Two people agreeing on the wrong answer in either ethics or when adding a column of numbers does not make that answer right. Two people agreeing that chocolate tastes best to them does not make chocolate the objectively best food.

3) It is sometimes argued that without God or religion, ethics would have no point; and therefore insofar as God or religion is in question, so is ethics. False. As an example, think about the case of avoiding running over a child who runs out into the street in the path of your car. Assume in this case that you easily can avoid the child by, say, slowing down, without any danger of swerving into an innocent bystander, of being fatally rear-ended, or of any such other sort of calamity's occurring. Then it seems it is right to avoid running over the child-- not for God's sake (though God may be delighted), but simply for the child's sake. Even the child's mother may be pleased that you did not run over her child, but that again is only a relatively small reason or a secondary reason for not hitting it. Or suppose you make a promise to someone about some matter. The point of keeping that promise is not for God, but for the sake of the person to whom you made the promise and who is therefore depending on you to keep it.

If children's lives, keeping one's word, and experiencing innocent and deserved joys -- to name just a few things -- have value for people, is that not then "having value"? Why should value "to God" be the only or most important value?"

I think that morality would be independent of an existent God anyway. One minister I talked with one time said he thought God could do anything He wanted to since the world was His creation and He could then treat it however He saw fit. Maybe He can but that does not mean He should, any more than a parent should do anything he wants with his child, even though he might be able to. One time I came across an adolescent boy mistreating a cat; and when I told him he shouldn't do that, his reply was that it was his cat and he could rightfully do anything to it he wanted. On the contrary, since it was his cat, he may have had even more responsibility for its well-being than a stranger would. At any rate, he did not have any less. After some discussion involving such logic (and incidentally in this case, also my mention of possibly calling the police, since logic was not this kid's strongest talent) we came to an agreement about how he might better understand his obligation to his cat. In the Bible, Job was right in questioning the correctness of God's actions toward him, though, of course he never questioned that God had the power to perform those actions. Smite does not make right.

The biblical story of Abraham's willingness to sacrifice his beloved son Isaac at God's command is always held up as a shining example of trust and faithful obedience. But shouldn't Abraham have protested to God about His directive, if not for his own feelings about Isaac, at least for the sake of Isaac and for the sake of his beloved Sarah who surely treasured Isaac. Had Abraham actually sacrificed Isaac, as Agamemnon sacrificed his eldest daughter Iphigenia to the Greek God Artemis, would we so highly regard his faithfulness and his loyal obedience to God! And would we have said it was right to do just because God commanded it! I doubt it.

A popular anti-Vietnam war slogan was "Kill a commie for Christ". Its taunting purpose was to challenge the naive holding of the idea espoused by some that it was one's duty as a Christian to participate in the war. The unchristian or un-Christlike sounding taunt was to make people reconsider that claim by making it seem prima facie correct that either Christianity should not condone such a war or that there was something wrong with Christianity if it did.

4) Relativists point out that people always think their own moral principles are the best ones. That is generally true; why else would they have them; why would they have ones they think are

not the best! The relativist simply has things backwards if he means to imply that people think their moral principles are the best simply because they have them. Rather, they have them because they think they are the best and think they are correct and true. People do not think the principles are right because they are theirs; they are theirs because they think they are right. Now admittedly some people do not have very good reasons, though they think they do, for believing their moral principals are the best ones, but nonetheless they usually would point to some reason or other for thinking they are right and not just think they are right because that is what they happen to believe.

5) Some recent types of relativists, called emotivists, think that ethical judgments or statements are simply expressions of emotion (like saying, "yuck", "phooey", or "hooray", only disguised in the more sophisticated form of statements and paragraphs talking about duties, rights, benefits, saints, etc.). Such expressions would then be neither true nor false, logical nor illogical, correct nor incorrect, probable nor improbable. They would not even be about actions or external values, but only would be a display of our own feelings. Saying something is a very good thing or that a man is a very good man or performed the right act is only the same thing, on their view, as enthusiastically applauding the thing, man, or act. Or it is like licking your lips and salivating over some food that you really like.

Now it may be that ethical judgments are often accompanied by emotions; but they need not be. And even in cases where they are, it is the judgment that logically precedes the emotion, even if it does not actually occur first. If you come upon the grizzly remains of a murder, you may feel revulsion and pronounce the deed a terrible wrong. But it is the belief that a heinous deed was committed and that such a deed is a terrible thing that makes you feel ill. If you found out you had only stumbled onto a movie set with some sophisticated, realistic "horror" props you would not be so morally indignant whether you remain as nauseated by the sight or not.

In contrast, you might feel a similar kind of revulsion at seeing someone else eat a harmless food you find absolutely repulsive. But if he is enjoying it, you do not call his eating it wrong. We are able to distinguish our feelings from our ethical judgments though some sort of feelings may accompany an experience that also occasions a judgment.

And in the case of the murder, one might pronounce it wrong even if he feels no particular revulsion concerning it. Likewise, the murder is wrong once it happens and even before it is discovered (if it is ever discovered) even though there is no revulsion about it before it is discovered. The emotion or lack of emotion, of witnesses or of discoverers, is not what causes the act to be right or wrong. If it were, "happy" pills might make all acts right if we were to take such pills at the sign of the slightest adverse emotion. Or terrible acts would be fine if the perpetrators of evil could better hide the evidence of their deeds so that no one ever discovered foul play and was made uncomfortable by it. But this is absurd. When you say something is wrong or bad, that is different from saying "yuck", even if you might feel like saying "yuck" as well. And even if you do not. In fact, even when you enthusiastically applaud a performance or a person, it is usually because you believe it was a good performance or because you believe they are a deserving person. Applause may not be a logical statement or something that is true or false, but it is (believed to be) deserved or undeserved. We do not just applaud because we have nothing to do with our hands or because we feel like clapping them together for no reason.



There was an older man interviewed by 60 Minutes who had lost his life savings in a bank-type failure that was, it seems, caused in part by mismanagement and embezzlement of funds. He said they had invited everyone to a meeting at which they were told about losing their money and they were introduced to a psychologist who would help them get over it. The man said "Young man, I don't want you to make me feel good about losing all my money; I want you to give me back all my money." This man recognized that the catastrophe and moral outrage were not about his feelings but were about what had happened. His feelings were simply appropriate for what had happened. Changing their feelings would not make morally correct what had been done to the depositors.

6) There are some who hold that ethics is not objective, or as they often say, it is not "absolute" because they point to all the exceptions possible for a rule like "killing is wrong". They point to cases of self-defense or cases of defending innocent third parties from being murdered, etc. So they say that the principle is not absolute and usually seem to mean something like it is not therefore true. These people, however confuse objectivity with simplicity. To say that ethics is objective or that ethical judgments can be absolute (I think "true" is a better word than absolute -- I am not always really sure what people who keep pointing out that things are not absolute really mean unless it is "true" or "true in all cases") is not to say that ethical judgments need to be simple or short. Nor is it to hold that they must not take into account relevant circumstances. To say "killing is wrong" may not be correct, but it is not the only absolute, objective, or true statement one could make about killing. Equally objective or absolute is the statement "killing is wrong except in cases of least necessary violence in self-defense where the defender is an innocent party..., and in cases of..., " where all the exceptions are spelled out in detail. There is no reason we could not in time discover and list all the kinds of cases that might be wrong for one person to kill another. The statement to that effect then would be the absolute, true, definitive, or objectively correct analysis about the morality of killing.

I would like to say a few words here about the necessity of taking into account situations, since some people are appalled by what they consider to a relativist view that what is right depends on who you are talking about and under what circumstances. They think it is unfair to treat different people differently or to let someone off in one situation that you would not let off in another. First, to say morality is situation- dependent is not to say it is relative or subjective unless you mean simply that it is relative to the circumstances. And circumstances are relevant. A doctor who does not give an infected patient the correct antibiotic he needs to survive may be culpable if he has the antibiotic to give but not if through no fault of his own it is not available to him. A man may break a date if his help is needed at an automobile accident; he may not justifiably or excusably do so if there is not that or any other situation that would override his obligation to keep appointments. A clergyman is empowered to marry people who have a license; not everyone can do that. Drunks should not drive, but licensed non-drunks may if they do it correctly. Drivers who cause bad accidents should stay at the scene (barring some special circumstances like needing to go for help) but other drivers are not necessarily obligated to do so.

I see no way for there to be ethical principles that do not take into account circumstances any more than I see at this time one medical treatment that would be right for all patients regardless of their illness or complaint. This does not mean that some principles are not more general than

others (that is, apply to more kinds of circumstances than others) or that there are not some principles (such as it is always wrong to torture children for fun) that apply to everyone all the time. It just means that what is right in some cases depends specifically on what the circumstances of the case are.

How to tell what is right: The question is often asked how one knows when one has the correct ethical principle or knows which act is right or which person is a good one or not. You use knowledge of the particular case and available options, your reasoning powers, and your ethical sensitivity, insights or intuitions (or whatever you want to call your moral understanding); you talk with other people, and read what you can to find out what others believe about an issue and the reasons they give for thinking their views correct. You analyze the situation and try to compare its relevant features with other situations that appear clear cut. Both logical ability and moral sensitivity are important for being able to do ethics well.

Without some moral sensitivity even the simplest cases would not make apparent an obvious solution or correct course of action; some people, for example, who assault and/or murder innocent strangers for no reason and with no compunction or regret seem to me to be people who have no sense of morality concerning the value of innocent life at all. Whether one could be developed in them or not, I am not certain. Some quite young children are very sensitive to the pain or sorrow of other people; some are less so. As they mature, some people seem to grow more sensitive to the suffering of others; some, less. And I am not speaking about the amount of knowledge or awareness of other people's conditions, but of different amounts of concern with the same amount of knowledge or awareness of the conditions -- about a change, not so much in their knowledge of other people's problems, but a change in how much they care about the same kinds of problems they know about. Some people grow more sensitive as they mature; others grow more callous as they age.

Without logic or reasoning ability, more complex cases will not be able to be dissected and analyzed for their relevant similarities to more obvious cases, and to see which principles might best apply to them. Relevantly similar cases may end up incorrectly being treated differently and unequally. Inconsistencies or other unsatisfactory consequences might result from the formation of (complex) principles that are not seen to be incompatible or that generate bad or unsavory consequences.

To decide matters of ethics you simply do the best you can to state for yourself and others what the reasons or evidence is for your beliefs, reflect on them, get other views, and unless and until you are given reasons to the contrary, you assume the decisions you make are probably right. This may not sound terribly hopeful, but it is not terribly unhelpful either; it is like most other endeavors in life, even many "factual" ones. In few if any areas of life, except in the most obvious of cases, are there guarantees you will always be right when you think you are. You can put your money in the seemingly safest investments only to lose it; you can think your family perceives you one way when instead they think of you in a totally different way; you can swear, after looking, that an intersection is clear of traffic and pull out only to immediately be hit by an oncoming car you never saw; you can arrange to meet someone at a certain time and place only to find out the other person is certain a different time or place was specified; you can follow to the letter a recipe in your kitchen or a formula in your chemistry class and have it not turn out

anywhere near how it is supposed to; you can add a column of numbers four times and get four different answers; and you can add it twice and get the same answer both times and yet it could still be the wrong answer. Similarly in ethics. Some ethical insights are more readily obvious than others -- it is wrong to torture children or to assault or murder innocent people for your own pleasure. These again are examples to show that at least some moral principles are objective, knowable, and true; and I see no reason to believe other principles might not be equally knowable, objective, and true, though maybe not so obvious.

Related to the question of how you know or decide what is right or wrong is the question often asked by introductory students, "Who is to say what is right or wrong, good or bad?" My answer is that everyone can say it. But that does not make everyone right in their assessments; nor does it mean everyone is even reasonable in their assessments. One has to look at the reasons, not the office or even necessarily the character, of a person to see whether that person's conclusions seem justified or not. It is what is said, and the argument or evidence for it, not who says it, that is important in assessing its correctness.

In some cases of fact the same is true. In wartime or shortly thereafter if you come across an unexploded bomb, mine, or shell, it is not who says it is defused and safe but the evidence they can point to that makes their report more believable. Even an expert, if he has made an error in observation or has been incorrectly briefed or has made some other sort of mistake, could be wrong; and even a novice or laymen could possibly detect the error in conversation with him if enough details could be elicited. Knowing nothing about dentistry I once asked one dentist to show me how he knew the pain and symptoms I had were being caused by an abscessed tooth. He drew a diagram of what an abscess looks like and showed me the x-ray he had taken. There was not the clear cut similarity to me between his diagram and my x-ray that I had expected. I knew that I was not great at distinguishing things in x-rays, but I was still not terribly convinced he was seeing it right either. I pointed out what I did not see and asked further questions. He recalled the possibility of abscess-like symptoms being the result of sinus infections instead. Since he was planning on a somewhat expensive and irreversible procedure for me and since I was not in pain that I could not endure a while longer, I decided, with his concurrence, to wait a few days to see whether it got worse, and might show up more clearly (to me) in a subsequent x-ray as an abscess would, or not. In that time period the pain went away altogether.

Consider who is to decide at an intersection when to proceed past a yield sign or when to proceed after stopping at a stop sign, or when to make a legal right turn at a red light. Each driver (and sometimes their passengers who might disagree with them). Does this mean everyone will always make the right, or even a reasonable, choice? No, of course not. Even if there is no ensuing accident, it does not mean one made a correct or reasonable choice; an accident may only have been prevented by the fortunate fast reflexes of an oncoming motorist forced to use his brakes. The driver of the first car may not even be aware how lucky he was. And of course, in ethics, one does not always have such glaring examples as wrecks or their avoidance to help vindicate one's choices. One often has to point just to reasons, many of which may not be very graphic or visual. In ethics, proof is not to the eyes, but to the mind. But much of science is also that way too.

Acts, motives, cause, intentions: This is an area, filled with sometimes important ambiguities and pitfalls, which I cannot discuss or clarify completely, but I want to point out some things to be cautious about and watch out for, and I want to point out some ways to avoid confusion.

First, consider: "Mom, I'm not pulling the dog's tail -- I am just holding on to it; the dog is pulling." "I did not hit him with the baseball; I just threw it close to him and he ducked into it." "We are not excluding blacks; we are just excluding people who cannot pass this particular test." "We did not bomb civilian targets; civilian areas were just hit by stray bombs."

By an act, I mean what a person actually does, though, as these examples show, sometimes that is difficult to describe; by motive, I will mean the reasons which the person consciously has for doing the act; by cause, I mean anything other than reasons the person has that act on him or her to make him or her perform the act; by intention, usually I mean the act that the person intended to do, not his or her motivation nor the consequences of the act, whether expected, desired, or actual. As an example, suppose a tired mother aroused in the middle of the night by a sick child administers the wrong medicine to the child by mistake and actually harms it. Her intention was to give the child the correct medicine; her motivation or reasons were so that the child would get well; her actual act was to give the child the wrong medicine; the cause of that act was (at least in part) her fatigue; the intended consequences were to have the child's health improve; the actual consequences were to have the child's health worsen.

The distinctions, however you want to describe or name them, between what I call cause, motivation, intention, and act is important because they help keep us from confusing many of the things we need to distinguish in ethics; and they help keep us from being confused concerning the things we want to say about them. For example, we might want to say of the mother in the above situation that she did the wrong thing, performed the wrong act, an act which had bad consequences, but that she is not a bad person, since she intended to do the right thing and had laudable reasons (or motivation) for her act and it was not her fault she was tired. It is particularly important to distinguish between whether, on the one hand, an act is right or wrong, and whether, on the other hand, the person performing it is good or bad. Good people can do wrong acts, and even in one sense have bad intentions -- suppose the mother gave the medicine she intended to give, but that she had misdiagnosed the ailment and mistakenly intended to give the medicine which turned out to be the wrong one. She carried out bad intentions and committed a wrong act but with good motivation. (The word intention is often ambiguous in that sometimes it refers to intended consequences or motives -- in which case here then it would be said the mother intended to give the child the medicine that would make it well, but failed in her intention -- and sometimes it refers to intended acts, in which case she did give the baby the medicine she intended to.)

In a given context you have to try to be clear about what is meant. That is not always easy. I got into a hypothetical discussion in my office one time with both a traffic court judge and a policeman about whether a citation and/or conviction was warranted in the following kind of case. To me it is a paradigm of the kind of traffic violation that does not deserve citation or conviction. The judge got all bogged down in the question of intention. The example concerns the situation you sometimes see where a motorist stops at an intersection or parking lot exit and is waiting for traffic to clear so that he can turn onto the main highway. But while he is looking

directly at an oncoming car, approaching from his left in the lane he wants to enter, he pulls out right in front of it without seeing it at all, though he was looking right at it. The driver either never sees the approaching car or he sees it when it is too late to stop or back up. Everyone has seen this sort of thing (a policeman even did it to me one day); the driver's mouth drops open and his eyes bug out if he sees you and realizes he has somehow really screwed up and is about to get hit broadside if you cannot stop or swerve around him. I am not talking about the kind of case where someone sees the oncoming car and mistakenly thinks he can beat it. I am talking about the case where a driver should have seen a car approaching from not very far away from him while his eyes were looking directly at it, but he does not see it. I claim there is no reason to issue a citation because it is a mistake and some sort of mental aberration. We are not talking about the kind of case where someone is selfishly trying to cut out in front of you and either misjudges the distance or does not care whether you have to slow down, mash your breaks, or swerve, or not. We are discussing the kind of case where someone would never have started out if he really realized what he was doing. The judge said: "You mean you don't think a citation should be issued if the driver did not intend to do what he did?" My response was that was not at issue here since in one sense the driver did what he intended -- he pulled out into the highway; it was not as if his foot slipped onto the accelerator by accident. He just did not intend to pull out in front of someone. I do not know exactly how to describe this kind of case in general terms -- "inadvertent" perhaps -- but trying to describe the driver's action only as intentional or not intentional does not do justice to the crucial elements of the example.

Or consider the case of a parent or counselor who has good motivations for giving advice that turns out to be the wrong advice -- yet still it was the advice the person intended to give; it was not as if he had misspoken or been misunderstood. This is the kind of case where the word intention often is meant to refer to the counselor's motivation or the consequences he expected or intended to bring about with his advice. Thus, when those consequences do not occur, the intentions may be the kind of proverbial intentions which pave the road to hell, since meaning well does not guaranty one will do well, and since having good motivation or intending and working for good consequences, does not insure good consequences will occur from the act one performs.

Further, our intended acts are not always the acts we actually perform (as with a baseball pitcher who hangs a curve ball or throws a pitch closer to the plate than he intended) and the consequences of our acts are not always the ones we intend expect, or desire, whether our motivations or reasons are good or not.

In short, you should not necessarily infer a person's intentions or motivation from how his acts, or their consequences turn out, and you should not necessarily infer a person's character from how his acts or their consequences turn out. Too many people take as a personal attack on their character or their motivation a claim that their acts or intended acts are wrong; and too many people today infer from the fact that a person's act was wrong that he must have had either bad intentions (referring to either acts or consequences) or bad motives, neither of which may be correct. A person can be incompetent or ignorant or both or one can be simply mistaken about the value of an act or about what its (actual) consequences will be or one can make a mistake or slip in trying to perform the act; one does not have to be bad or malevolent to perform a wrong

act. I will argue later that following the "Golden Rule" often leads to wrong acts fathered by good motives.

Another kind of case where it would be a mistake to infer intention from (perceived) action is the following kind. Suppose one parent has been home with the children who have completely messed up the house by dragging out all their toys to play with, etc. Suppose that parent has picked up (and had the children pick up) most of the toys. The other parent may return, and, not knowing how much had been cleaned up already, might accuse the spouse of being lazy and/or not trying to keep the house tidy. There are many situation like this, where one person sees just how much needs to be done, not how much has already been done, and then makes incorrect character judgments about the people involved.

It is also possible, though perhaps more difficult, to try to harm someone or to try to do something that has bad consequences but that instead turns out to be the "right" action, one that has good consequences. Suppose someone futilely tries to assassinate a good world leader but that the attempt cancels the remainder of the leader's agenda for that day, thereby foiling a much more probably successful assassination attempt by someone else. We might say it was a good thing the first person (the attempting assassin) did what he did.

Although it is sometimes possible to determine the motives of another or to know what his intended acts and intended consequences were, it is usually easier to judge whether the act was right or wrong than it is to judge whether a person or his motives were good or bad. That is because an act and its consequences tend to be more observable or discernable than a person's motives or state of mind. For the most part, the remainder of this section will deal with the rightness and wrongness of acts rather than the benevolence or malevolence of people or their motives. Trying to discuss with a loved one the rightness or wrongness of one of your or their actions is difficult enough without in addition questioning or knowing motivation or character. Just because someone does something wrong, or believes in some erroneous principle, that does not mean they are lazy, selfish, stupid, evil, or vicious. And determining principles for deciding right and wrong is philosophically difficult enough without also having to determine psychological principles that make discernible and verifiable the mental states of others. In some cases it may be clear what a person's motivation is, but many cases are not clear. One needs to know all the relevant facts to determine rightness of acts and goodness of character or motivation. Usually that is easier about rightness of acts -- since acts and their consequences are more visible than character or motivation.

But sometimes both are difficult to know. I grew up in a quiet residential neighborhood where once in a while a car would speed down the street much too fast. If adults were outside, they usually yelled to the driver to slow down and be more careful -- or they might even stop a driver and admonish him or her. One day two cars drove down the narrow street speeding, careening, and playing a kind of tag. No one was able to stop them or slow them down. All the adults were angry at the drivers. A few hours later, however, one of the cars returned and pulled over to explain and apologize. His child had cut its head and was bleeding profusely, and the driver and his wife were trying to rush to the hospital. But the car in front of them was not letting them pass, not understanding the emergency. This driver, who returned, was the one who kept honking his horn and trying to go around the other car. Fortunately the child's injury was not as serious as it

looked and the child was all right. That justifiably gave everyone a different attitude about this driver and about his speeding and "driving like a maniac".

### **The Meaning of Ethical Terms Such As Good and Right**

I follow somewhat the idea of the philosopher G.E. Moore who argued that you know what the term good means even though you cannot define it in terms simpler than itself. You can point to good men, good motives, good deeds, etc. and perhaps explain that the term is honorific or praising in some way. It is not unlike knowing what a color like "yellow" is; you can point to all kinds of yellow objects and you can point out that yellow is a color, but there is no way to define the term yellow in any terms simpler or more intelligible than itself. To explain color in terms of non-color terms such as the wavelength of light will not help a blind person understand what yellow is and it will not teach colors to a child. Yellow is something you see; and if you cannot see it, you cannot exactly understand it. Good is one of the basic ideas of morality and one of the basic terms in moral discourse; it cannot be further dissected and defined, and I suspect its moral sense cannot be defined in terms having nothing to do with morality. And just as people without a sense of sight can not see whether an object is yellow or not, people without any moral sense or sensitivity cannot see for themselves whether acts, people, or motives are good or right.

Now philosophers today tend to use the word right to describe acts; good to describe people or motives. Obviously this is somewhat of a professional convention since in ordinary language we often speak of "good deeds" or say things like "Jones did a good thing yesterday". The convention is useful though for being able to distinguish, say, between an act's good consequences and/or its bad consequences on the one hand, and its overall rightness or wrongness on the other. We might be able to say that "such and such an act had some good consequences but it was the wrong thing to do because it had some worse consequences on balance than the other thing that could have been done." Or, the reverse, that "I know getting a shot at the doctor's is painful and to that extent is a bad thing, but it is the right thing to do because the amount of good the shot will do overrides the amount of pain or bad involved." Or, someone might break a promise because he had something better or more enjoyable to do (something that might cause more good than keeping the promise would), yet you might hold that he should have kept the promise anyway, that breaking it was the wrong thing to do, even though more good did result from breaking it. (More about this last sort of case later.)

I depart from Moore in that he thought you could define a right act as one that on overall balance caused the most good or least harm. But this is actually not a definition of right; it is instead a theory about which acts are right and which ones are wrong. The above example regarding promise breaking (and others I will give later) suggests that there are acts which cause more overall good than their alternatives but which are nevertheless wrong acts to do. On Moore's theory of what right means, this would be a contradiction and not something to have to ponder.

I hold that the word right, like the word good, is basically simple and can be understood, though not further defined. We know the meaning of the words like good or right, though we may have trouble telling whether they should apply to a particular act or person. Just because you cannot

tell whether a person is good or not, or his acts right or not, does not mean you do not know what the words mean, just as the difficulty of knowing the colors of the rocks at the deepest parts of the sea does not mean you do not know what colors are. If I were to tell you that eating arsenic or feeding it to the neighbors' children was right or that rapists were good people, you would surely disagree or at least want to know why I should think such things. I think that shows you know what the words mean and shows that you have some notion about how to apply them. If I said giving or taking arsenic was quebe (a word I just made-up) you would not disagree or demand my reasons for thinking so, but would ask instead what I meant or what I was talking about.

Now given that you understand the meaning of the word right, we can then define words like ought, should, and obligation, though we do not have to do that because most people understand these words too -- and because in a way these definitions are actually less obvious than the words themselves. We can also define words like saintly (supererogatory to philosophers) or phrases like "beyond the call of duty". An act is a "duty", "obligatory", "ought to be done", or "should be done" if it is right and there is no other (equally) right act available to the agent. Notice, acts that are almost right or almost as right are not actually right -- "almost as right" is still wrong, though it may not be as "bad" as some other act that may be more clearly wrong, or that may be worse -- that is, have much worse consequences. If there is more than one right act open to an agent, either of them or any of them is permissible without a particular one of them being obligatory, though there is an obligation to do some one of these acts. That is, if the only right acts in a situation are A, B, C, or D, then one must do one of them but the choice of which specifically is not prescribed. An act is "supererogatory" or "saintly" or "beyond the call of duty" if it is a right act but is not one, nor one of a number, that could be called required or obligatory, not one that could be called a duty or moral obligation. Such an act might be one of sacrifice like throwing oneself on a grenade to save one's friends. It might be one of giving an exceedingly large charitable donation.

### **Personal Responsibility**

This is the final issue I want to deal with before getting into actual ethical principles for determining which acts are right and which are wrong. If people cannot help or control what they do or what they choose to do, it is said they cannot be responsible or held to be responsible for their actions. I want to make it clear that I think people can be responsible for their actions (or for their omissions) and I want to discuss under what circumstances they are and under which they might not be. Knowing ethical principles may be of little use to someone who (in a particular circumstance) cannot follow them anyway, but I think such people or such circumstances are somewhat rarer than some people realize or contend.

Some of the philosophical arguments for free will versus determinism make a good place to begin, for (1) they shed a certain amount of light on the notion of what responsibility is, and (2) they explain a number of the circumstances under which a person could not be (held) responsible for his or her action.

There are two different ways, it is claimed, that people might not be responsible for their actions: (1) if what they do is the result simply of some chance, totally unexpected, unwilled, random, unexplainable, or unpredictable occurrence that takes place accidentally in their mind or body --



perhaps like cases of hitting a short putt too hard even though you know better and in some sense do not really mean to do it, but seem unable to help it; or like having some sort of seizure over which you have no control. People would also not be responsible if (2) their behavior were the result solely of a chain of causes or forces and interaction of events (both outside the body and inside the brain, sense organs, nerves, and "sinews") that led inexorably to every choice made and to every action's results. If an act or choice is the result solely of forces over which we had no control to begin with, then we are not responsible for that act or choice, any more than billiard balls set in motion on a table are responsible for what others they hit or where they stop. Compulsive behavior, unaffected by choice, seems to me to serve as a perfect illustration of behavior which is the result of organic causes over which the agent has no control and for which he, she, or it is not responsible. Little toddlers drawn to noisy or shiny objects, moths drawn to flames, and puppies drawn to delicious treats seem to me to be acting compulsively or as the result of causes over which they have no control. So perhaps do compulsive eaters -- people who eat compulsively though they try to diet or may want to lose weight -- some alcoholics, compulsive smokers, voluptuaries, etc. People who are unable to choose their actions or unable to do what they choose (if there are such people) are not free or responsible in those areas. On a television comedy, one fellow complained and explained to his colleagues envious of his frequent sexual successes, "I can't help it; I'm a prisoner of my biological urges."

If determinism is true, or if it is true for any particular act or choice -- that is, if an act or choice is the inescapable consequence of forces beyond the agent's control -- or if indeterminism (for a given act or choice) is true -- that is, if an act or choice is the result of some uncontrollable chance or totally uncaused or unpredictable and unexplainable occurrence -- then ethical principles and moral reasoning would not actually show you what was right (in those cases). They would have no effect at all regarding indeterminate, chance behavior. And in regard to (pre-)determined behavior that is the result of long causal chains, they would just be other links in those chains -- we could not help invent them, and they would influence further actions in the same ways that spankings, punishments, or other influencing causes of behavior do. They would not be reasons for behaving in certain ways but would be causes contributing to behaving that way.

I believe that to act freely is not to act either compulsively (determinism) or by chance (indeterminism) but to act in regard to an informed, rational or reasoned choice, a choice which can be examined for its reasonableness and objectiveness. This does not dismiss emotions or sensations, as some would hold, since these can be taken into account by reason. Reason or logic can understand that something can be enjoyable, and that such enjoyment is a logical reason in favor of the activity contemplated, though it may not be the sole factor to take into account. Reason and logic can consider sensations and joy, but joy and sensations alone cannot consider logic or anything else. I believe people are responsible for the acts they perform that are the result of the free choices they make in this way.

But furthermore I believe people are also responsible for any choice they make that they could have made differently and for any resulting act they did that they could have done differently, even though they may not have made the choice or done the act rationally or objectively. Irrational choices, which are neither accidental nor the result of uncontrollable forces, make the person responsible for his actions though they do not show responsibility (in the sense of

maturity) in behavior or decision making. Although there may be forces at work sometimes in some people that inescapably make them do things over which they have no control, and although these things may be wrong acts or bad choices, not all wrong acts or bad choices are the result of inescapable forces nor ones people could not have made otherwise.

It is difficult to prove perhaps whether someone has been acted on by forces outside his or her control or has made a choice that they could not have made differently. But I would like to give some examples of some possible kinds of candidates for such choices. Some states of drunkenness or drug usage impair and control decision making and choices of actions, but insofar as a person has let himself or herself become drunk or drugged through voluntary actions or choices, he or she has at least some responsibility for actions under that state, particularly if prior knowledge or experience should have made the person more careful about whether or under what conditions he or she used alcohol or drugs. For example, a person who knows he will drink a great deal at a bar or at a party is responsible for his drunk driving if he drives his car there knowing he will be driving it home under the influence. If, however, one is drugged unwittingly, such as in someone else's secretly spiking their drink, and has a reaction in which they lose control of their choices or actions, then I think this is one example of a person's acting in a way for which he or she is not responsible. I think cases of being brainwashed against one's will, if the techniques have been developed to do this successfully, are such cases. Cases in which stroke, seizure, or disease have impaired memory and understanding or brought about paranoia or prevent distinguishing between reality and illusion are other cases. Cases of genuine compulsion, where no matter what a person really wants or tries to do, he or she seems compelled to do something else. It is, of course, difficult to tell in many cases whether a person is acting under inescapable influences or not, or whether, if so, they are responsible for courting those influences to begin with, but the point is that without demonstrable inescapable influences, there is no reason to believe a person is not making a choice he or she could have made differently. I think there are cases where clearly people are behaving in ways they do not want to or would not choose if there were not something wrong with them that they cannot control -- particularly where we know them and see them change overnight or after some particular understandably traumatic experience.

But this does not mean all choices or behavior is like that; we can often tell we have the power to choose either of two alternatives (the choice is ours) and to pursue what we choose. Anyone who has ever been on a diet or tried to break a habit can understand compulsive urges of whatever degree and can understand what it must be like not to be able to exercise control even if you really wanted to. And this is different from just being weak-willed and giving in to a habit or desire. Just kind of trying to give up chocolate and giving in to an occasional favorite candy bar just for a little harmless pleasure is quite different from knowing you need to give up chocolate, doing all you can to prevent eating it, and finding out you cannot keep yourself from it no matter how much you (try to) choose to stay away from it. Some people, from accounts I have read, seem to have compulsions they are unable to overcome no matter how irrational they know they are and no matter how hard they try or how much resolve they have in all other areas of their lives. It is somewhat hard to imagine adults not being in control of their choices and actions, and the courts and news media are full of highly suspicious stories given by defense attorneys alleging such forces were at work on their clients making them commit the crime they did, but to the extent any such accounts are reasonable or credible concerning any form of forced choice-

making or forced action-taking, one ought to believe as well that persons under such forces are not (totally) responsible for their actions that are brought on by those forces. Credible stories are those, for example, of total personality transformations after taking a new prescription drug or after drinking a cup of punch someone hands you at a party and there is also good reason later to believe it was a person who would adulterate a drink of an unsuspecting person just as a joke.

### **Responsibility: Free Choice or Free Action?**

There are some people who think that how you choose what you do is not the issue for responsibility and that all this talk of forces controlling someone's choices is nonsense. They think the only issues for determining responsibility are whether you did what you chose, and whether you were free to have done something else had you chosen to. Whether you could have chosen to do otherwise they think is either irrelevant or unknowable. (You have to have been free to do something other than what you did because you are not responsible for doing the only thing you can do; for example, you are not responsible for what you hit if you fall off a building or for remaining tied up in a closet if someone forcibly chains you in one.)

The claim is that even if a person's character causes him to choose what he chooses, that person is still responsible for his actions -- assuming his actions were unrestrained. People who claim this would, say, hold a criminal responsible for his crime regardless of why he chose to commit it, as long as his action was not forced (say, by hypnosis). How the criminal made the choice is irrelevant. Background or medical history would be irrelevant.

I think this claim is falsely too strong and does not really attack the point and kind of cases it means to. I think if a person really could not have chosen anything beside what he actually chose, then he is not responsible for his choice and the ensuing action. But making a choice "in character" out of cowardice, due to weak will, or due to some of the other rather weak or trivial kinds of causes that lawyers and psychiatrists seem to contend force choices is not always actually to be inescapably forced to make a choice a particular way. The question, I think, should not be whether people are responsible or should be held accountable for choices they could not have made otherwise, but whether in fact the particular choice at issue is one they really could not have made otherwise. I believe if it is one they could have made otherwise -- say, with more courage or reasonable foresight or with reasonably expected maturity or social conscience -- then they are responsible. If not, whether because of physical disease of the brain, drugs forced on them, traumatic shock, brainwashing or anything that could have affected almost anyone else in the same way, then they are not responsible.

Now I agree that some alleged cases of mind control seem to have subjects who give in all too easily or willingly to supposedly inescapable forces, that there are many such alleged forces which seem normally not too impossible to escape with a little will-power, and that in many (often Freudian) types of explanations it seems the alleged forces or chain of causation is too weak or too far-fetched to have much credibility. So in over-reaction to this it is argued that people are responsible even when their choices are influenced or determined. In such cases, however, it seems to me it is not that one should ignore how choices were made in order to determine responsibility, but that one should show the claimed inescapable forces are not really inescapable and so the person really is responsible for his choice, in spite of the psychiatric or

defense theory claiming the contrary. It is that in these cases the person really could have chosen otherwise; it is not that truly determined choices are irrelevant to responsibility.

I think that if either one's choices are controlled or one's actions are controlled then one is not responsible for those actions; the question then simply is whether such control can ever be demonstrated. Obviously there are physical restraints to some actions some times, and I have already mentioned some kinds of cases that I think make plausible the notion of choices being uncontrollable (such as being unwittingly drugged by someone else, tumors or trauma causing "overnight" change in character, some kinds of brainwashing, etc.). But these are not conditions people normally encounter, so I think (and will argue a little further, shortly) most of the choices most people make and most of their actions are not of the sort that could reasonably be called coerced or inescapable. So their responsibility is not then inescapable either.

### **Other Bad Arguments Claiming People Have No Personal Responsibility**

Further, when you have a choice where the alternatives are all unpleasant ones, or where the morally right alternative is the (most) unpleasant one, you still have a choice and are still responsible for what you do. Having a choice does not require having only to choose between wonderful alternatives. When one of my students one time said her husband had no choice but to go to Viet Nam in the army, that was not true. That may have been the best option of a bunch of bad options open to him, but nevertheless the choice was his to make. Sometimes, through no particular fault of his or her own, a person may not recognize he or she has an option; and that may be the same as not having it at all; but recognizing an option as an unpleasant option does not remove it as an option. Socrates, and others have chosen imprisonment and/or death over other options. Socrates felt, and I think there is some merit to this, though it is hard to express why exactly, that it is better in some cases to be the one harmed than the one who does harm. It is better though not happier nor more fortunate. You may not have control over your luck and destiny or what happens to you but you do have control over (some of) what you do, and you should at least make certain that whenever possible you do not add evil to the world even if others choose to do wrong and put you in a position where you must also do evil or suffer some unhappy consequence at their hands. Of course, not all situations require the most self sacrifice; it is far more reasonable to give a thief your money if that will prevent him from taking your life and then your money anyway. And perhaps Socrates gave up too much when he gave up his life rather than agree to give up teaching (doing) philosophy in Athens. (Aristotle, later given the same ultimatum is reported to have said, "Let Athens not sin twice against philosophy" and left.) But there are times where the right choice does demand sacrifice of some sort because all the alternatives are terrible ones and the least terrible or ignoble one may be the one that calls for the most sacrifice by the agent.

There are a number of theories that try to prove responsibility is a fantasy by trying to show that forces work to determine everything, not just in the physical world, but in the mental world as well, hence controlling all our choices and behavior. I want to try to repudiate such theories here.

Some people point to what seems to be quite apparent compulsive behavior by some individuals, and then try to extrapolate from that to the "compulsion" of all behavior of all individuals. The two types of behavior are so different though, as I think I have already said enough to show, that

there is no reason to believe their causes or mechanisms are the same. Being a compulsive or obsessive eater is not like choosing to go off a diet out of temptation or weak will. And it is certainly not like choosing to have lunch when you are hungry at lunch time and have no good reason not to have lunch.

Some people argue that the regularity of occurrences -- so many people committing murders each year, so many forgetting to address envelopes they mail, so many people getting married or buying cars (in proportion to the strength of the economy, etc.) -- shows there must be forces at work to determine what happens in our lives. But (1) even supposed random occurrences (shuffling and dealing cards, spinning a roulette wheel, tossing a coin) have statistical regularity or averages; that does not take away their randomness or make them caused or (pre-)determined. It certainly does not mean forces are at work on individual occurrences (or any occurrences) to make them fall into a certain pattern. (2) Things like marriages and car-buying in a particular economic situation may show that forces influence decisions, but may do so rationally, without thereby totally causing them. One can even reasonably and correctly predict what people will choose and do in some particular cases, but this does not mean they have been caused or determined to do so or that they could not have chosen or done otherwise. For example, it is a fairly safe prediction that under normal circumstances college students will leave their classrooms within 24 hours of their class' being over. They do not have to leave but it would be rather strange not to. Knowing that a person is mature and independent and in love might give you reason to believe that an improvement in his or her financial situation might make marriage a more reasonable alternative than it was before such an improvement. Knowing that a person is rational and knowing what the rational alternatives would be for her or him to make lets one predict with fair accuracy what the person's choice and actions will be. Making a rational choice is not like making a forcibly determined one nor like making a random one. So your predictions are not based on the same kind of determined behavior or laws that one might use to predict the "behavior" of the planets or even of small children or puppies and moths.

It is true that (pre-)determined behavior is theoretically predictable, but that does not show that theoretically predictable behavior is therefore (pre-)determined. Some children and even some adults become really upset when you predict their actions -- even ones that are obvious and that any rational person would make under the circumstances. They seem to feel that you are taking away their choice or their freedom to choose, or somehow showing they have no real choice they can make -- that they have been pre-determined to choose or act a certain way. This is simply wrong, however; acting freely and rationally is different from acting, say, compulsively, ignorantly, or both even though both kinds of actions might have in common that they can be predicted.

The most persuasive or perhaps simply pervasive theory seeming to undermine the notion of personal responsibility is that of (Freudian and other kinds of) psychoanalytic psychological theories that postulate or believe that there are subconscious or unconscious forms of control over our conscious acts or choices. I believe these theories are not really demonstrated. I will give two kinds of arguments in summary for my belief.

First there is evidence that psychoanalysis often does not work and that it often at least does not work as well as other sorts of methods which do not involve "study" of subconscious motivation

-- methods such as behavior therapy, existentialist psychotherapy, responsibility therapy, client-centered therapy, etc. And when psychoanalysis does seem to work, it is not clear that it works because of the part involving study of the supposed sub-conscious. It may "work" because the therapist listened to the client and made the client feel worthwhile or because the client thought about his behavior for the first time in talking about it to the therapist, or it may work for some other such reason. I have met some people who were undergoing psychoanalytic therapy who were becoming very facile in describing allegedly warping childhood experiences or relationships and very good at ascribing blame to everyone (particularly their parents) but themselves for their behavior, and they were becoming very good at naming their behavior in the scientific jargon of the day; but so often they were not one whit closer to changing that behavior for the better. Since I first read about alternative kinds of therapies a number of articles have appeared showing from experiments how some of them seem to deal with (at least many kinds of) problems better than psychoanalysis. In one study, people who were afraid of snakes were allowed to view some snakes and others handling them in another room through a safety glass. Then they were allowed to enter the room and approach the snakes at their own pace. People got over their fear of at least these snakes in a very short period of time, and far shorter than those who would do so, if at all, by undergoing some sort of psychoanalysis trying to understand their subconscious problems with penises that are supposedly shown by their fear of snakes. And, as should seem obvious, I would think, most people who are afraid of snakes are so because they cannot distinguish poisonous ones from others or do not know how to keep from being bitten or squeezed (or crushed) by any kind and do not want to take any chances, so they stay away from all snakes. As one newspaper writer once put it, as far as he was concerned a green snake was just as dangerous as a ripe one.

Second, all the clever little stories that psychoanalysts can make up that seem to explain behavior are more a result, I suspect, of their cleverness at literary invention than of their insight. There are a number of examples of stories that seem plausible explanations of behavior or of feelings, fears, etc. but which are either false, satirical, far-fetched, or simply unexplanatory on closer inspection. One of the wittier and more elaborate such satires is in Edgar F. Borgatta's "Sidesteps Toward a Non-special Theory" appearing first in Psychological Review, Vol. 61, No. 5, September 1954, and reprinted in Psychology in the Wry (D. Van Nostrand Company, Inc.), edited by Robert A. Baker. Part of the article, and part of the satire gives humorous, spoofing arguments about how (given it is obvious that hands play a large part in human sexuality and gratification) much of seemingly ordinary behavior involving hands can be seen to be really sexual in nature, though, of course, unconsciously or subconsciously so -- applause, shaking hands, holding cigarettes, holding a golf club, tennis racquet, or baseball bat, covering your mouth while yawning, etc. "Just recently an associate put his finger on an important example in this area by bringing up the story of Peter and the Dike. Peter's action, usually interpreted as an example of great courage and devotion, is actually, in the light of this new theory, one of gross self-indulgence." [Emphasis mine.]

My younger sister is fond of telling how she became so terribly afraid of spiders. When she was little she had a floorless cardboard doll house that was big enough for her to sit inside. Once while she was in it, outside on the lawn, I held the door closed so she could not come out. She says now that there was a spider in there with her when I did that, that she felt trapped with it, and has ever since been terrified of spiders. However, as explanatory as this may appear at first

blush, it seems to me not to hold up. It seems that she must already have been afraid of spiders or she would not have minded being in there with this particular one; after all, she was also "trapped" in there with dandelions, clover, and blades of grass and she is not afraid of them now. Nor is she afraid of doll houses, nor of closets or other confining spaces.

Similarly I chuckle at persons who have told me that I must have subconsciously liked my father more than my mother when I was a child because I like now to have my back scratched the way he used to do it but not the way my mother used to do it. It is true that I loved for my father to scratch my back, and hated for my mother to do it -- but it has always been obvious to me that that was because he did it with enough force to make it feel good both as scratching and as massage, whereas she always was afraid she would scratch (tear) your skin or hurt you and so did it so lightly, that the way my skin reacted, it tickled and then made my back itch twice as much as when she started "scratching". A backscratching device or the convenient edge of a wall, with enough force, will still suffice for good feeling, instead of a light source or tickle. I liked lots of things my mother did, and disliked some things my father did; backscratching, though, was not one of them. I doubt there is any subconscious motivation behind it.

One older psychiatrist I once had a discussion with said, "We have come a long way since Freud's day; we no longer believe, for instance, that a man choosing to eat a hot dog rather than a hamburger at the beach is voicing a homosexual preference." I am certainly glad they no longer believe that; I am just sorry they ever did, especially since I suspect it could have easily been tested as to whether shape or taste was more important by putting hamburger in hot dog shape and vice versa.

Finally, to say that a person does something because his ego (or whatever) makes him do it only serves to relocate the original question then to seek what made his ego do it. Do you then need to postulate some sub-ego? Then why does that want to do it? Etc. And to say that one does something now because he learned to do it early in life, does not say why he should choose to continue to do it, particularly if it is behavior that he thinks is wrong or finds distressing. One can read in psychiatric papers and in the news media all kinds of accounts of what seems to be really abnormal and bizarre or terrible behavior. I am not sure how much understanding such behavior, if that is possible, might shed light on what seems to be normal everyday behavior, even normal everyday bad behavior. And I am not certain what, if anything, might help change people who are far beyond anything like normal thoughts, feelings, and actions. But I think regarding the many more-or-less ordinary kinds of behavior and choice or lifestyle problems that more-or-less ordinary people experience, in many circumstances the primary conditions are first to figure out what is better and why it is, and then to make the choice to change and to exert the will to do it. Of course there may be some outside help needed to figure out what is right and/or help needed to do it; and of course one may need to play some mental games or step back, if possible, from frightening, enervating, or harrying situations to calmly reflect, meditate, or collect oneself in order to change one's behavior to a way one thinks is better. Many people vacillate about behavior because they are not really certain about what is right to do. Once they can decide that (and these chapters on ethics are meant to help people be able to more wisely make those determinations in so-called ethical areas) then the choice and the act of will can readily follow without having to delve into the motivation of the subconscious or having to overcome something that happened to you in the womb or in the first few years after birth.

I say "so-called" ethical areas to distinguish them, as is the custom, from practical areas of life. But I generally do not really make that distinction and find sometimes that what seem to be, or are, great moral dilemmas can often be solved with practical knowledge or wisdom. If you borrow something expensive from someone and somehow stain it, you have a choice to replace it at your own expense, to accept their protests that you not worry about it, to lie about the stain or pretend it did not happen, etc. But if someone knows a safe, effective, inexpensive way to remove the stain, and it actually works, the ethical problem disappears. If modern medicine could discover a reasonable way to safely transplant embryos from women who did not want to be pregnant to women who did but could not get pregnant on their own, some cases of unwanted pregnancies could be happily solved without having to deal with the moral question of whether it is right to terminate the life of an unborn you do not want to have to bear.

I think too often people mean by "ethical" or "moral", those problems concerning the right way to act which they think have no practical or obvious solution, or in which the solution is to do something that is unpleasant for the person who has to do it. In this latter regard you often hear someone admonish another or worry themselves about what is the moral thing to do in a situation where they are certain what is the moral thing is some sort of sacrificing or at least unpleasant thing to do. You almost never hear anyone say something like, "but you know the moral thing to do would be to go ahead and have a good time." Well, sometimes I think the moral thing to do is to have a good time, when there is no good or overriding reason not to. And it could be the moral, not just the enjoyable thing to do, since it could be the kind of situation where you would be obligated to help someone else who was just like you and in relevantly similar circumstances have a good time; and if you should treat people in relevantly similar circumstances similarly and fairly, then it would be the kind of situation in which you should help yourself have a good time. I think there are situations where it is as ethically obligatory to choose something enjoyable for yourself when you are deserving as it would be in other circumstances for you to choose it for another person who is deserving. Enjoyment is not the kind of thing one can only owe to others.

Further, I think there are many things we do that could be considered moral, but since they are so easy to do and/or so obviously what needs to be done, we do not feel the use of our ethical sensitivity or intuitions in deciding them. For example, instinctively holding a door for someone carrying packages, or helping them carry them; taking a child's hand as you cross the street or descend steps; keeping appointments or calling ahead to cancel them with an explanation. Or I think treating a deserving child nicely on her birthday (or any day) is not just fun or a social custom; I think it is a moral obligation, though there is no moral obligation to have a party, decorations, or cake and ice cream. In fact, if one thinks sweets a bad thing, one might serve a more healthful kind of treat, and that might be a moral duty, as well as a labor of love or a most enjoyable thing to do.

I also do not like to divide actions into moral and practical because I think that psychologically gives people an (invalid) excuse to act immorally while doing what they consider to be practical matters. They mistakenly think they can avoid moral responsibility by "only following orders", "only abiding by the decision of the committee", "only following procedure", "just doing what has always been done", "just doing what everyone else does", "just following policy or the regulations," or "just doing what the boss (or job) requires". Similar attempted justification for



shirking of responsibility sometimes is "that is not my department" so I cannot help you. People, however, have a moral responsibility for a situation to the extent they could influence it.

Of course, there are some cases where the person in question has no influence whatsoever on policy and cannot change it, reasonably make exceptions to it, or influence those who could. In such cases they may have no responsibility in the matter. But most often the person is not powerless to influence the matter, make an exception, plead the cause, or at least in some way help out the person in need; they simply do not want to take the time or make the effort to do it, and may even think that because they have no "professional" obligation to help, they also have no moral obligation to help. This is the impersonal and often irresponsible side of bureaucracy or departmentalization, whether it occurs in government or in business. Neither is immune, and it runs rampant in both. Often it is even detrimental to business profits -- when a worthwhile project is ignored or thoughtlessly rejected. Now I am not trying to argue every employee needs to (re)consider every crackpot proposal and bother his/her superior about them; I am saying that if an employee really believes a proposal has merit or a person needs to be helped with a problem or has a legitimate complaint that is being ignored, that employee has some sort of moral obligation to try to help or influence the process if he or she can. One does not avoid such an obligation by ignoring it; one just avoids fulfilling the obligation.

There are at least two different senses of the sentence "Jones is responsible for [some particular phenomenon]", however, and I don't want those to be confused. In the sense I have been discussing, Jones is responsible for those things which he could influence or affect. This does not, in itself however, tell *which way* Jones should act. But Jones can also be said to be responsible in the different sense of being "culpable" or blameworthy when he should have acted a certain way but did not. I do not want to imply that just because someone is responsible in the first sense that he is necessarily also responsible in the second sense when something bad happens that in part results from his action or inaction. If a person makes an understandable and reasonable mistake about the consequences of his action or inaction, he may be neither actively culpable nor negligent. Good intentions and reasonable choices do sometimes lead to mistakes. There will be times one should have acted differently than one did, but that will be apparent only in hindsight, not at the time the decision is made. People tend to blame themselves (or others) for results they could have affected but reasonably chose not to. That is a case of mistaking being able to effect an outcome at all with knowing how to make the right outcome happen. The cases of shirking moral responsibility I have been discussing are cases where people ignore the consequences of their behavior and think that is all right, not where they make the wrong decision about how to behave, but were still being conscientious.

There are other ways people ignore moral responsibility -- by thoughtlessly and slavishly following fad or custom so as not to make waves or call attention to themselves instead of thinking about what needs to be done and doing it if they can. I once attended a course in a church where many of the members were wealthy and very image conscious. The room the course was taught in always got much too warm, but the teacher pleaded ignorance to how to work the heating and air conditioning controls (though it was not that hard to figure out). The first three class sessions I asked whether it would be all right to turn off the heat or turn on the air conditioning, and everyone said yes, that they were too warm too. But they looked funny at me as if I were a disruptive influence even though the whole thing only took a few seconds. The

fourth week I decided to see what would happen in this class of 60 people if I did nothing. No one did anything -- they sat there fanning themselves with makeshift fans and mopping their brows with handkerchiefs. There were a number of pregnant women in the class, but none of the guys in the three piece suits, or anyone else, made a move toward the thermostat. At the end of the class I asked why no one did anything about the heat. They all said they felt they could suffer through it. I asked why they did not do something to alleviate their neighbors' or the pregnant women's discomfort. "Didn't think about it," was the response. I suspect they also did not want to call the slightest bit of attention to themselves; and would rather physically suffer and let others do the same than to behave "differently" by getting up and turning down the heat.

Now this is not a major matter, but I think it is illustrative of many common situations where people do not act in a reasonable and correct way because they do not think about it, because they do not think they have any personal responsibility for circumstances in which they do not have "official" responsibility (as in "that's not my department"), or because they do not want to be conspicuous -- particularly by being different in some way. Habits, customs, traditions take on an importance, often out of proportion to their merit. I think all actions are moral (good, bad, or neutral) but not all choices or actions are made on the basis of (moral or reasonable) reflection or deliberation. Much is just done out of habit and/or thoughtlessness.

I think there is another aspect to personal responsibility besides the issue of what to do in particular situations. That is deciding what situations to get into in the first place (or remain in) -- essentially, deciding how to spend your time and life. Of course not all of us can always do anything we want or feel would be best, and we don't always even know ahead of time what would be best, but there are many times people allow themselves to get into situations they could have avoided and which they should have avoided and should have known to avoid, in order to do better things -- for themselves and for others.

If you look at life as a limited time or limited opportunity of which to make the most and do your best, then you want to put yourself in as many situations as you can that help you do that. A person who voluntarily puts himself (or remains) in bad company or bad circumstances, which thus engenders only choices between evil acts, may not be immediately or directly blameworthy or responsible for doing something bad which is the best alternative open to him. But those acts are ones for which he is ultimately responsible since he should have known in the first place to avoid or leave situations that would make him do those acts or have to choose between only bad acts. It is not a good excuse to say something like "Since I have this job, I have to act in this particular, bad way," since (even if such a statement is true) you are responsible for taking, or remaining in, the job.

## **Chapter 26**

### **Ethics -- Seeking to Discover What the Highest Principles of Behavior and the Things of Greatest Value Are**

The actual doing of ethics or moral philosophy -- the search for principles that characterize and determine right action, duty, obligations, good values, good people, wrong actions, evil, etc. -- as opposed to the previous kind of activity of talking about the nature and logic of the search and the concepts involved in it, is what philosophers and university philosophy teachers today call

normative ethics. Since this activity is what most people call simply ethics, I will dispense with the adjective normative.

It is useful to consider ethical theories about what kinds of actions are right or wrong in two types of categories to begin with: (1) theories that right actions are those actions whose consequences create or allow the greatest amount of good (or least amount of evil, or greatest balance of good over evil), and (2) other theories -- any theory which holds that what is right is not dependent upon how much good (or how little evil) is created, but on other things -- things which the theory will explain or describe. At first look, theories of the first sort -- call them, say, "good-requiring" theories -- perhaps seem the most obviously reasonable, but let me give some examples of cases of the second sort so that you can see what plausibility they themselves have. People who would be more inclined to hold one of the second kind of theories would be those who might follow a set of rules like the ten commandments, regardless of the consequences following those rules might bring, or people who believe that you should always obey the law, even if you think a law is a bad one or that some harm or evil will result in following it. ("If you think a law is a bad one," they usually say, "then get it changed" -- as if you could -- "but until it is changed, you ought to obey it.") Examples of other kinds of principles of this second sort are the Golden Rule in either of its forms -- (1) do unto others as you would have them do unto you; or (2) do not do unto others what you would not have them do unto you -- and the philosopher Immanuel Kant's principle that you should only do what you could will that everyone should do (popularly usually expressed rhetorically as "What if everybody did that?"). None of these rules have any reference to whether following them will turn out to give the greatest good in the long run or not, though in some cases I think it is assumed (though probably incorrectly) that using them properly will bring about the greatest amount of good or presupposes (as in using Kant's principle or the Golden Rule) that you will choose the alternative that will.

I will call theories of the first sort "good-requiring" and those of the second sort "formal" or "procedural" rule theories, this latter because following the procedure or form of the rule, not looking at consequences, makes the determination for you of what is right or not. (For those who might take a philosophy course, philosophers call "good-requiring" theories "teleological" and "formal rule" theories "deontological" but I shall not use those somewhat foreboding and generally undescriptive terms here.)

### **Good-requiring Principles**

These are any principles which say an act is right if and only if, of all the acts that are possible for the person in question, its consequences create the most good, least evil, or greatest balance of good over evil. The following are three categories of good requiring principles, derived from their different answers to the question of who ought to most benefit from the good that they require to be done:

- (1) the agent performing the act? -- the theory called "egoism";
- (2) everyone other than the agent performing the act? -- altruism; or,
- (3) everyone; or at least the majority or greatest number? -- utilitarianism.

Also consider the question of what things are good. There have been serious attempts to show that there is ultimately only one good -- one and only one final good toward which all other goods are only a means, but which it itself is an end. This, it is argued, is pleasure or happiness or contentment. (Though these three words perhaps mean somewhat different things, what I am interested in saying about theories claiming that any or all of them, or other similar things, are the only ultimate good will apply equally to all; so any specific distinctions between them will be unimportant here.) Such a theory of the ultimate goal and value of life -- joy, contentment, happiness, pleasure, etc. -- is called a hedonistic one.

Now, except for categorizing theories, the names of the theories are not important, though the contents of the theories are, since many hold or have held various forms of these theories. We can have "egoistic hedonistic" theories of ethics -- theories that say everyone should act for his or her own greatest happiness (not just good, but the specific good happiness; we can have "altruistic hedonistic" theories of ethics -- theories that you should act for other people's happiness; and we can have utilitarian hedonistic theories of ethics such as those of John Stuart Mill or Jeremy Bentham which hold that one should always act to promote the greatest happiness for the greatest number. And, apart from hedonism, there can be egoistic, altruistic, or utilitarian theories designating for whom one ought to increase those good or rewarding benefits that include things besides happiness or pleasure, in case happiness or pleasure is not the only ultimate good.

I will say nothing much about altruism in the sense that I use it here, meaning a principle requiring one always to ignore one's own good and to think only of the good of others. That is because I think everyone owes themselves, simply because they too are a human being, some consideration; the question is simply how much. Why should other people, just because they are not you, be considered by you to be more important than you, or why should their good or happiness be considered by you to be of more value than yours! And why should you consider, as this theory of ethics would require, another person to be of more worth than you allow them to consider themselves! The theory or principle, as stated here, would hold that you must always take their good into consideration but they should never do so; and they must always place your welfare first, but you should never do so.

### **Egoism**

Let me first consider one particular argument given for ethical egoism -- the principle that one ought to do what will bring about one's own greatest good, least bad, or greatest balance of good over bad -- and for ethical egoistic hedonism -- the same theory but where good is considered specifically to be pleasure or happiness, and bad is considered to be pain or sorrow, etc. This is the argument derived from their psychological counterparts, psychological egoism and psychological hedonism, psychological theories which say that people only can act for their own (perceived) greatest interests or happiness. And since one can only be obligated to act in a way that one can act, these theories about how people do and must act leads directly to the ethical theories about how they should act. The contention is that since people are psychologically required to act in ways they perceive to be in their own best interests (or that will give them the most pleasure), that is the (only) way they can ethically be required to act; to require anything

else ethically of people is to require the impossible and so is not a really legitimate, realistic, or meaningful ethical principle.

Criticism: It is true one can only be morally obligated to do what is possible; but it is not true that it is impossible to act unselfishly. And in many cases it is not even difficult to act unselfishly. If this is the case, as I will argue shortly, psychological egoism and hedonism, since they are false theories of human nature, cannot justify ethical egoism or hedonism, theories about human obligation. People do in fact act altruistically, at least some people do, at least some of the time. People can act unselfishly; many often do. Altruism, in the sense of taking the welfare of others into consideration, and even sometimes putting it above one's own welfare -- whether that welfare is in terms of happiness or some other good -- is not an impossible human attribute. People can and do act in regard for others, act in ways that they know or believe will cause less good to themselves than they could otherwise get; but they act that way because they know or believe that it will cause more good for others and that sometimes that is better or more important.

Many teachers, for example, have done extra work for their students' benefit, not for their own benefit. Many people do extra things for others even when it is an inconvenience to themselves. Parents, for example, often do unselfish things for their children. They may work harder so that their kids have the extra opportunities occasioned by greater wealth; they may give their children their time and energy to teach them, chauffeur them, chaperon them, or to listen to them about matters of little consequence or interest in themselves, even though it may not cause the parent any great joy or pleasure and even though it may be boring, tedious, or sacrificial of their time or energy that would otherwise be spent on personally fonder projects.

And any argument that tries to show these people believe they will get more pleasure out of acting altruistically and are therefore really acting in, and because of, their own self-interest after all, shows little understanding of human nature in such matters. Of course, there are selfish acts done by people for others so that they themselves will receive a benefit or honor or feel better or have their consciences assuaged, but not all acts are like that, and not all people act selfishly like that. In many cases of altruistic acts or of self-sacrificing utilitarian acts there is no particular benefit expected or perceived to be gained by the agent performing the act. And if one does get pleasure out of an unselfish act, that pleasure is usually the result and not the cause of one's doing something selflessly. Furthermore, in cases where there is some pleasure for the agent, it is usually hardly sufficient pleasure to have balanced the amount of selfish pleasure sacrificed. (More about this shortly.) To repeat, not all acts have much to do with the agent's expecting to receive any or sufficiently rewarding pleasure for his or her deeds; nor do they have much to do with the agent's actually receiving any or sufficient benefit for them; and even when some pleasure does also result for the agent, it is just that -- an accompanying result -- and not the cause of his or her performing the act.

For example, when you root for a sports hero, a movie hero, kidnap victim, politician, or whomever, you do it because you want him or her to triumph, and then you feel good if he or she does. Unless you have placed a bet on them, you do not root for them so that you will feel good. Why should you feel good about their winning if you did not already have some sort of concern or feeling for them? Why ever root for the underdog, since by doing so you are more likely to

end up feeling bad -- underdogs usually lose. Why not root for the kidnapper rather than the victim if all you are concerned about is how you feel! Why, in fact, root for anyone else at all!

In terms, not of caring about other people, but just wanting or feeling obligated to do things, I think there is a similar situation. The desire or perception of duty arises first, and the pleasure, if any, follows from successfully doing what you want or believe you should. I think that in general we get pleasure out of doing the things we want to because we were already in the mood to do them and were able to; we do not do them because we anticipate some sort of pleasure resulting from doing them. The mood or desire generally has to come first, or there will not even be any pleasure resulting from doing the act.

Now there are some cases or times we do things or want things for the pleasure we anticipate from doing or having them. For example, one may want to get drunk just to see if it is as great as others often say; one may want to go to a party, not because one is in a partying mood, but because one feels he or she may have a good time if they go; one may want to have sex with another just to see whether it will be good. These cases do not always give much happiness though -- not with the kind of frequency that doing or getting something you really already want to do or to get does. Further, these cases simply are rarer than going to a party because you are in a partying mood, getting drunk because you have the urge to drink or to "feel no pain", or having sex simply because you really want to with the person you are with at that time. If you simply think about the cases where you want to do something, I think you will see that generally the mood is prior to any anticipation of pleasure, and that often there is a mood, desire, or craving to do something without any real (conscious) anticipation of pleasure at all. Sometimes you may even actually anticipate a disappointment or letdown because you are aware of how important the act or thing simply seems to you.

One of my best students one time, disbelieving this, argued that he quite often did things for some pleasure he believed he would get. I thought he was wrong about himself, so I asked him to pick something specific that he felt that way about. He mentioned water skiing, or at least his numerous futile attempts to water ski. He was a big fellow, and for a long time he had been unsuccessfully attempting to water ski. He had even bought a power boat so that he and his wife and friends could get on the lake whenever they wanted, particularly so that he might ski. He really wanted to water ski, but he had never been able to do it. He had even broken tow ropes in his unsuccessful attempts to get up on the water on his skis. Up to that point he had only been successful at letting his wife and friends ski while he drove the boat. Alas. But he still wanted to water ski. I asked him why he wanted to, feeling I already knew the answer and that it was not what he thought.

"Well," he said, "I see all these other people doing it and they look like they are having so much fun, I would like to experience the fun they are having; I want to do it so that I get the pleasure out of it they do."

"But earlier in the class tonight," I reminded him, "you said you have often been at parties where you watched people eat things like oysters, and though they seemed to really enjoy it, you hadn't the slightest desire to try the oysters. Eating oysters did not strike you as being enticing, regardless of how much fun others seem to have doing it."

"But I like water skiing."

"No, you don't. You have never even been able to do it. You don't even know whether you will like it or not if you are ever able to do it."

"Well, I would like it -- I like being able to go fast on the water with the wet spray and all."

"But you can do that in your boat; there is no need to satisfy the urge for that by having to get out on skis; you can have that sort of fun or pleasure in your boat. In fact, except for slaloming or some such, you cannot go any faster on your skis than you can in your boat; and if your boat has much power, you can probably even go much faster in it than would be safe for anyone to try water skiing behind it."

"Well, then, why do I want to water ski."

"I don't know why; but I do know that you do want to. And I suspect that it is because you want to so badly, and it has been so difficult to learn, that if you ever are able to do it successfully, you will probably be very happy about it. Your desire will, if ever fulfilled, cause you great pleasure. The thought of the pleasure does not bring about your desire."

Attractions to people are often like this too. I think often there is no (known) reason for a particular attraction to someone just as there is no (known) reason for a particular desire to do something. Further we often are attracted to people, or desirous of things or activities, we intellectually know make us miserable. We do not always seem to want or like things, or people, for the pleasure they might bring.

Further, if we did, would it not be more reasonable to delay things like eating or sleeping when just a little hungry or tired, in order to build up the desire so that the pleasure would be even greater when achieved. But we do not act that way usually. Of course, in some areas like sex we do sometimes delay gratification by prolonging foreplay so that the pleasure will be even more pleasurable, but that is also partly at least because the delaying tactics of prolonged play are themselves pleasurable and because we may be in the mood for such play and such delay. But even in sex there are limits to what kinds of things and delays one would go through just to make the end more pleasurable.

And in most activities, though, like writing, editing, and revising this book (or the class notes I hand out to my students so that they can listen, reflect, and respond or seek clarification in class rather than unthinkingly and busily taking faulty, illegible, unintelligible notes, perhaps about things they are not really following) there are many other ways I could have more pleasurably and profitably spent my time. Working over this as a book, not knowing whether it will be published, profitable, read, or helpful to anyone, I am hardly writing it because it is fun to do so; it is not; writing in a case like this, where it is to some general sort of audience without particular questions or comments to respond to and where there is no feedback as I proceed, is most tedious and laborious for me. And I am not learning much myself by doing it because the insights (have) come while thinking about and discussing the topic (which I still find fascinating after many years), not from organizing and writing down in book form what I already think. I am writing

this because I believe the ideas I have developed and attained in thinking and reading about relationships should be passed on to others who have the same kinds of questions, concerns, and ideas I had. I hope it can spare them some of the trials, fears, worries, embarrassments, and mistakes I have made, and I hope it can help them have the framework I and others lacked to better understand and evaluate their own experiences, values, ideas, and ideals. I had many of the ideas I am writing here while corresponding about or discussing particular issues with friends. Discovering and sharing the ideas at the time was most enjoyable, but organizing all the material into book form and writing for an unknown and abstract audience is definitely not fun for me.

And to anyone who argues people only do unpleasant things for the pleasure they will get later, that certainly does not apply to working on this book. Certainly I will be glad when this is finished, but that is because it is not fun to do; and it is always nice to stop doing or to finish things that are not much fun. But I am not doing it so that I will feel good when it is done. If I, or anyone, were to do things for reasons like that, we would go about driving splinters up our fingernails or hitting our heads with hammers so that it would feel good to stop. And certainly I will be glad if this book helps anyone, but that little bit of gladness and pride could have been easily overridden by, say, a few more hours on the tennis court, at the violin, reading a good book, spending time with my wife and children, doing photography or building up my photography business, or doing any of a number of other things that are more pleasurable, rewarding, and satisfying than doing this is. I am writing this because I believe it can benefit others in important ways, not because I will get more joy out of benefitting others with this book than I could get spending the time it took to write it in other ways.

Why we sometimes root for some particular person or want to help another person, I do not know. Perhaps there is just some sort of empathy, sympathy, or concern out of "chemistry" for them. Perhaps we feel they are deserving because we believe them to be good or innocent people. At any rate, people can, and do, often have feelings of benevolence for others, not just feelings for themselves. And often these feelings of benevolence for others, or recognition of others' just deserts, outweigh feelings we have for our own regard.

Two examples of this are the desire we have to see future generations be benefitted, even though it might cost us something to bestow that benefit, and Gordie Howe's remark in an interview after he scored his monumental 800th professional career hockey goal that he hoped others would someday break his record because it was such a great feeling to break a record like this one that lots of people should be able to experience it.

And another kind of case that seems to me to demonstrate that not all actions by everyone are selfishly motivated, is that in which people respect the (prior) rights of others (such as keeping promises to them, paying debts to them, etc.) even though they might be better off or happier were they not to do so. For example, when you let someone else alone because they are studying or sleeping, even though you would love to talk to them and know they would converse with you. Or when you nicely allow someone to finish watching a television show they have been watching, even though that will cause you to miss part of a show you want to watch; you recognize their right simply because they were there first. Even a larger group who wants to watch another program will often recognize an individual's or smaller groups right in this kind of case.



Of course, there are some people who are egoists -- who often or only act for their perceived own best interests or pleasure, and who, in some cases, think they are justified in acting that way. But it is hardly a universal or even very typical trait. I know only a few people who act that way, and even those people seem to act that way for two different reasons. Some of them seem totally unaware of other people's needs, whereas others seem to be aware of them but not to care about them or to consider them.

The first sort of person is like a child who wants your full attention when they have something to tell you and simply cannot understand how you could be too busy with something else to meet with them. It is the kind of person who says hurtful things without even realizing it, who misses appointments without even calling to let you know they are not coming, and who expects you to keep appointments they have not mentioned to you but only thought about themselves. It is the kind of person who picks up and handles fragile and important items in your home or office, plays with them, and just sets them down roughly, precariously, or anywhere without even noticing your eyes about to bug out of your head. And it is the kind of person who lets their children run amuck in stores because they do not want to hurt their feelings. I worked at a place one time as a photographer where there was no lock on the darkroom door, and the boss occasionally would just sort of look in to see what was happening. Even though he had been a photographer in his younger days, the idea that someone else might be developing film in the darkroom and need to have the door remained closed never seemed to occur to him. Such behavior seems more self-absorbed than mean or uncharitable.

Though some people of this sort would immediately apologize if they realized they were hurting, disturbing, or annoying you, some of them are also people who would not change how they behaved even if you made them aware they were bothering you -- some of them would even get angry with you for asking them to curb their children, not handle your fragile possessions, or take more than a minute to drop what you are doing to be attentive to them. They are the kind of person who instead of begging your pardon when they step on your foot would instead comment on how big your feet were or how much room you seemed to need for them. Some people even get violent sometimes, and then blame you for provoking them, because you refuse some unreasonable request or desire they wanted you to fulfill, even though you refused it politely. And, of course, there are a few relatively rare people who behave in intentionally hurtful ways without caring about it.

Most people, however, are not self-centered or egoistic. They help their friends, neighbors, and often strangers even at some inconvenience to themselves. They try to lend a hand when they see a need. And they certainly do not try to hurt or walk over innocent people, though it might be to their benefit to do so. Not all businessmen are so motivated by hunger for profit that they terminate longtime loyal employees just because those employees are not as efficient or productive as they once were. Egoism is hardly a universal trait, as the theory of psychological egoism holds. And I see no reason that it should be cultivated to become one. So insofar as ethical egoism depends for its justification on psychological egoism, it is unjustified.

Now there is some merit to ethical egoism, it seems, in that one should at least take into consideration one's own self-interest, and one should not always be denying oneself. But I think

one also needs to consider others; and most people do. As one of my students pointed out one time, if he had food to give away to others who needed it, he would. For them.

This prompted another student to ask him whether he would give away food to others if he himself was hungry and did not have enough to share. And if not, was he not then an egoist after all?

First of all, sometimes acting in your own best interest, even selfishly, would not make you a psychological egoist in the sense the theory describes. Being an egoist means you act in your own perceived best interest always, not just some times. Ethical egoism would require you to keep the food for yourself if you needed it, but so might some other theories of what is right. For example, it seems to me there might be a theory that the most deserving person should have the food, and you might be the most deserving person -- which would not only make it right for you to keep it, but might make it obligatory for another person to give it to you if they had it instead. Under egoism, they should keep their own food, just as you should keep your own food, though you each could try to steal the other's food. Or if everyone is equally deserving, and only one can benefit from the food, a theory might require that whoever already has it should keep it. Or a theory might hold that though one has certain (lesser) obligations to others, one does not owe others one's own life; it might hold that it would be permissible and saintly to sacrifice one's life for one or more deserving others, but not obligatory.

### **Total Altruism**

A strictly altruistic principle would require you to give your food to another and for him to give it back to you. Neither of you should eat it but each should insist the other should. So that principle seems not even workable for this kind of situation. Altruism seems to require everyone else to be more important than the agent; but since everyone is an agent, everyone must always in essence be doing favors for others and not let others do favors for them in return.

### **Utilitarianism**

Utilitarianism says that the greatest number should benefit, so that if you had enough food for one person your size on the one hand or for two or three smaller people on the other, you should give it to the smaller people. But utilitarianism does not take into account anyone's merit; it just takes into account their numbers. Suppose you had packed food for the trip and had advised the others to do so as well, but they had all ignored your warning. Suppose further that the two or more smaller people were not as nice as you or had not led as good and contributing a life as you had so far. Perhaps they then do not deserve your food and you are not obligated to give it to them.

At the beginning of each course I teach on ethics I present my students with a hypothetical thought-experiment merely for its value in stimulating important ethical reflections, not because it is realistic, (though it bears a striking resemblance to an ethical dilemma I will describe later that was reportedly faced by some British officials during World War II). The thought-experiment is the following dilemma. Imagine that, like in one of those old time peril movies, you are at the switch of a train track. Your spouse or your baby is tied securely to the track, and

if you switch the oncoming train to go that way, your spouse or baby will be killed. (The sarcastic remark I add is that if it is your spouse, you have only been married a short time so you still love him or her). However, if you switch the train to the other track, you will force it to go over a destroyed bridge, thousands of feet above jagged rocks and a raging current. There are one hundred people on this train (you do not know who they are; they may be friends, convicts, politicians, strangers, or just any normal, random group of people), and they all will be killed if you divert the train over the broken bridge. There are no other alternatives open to you; you will either save your loved one at the expense of the one hundred people or you will save the one hundred people at the sacrifice of your loved one. What should you do, and why? Not what will you do, but what should you do? One other thing is that you know which way the switch is set already, so leaving it that way is to choose one of the alternatives, knowing which one you have chosen; you cannot just leave the decision to fate, chance, or God; trying to do so by not deciding does not remove your responsibility for choosing which happens. As with my class, I will discuss this case after I have presented all the general information about ethical principles that I think important to understand before getting into specific, somewhat complex cases like this one.

[Regarding the British case during World War II, there is a purported story that British officials knew ahead of time about the German bombing raid on Coventry. But they knew about it because they had broken the most elaborate secret code the Germans had; and in order to insure that the Germans continued using that code for their most important messages the British could not do anything to give evidence they had access to it. Warning the citizens of Coventry to evacuate before the air raid would have risked alerting the Germans. So the decision was made to let Coventry endure the bombing raid without particularly early warning. Some of the people who knew of the raid had family and friends in Coventry, but warning them would have risked losing access to this most valuable code. Hence, they were put in the position of deciding between, on the one hand, obedience to country and possibly to the greater good of the greater number in the long run, or on the other hand, the immediate safety of their loved ones.]

### **Hedonism: Pleasure or Happiness As the Ultimate or Only Good**

I want to argue extensively here that happiness, pleasure, or contentment, etc. are not, and are not even really considered to be by most people, the only or ultimate goods in life, though they are at least one form or kind of good.

(1) If happiness were our goal and if we could get it by pills, drugs, drinking, or by living on the kind of planet describe in one Star Trek episode, where residents had everything they wanted, but only as illusions in their minds, then we would choose to live that way. But by and large we would not choose that kind of life.

(2) If we thought happiness would be best for our children to have and we wanted the best for them, we could and should teach them, say, to be happy drinking beer and watching tv every night and we would secure them enough skill for them to get an easy job that will allow them to do that in the evenings. We would teach them to be insensitive to others and the needs, suffering, or desires of others so that they would not be hurt by the problems of others or have to spend time taking other people's feelings into consideration in cases that were not in their own best interests. But it is repugnant to us to teach our children to be like that even though we do want

what is best for them and even though we do want them to be happy. Hence, it is not happiness alone that we want them to have. We also want them to have sensitivity toward others, to have the desire to strive to achieve their full potentials toward good, honest, and/or worthwhile goals, whether those goals are intellectual, creative, physical, artistic, social, or whatever. The happiness we want our children (and ourselves) to have is that which is deserved, earned, and attained in some desirable or right way.

(3) In line psychologically with what I said earlier about seeking happiness, as Bishop Joseph Butler held over 200 years ago, happiness is not a goal, but a resulting side-effect or by-product of striving for or reaching our goals (and, I would add, of sometimes just doing things we like, without necessarily having a goal: dancing, walking, playing in the sand, concentrating on a puzzle, problem, or something else we find exciting or challenging, etc.). We do not desire food because it would make us happy, but because we are hungry. We do not desire water to make us happy but to quench our thirst. I would argue similarly about sex and seduction: an attempted seduction which operates by promising happiness as the end of the sexual encounter will almost always fail, and justifiably so. To succeed, seduction must first get the seducee in the mood for sex, however one might do that, and then take advantage of the mood. To just talk about how much fun it would be if only the other person would cooperate does not tend to be very enticing. They already know it might be fun, or that it might be fun if they were interested. But if they are not interested, it would not perhaps be fun. And even if it would be, that idea, by itself, is not sufficient stimulus to interest them.

In reverse, to get a would-be seducer to enjoy your company when you have no inclination toward having sex at that time, you have to change the seducer's mood to one of being satisfied by companionship, conversation, sympathetic understanding, or something else. You have to change the seducer's mood because just providing or offering something else to someone who wants sex will neither intrigue nor satisfy them. The mood is what determines what will cause happiness; considerations of happiness do not generally cause the mood.

Little kids that want something can often be satisfied by giving them something else, but only if you make that something else seem more interesting to them than the original object of their desire. If you do not (or if it does not seem more interesting to them just on its own), they will not accept it as a substitute. Adults are not unlike children in this way.

(4) The thought or anticipation of happiness resulting from a contemplated activity, even when you have such a thought, is rarely a goad to action. For example, writing a term paper or some such is not motivated by knowing how great it will feel to be done, no matter how bad you may already feel about not starting it. When I used to have to write papers, I took a break every chance I could -- as a break that I deserved when I had done some small amount of work, and as a break I needed when I had not been able to do any work.

Mental activity, as well as physical activity, reflects Butler's point too. When I was in the ninth grade I was fascinated by algebra; it seemed like some kind of magic. I thought it was fantastic and would come home in the afternoons and study ahead in the algebra book for hours. I loved working out word problems, seeing new relationships, etc., and the total concentration on the ideas involved made me happy or, actually, oblivious to almost anything else. Some of my

happiest hours during my high school years were spent learning about algebra. But that happiness was because of the absorbing concentration and the insights and mental gymnastics involved; I liked algebra for those things, and they made me happy because I liked those things. I did not like those things because they made me happy. It would be silly to think every high school student would be as happy studying algebra as I was. Hedonists have the cause and the (side-) effects backwards.

In his book Ethics, William Frankena lists a number of things besides happiness which have been claimed to be good, things perhaps necessary to some extent for the good life, such as life itself and conscious activity, health and strength, knowledge, aesthetic experience, morally good dispositions or virtues, love, friendship, cooperation, just distribution of goods and evils, freedom, security, adventure and novelty, good reputation, etc. I would want to stress or add to this list the maximization of one's capabilities to create, discover, recognize and enjoy or appreciate goodness, beauty, and truth.

Also, some of the things mentioned above, such as health, and some of the things mentioned in the book Ethics for Today, by Titus and Keeton -- freedom, right to work, education (meaning schooling, and not necessarily learning) -- strike me as important, not as particular good ends in themselves, but only as means to more important things, such as fulfillment of potential, athletic excellence, leisure time one could devote to enjoyable interests, etc. With regard to health, for example, when I was a terrified college freshman I used to do better on chemistry exams when I was ill than when I was well. When I was ill I was less self-conscious about, or threatened by, doing poorly, was more relaxed, and thus did better. When I was well I had no excuse for doing poorly, and this helped intimidate me so much that I did poorly just out of intense nervousness on the first two exams. Many people have written impressive books while ill, recuperating from injury, ailment, or surgery, or while in prison. Being ill may even respectably allow you the time or frame of mind to do some worthwhile things you may not be able to do while having to do the daily tasks and chores expected of normally healthy and free people. Sometimes being ill in certain ways turns out to be a "blessing in disguise" -- turns out to be a benefit. Good health is not necessarily a good end just of itself.

There is a comment in Ethics for Today about how insufficient sleep is responsible for quarrels, irritability, nastiness, etc. I think is only partially true, if at all. A good person who knows about right acts is not going to be nasty or irritable just because sleepy, ill, frustrated, or bored; only people already disposed toward bad behavior are going to act badly when tired, sick, bored, etc. A good person will explain he is too tired, upset, or ill to function well or will simply withdraw when in such a state, or will make a redoubled effort to be good, nice, understanding, tolerant, etc. One of the academic counselors I used to work with made a special effort to be patient with students when she noticed herself getting exasperated and impatient after a succession of difficult students. She said it really paid off for the later students and for her own returned enthusiasm and interest in her work.

At any rate, to strive toward one's potential for creating, discovering, and appreciating good, beauty, and truth seem to me to be (one of) the prime good(s) in life and the right way to live, even though it may not bring happiness in the normal sense of the word. It may bring a fulfillment and peace; or it may bring frustration, anguish, and torment (particularly in this

imperfect world); but still it seem better than an unfulfilled, un-actualized, insipid, inane, empty contentment or happiness. It may be great for a dog to live a "dog's life" -- having its needs met, doing little but loving its master, and lying about or frolicking around all day; but that does not seem to me to be much of a life for a person. In the book *Nicomachean Ethics*, Aristotle writes about what the good life is for a person, and he incorporates his notion of an excellent life into an interesting, and significant definition of happiness. "Happiness is an activity of the soul in conformity with excellence." I would add that it is not only conformity with excellence (often translated as "virtue" but not meaning what we today call virtue, but simply meaning "excellence"), but also the **pursuit** of excellence that brings the kind of contentment or self-fulfillment -- at least while one is actively mentally engaged in the pursuit -- which I think Aristotle might have had in mind in this sense of "happiness".

Aristotle also pointed out that much of happiness, in the normal sense of the word, was the result of luck; and still it seems to be; the circumstances of your birth, your education, your associations, the stability and form of your country's government and other influences on you, and, in business, the vagaries of the market. Read almost any success story and you will see, even with the most careful planning, elements of luck playing a huge part. Or read, if you can find them, stories of failure, and often you will find the same brilliance and same amount of planning, and simply bad luck or bad timing, or just lack of good luck, contributing heavily to the failure. Being caught or spared in a (natural) disaster not of your own making is certainly luck; sometimes being part of a company or business venture that becomes very successful, or that fails, is; winning one of these huge lotteries is certainly a matter of luck. Prosperity, luck, happiness are all things that help make life better, but they are not things totally within your control, not in the way your choice of actions, efforts, and intentions is. A totally good life requires luck as well as moral behavior; people cannot control their luck (just in some cases their odds), but the parts of the good life people can control are their behaving reasonably, in accord with moral principles, and their having morally good intentions.

And there can be a certain satisfaction in that and in the rightly attempted pursuit of the totally good life, even when that pursuit falls short of its goal because of circumstances outside of your control. Baseball player Pete Rose's comments after the sixth game of the Boston-Cincinnati World Series (Boston finally won the thrilling game that had numerous tremendous plays and dramatic opportunities to win by both teams) probably illustrate this in part. Asked whether he felt bad they (Cincinnati) had lost, he said "No; it was just such a tremendous thrill to have been part of such a great game, one in which both teams played so well, it was hardly sad to lose." And often, even in sports, it is somehow more gratifying to do your best and lose to a superior performance than it is to win when you are not playing very well. Of course, it is best to have a great performance that also wins over another great performance. And Rose has said (1985), regardless of the satisfaction of playing well or the disappointment of playing poorly, baseball is, just in terms of fun, much more fun when you win, regardless of how well or poorly you played. Life and sports both have both dimensions -- doing your best and being fortunate; and the only part you have any control of at all is doing your best; which can give you a certain amount of satisfaction or peace even if it is not accompanied by fortune that brings you fun or happiness.

Of course, self fulfillment may bring happiness and may be accompanied by good fortune. I am simply arguing that it is an important good even if it does not. And certainly there are easier

ways to attain happiness or at least enjoyment. For example, I was just as happy (perhaps even happier) listening to rock music when I was in junior high school and high school as I am now listening to symphonic music and opera arias. Nevertheless, I believe that, in general, opera is better than rock -- not because it is more enjoyable, but because it requires more faculties than just our emotions or "surface" listening; and because it is much harder to perform well, and somewhat harder to appreciate well. Good music (of whatever sort) requires more skills than just being able to write or hear a simple, strong beat or simple lyrics. It requires more skill and more concentration, and it contains more to appreciate on different levels, or more elements that are satisfying to different faculties. There may be intellectually satisfying stylistic elements, apart from the listening pleasure.

John Stuart Mill thought that the so-called higher pleasures are in some way more pleasurable than lower or ordinary ones. I disagree. I think they are not more pleasurable (consider a sad, tragic play, or detailed drama or opera requiring total concentration, particularly in a hot, stuffy theater), but nonetheless they are better because they require more skill to create, more skill to appreciate, and because they offer so much more to experience and savor to those who can. It is not so much that they are necessarily more fun, but that they are more interesting and stimulating to those who can appreciate them.

### **Utilitarianism**

I believe utilitarianism should be rejected when meant in terms of the greatest happiness for the greatest number, since as already argued, happiness is not and should not be our most cherished goal, though happiness arrived at in good or right ways may sometimes be something to be cherished. But utilitarianism should also be partially rejected, or accepted only with reservations, when it is stated as "an act is right if and only if its consequences cause the greatest good (or least evil, or greatest balance of good over evil) (whatever the good or evil might be) for the greatest number, compared to any other act available to the agent." I will explain and argue for this partial rejection momentarily. A good thing about utilitarianism though is that at least it shows a recognition and concern for the good of others (as one should) rather than just one's own good as ethical egoism argues.

Notice, also, that both egoism and utilitarianism are correctly expressed in terms of doing what is the best for the agent or the greatest number, not just in terms of doing what the agent (person performing the act) thinks is best. What a person thinks is best and therefore thinks is right is not always what actually is best or right. An act that an agent thinks will cause the greatest balance of good over evil may in fact not cause that greatest balance. Now it may be an excuse for a person doing something that does not provide the greatest good over evil, that he honestly and reasonably thought it would. But we still might want to say such a person did the wrong thing, no matter how well-intentioned and reasonable he was, and no matter how honorable and good he and his motives were. There is a difference between good intentions (or good people) and right acts. Hence, the criteria for determining what is right or wrong must refer to events and/or consequences in the world, not to what someone thinks they are or will be. If criteria for right and wrong depended upon what the agents thought would cause the greater balance of good over evil, then the mother who poisoned her child when she thought she was giving her medicine could not be said to have done the wrong thing. (Remember, in saying she did the wrong thing,

we are not necessarily, and not at all in this case, saying she did something for which she is to be blamed, chastised, or punished.) Or you would have to say something strange like, "she did the right thing when she gave her child poison believing it to be medicine; but it was the wrong thing as soon as she found the child dead and realized her mistake." Actually it was the wrong thing the whole time, though she may have only discovered it was the wrong thing later. Similarly one might do something wrong, thinking it to be right, and never find out the error. Conversely, one may do something intending to cause evil, and accidentally end up causing good, such as the case mentioned earlier of the would-be assassin who botches the attempt but alters his intended victim's schedule by it in a way that thwarts a later independent and more probably successful attempt by someone else. Or a ruthless boss might maliciously fire an honest employee only to drive him to find a better job that he otherwise would not have sought or found. In such cases we might condemn the assailant or the boss but say what they did was (or ended up) a good (or the best) thing. They did what turned out to be right despite their intentions and attempt to do otherwise. The criteria that egoism and utilitarianism state for an act's being right or wrong are correctly stated insofar as they refer to consequences in fact, not just what the agent thinks the consequences will be. We might want to say of the mother who poisons her child accidentally because she has tended the child beyond her endurance that she was a well-intentioned mother and a good person, but that she did the wrong thing, and that it was disastrous, even though she may be excused or absolved. Good and intelligent people with laudable motivation and conscientious thought can still do the wrong thing. Doing the wrong thing is not always a poor reflection on someone's character, ability, intelligence, or motives.

The following eleven kinds of cases, however, are at least some of the kinds of cases in which I believe utilitarianism gives, or can give, the wrong answer about what is the right thing to do, since in such cases there are (possibly overriding) factors to consider beyond just the value or good of the consequences.

(1) Cases of breaking a promise or not repaying a debt because some greater good would result from such behavior. Suppose, for example, you agree or promise to meet your wife somewhere for dinner and on the way there you run into some old friends (or an old flame) who wants you to go have some drinks with them. If you do, the total good or fun for all of you may outweigh your wife's anger, disappointment, worry, etc., at being stood up. Nevertheless, it seems that not keeping the appointment in this case would be wrong. Similarly with regard to not repaying a financial debt simply because you need the money more or could put the money to better use and benefit than could the person to whom you owe it.

(2) Some cases of punishment. Many people argue, erroneously I think, that a criminal should not be punished for committing a past crime since it will not deter future criminals and since the consequences of such punishment include the criminal's suffering, and therefore bring less good (more suffering) into the world than would the alternative of not punishing him. The cry is often heard "What good will punishing him do!"

Now I agree that in cases where there is sincere remorse and repentance and where ample restitution can be made and is made, and particularly where there were mitigating circumstances in the crime in the first place, perhaps punishment should not be imposed. But there are crimes (such as cold-blooded murder) where restitution is not possible, where repentance is not found,



where grievous wrong is not recognized or accepted by the guilty (actually guilty, and not just convicted) person, and where there were no mitigating circumstances; and I think in some of these cases punishment is warranted -- not because it will do any good, but because the person to whom it is properly applied has earned it by doing something wrong that he does not care about and cannot right. It seems there are certain things, like cold-blooded murder, for example, that a person ought to know better than to commit and that if they do commit it then (unless there is some excusing or overriding circumstance) they in some way forfeit their right to have their highest good considered in society's making decisions about their deserved fate. It is not sufficient to say that the guilty should be pardoned because they will never do such a thing again; rather they should be punished simply because they have inexcusably done it in the first place, have not atoned for it, and/or have not, will not, or cannot make restitution. Punishment may be a deterrent to wrong behavior, but deterrence is not its main point. Further, there are other kinds of deterrents besides punishment; anything which prevents a person from committing some crime or wrong is a deterrent. For example, good safes are a deterrent to theft; police visibility, good street lighting, and populated public places are a deterrent to rape and mugging. Punishment (like its counterpart, reward) is not something that looks to the future, but something that looks to the past, for its desert. If we were to punish only those people who will do things that are wrong, we need to catch them before they do it, not after; on utilitarian grounds, a person getting ready to commit murder deserves punishment only if you catch him before he does it. If he can do it before you catch him, and honestly never intend to do it again, you should let him go (or, if you want to set him as an example to discourage other criminals tell the press he has been punished though he has not). (Also, by restitution in cases where it applies, such as theft or destruction of property, I do not mean paying back just the amount stolen or damaged. If A steals B's car, then the amount of restitution should include the value of the car plus at least whatever other tangible and intangible costs and inconveniences B and others, such as the police, incurred because of the missing car.) (In the case of reward, on utilitarian grounds you would only need to give a reward to people who will be enticed to do good by it -- before they do it; you needn't reward people for good they have just done, but for the good you hope they will do. If there is someone who continually does what is right and who you know will continue to do so because of the kind of conscience and conscientiousness he or she has, on utilitarian grounds there would be no reason to ever give them a reward, no matter how much good they do. Hence the better a person someone is, the less they ought to be rewarded.)

(3) Cases of "punishing" innocent people. Like the story of the over-protective mother who tells the first grade teacher that if her child misbehaves just to slap the child next to him and that will teach her child a lesson. Realistic cases of this sort would be like the following: supposing it were true that public punishment of criminals did deter future crime, then some might argue that such public punishments (or tortures) ought to be inflicted upon people, known only by the authorities to be innocent, when the real culprits cannot be found, in order to deter others from committing similar crimes. If you cannot find the real criminal, then pick up some poor derelict or some such, pin the crime on him, imprison or hang him, and keep potential criminals from committing crimes. Making an example out of an innocent person that no one in the public knows is innocent would work just as well as a deterrent as would making an example out of a guilty person. It would also make law enforcement work much easier, since it would generally be easier to apprehend (and frame) innocent people than to apprehend and convict criminals who try to get away and hide.

The utilitarians who in case (2) above ask what good it would do to punish guilty people might be wary about asking that, for if it does some good, it might also be good to punish (torture) secretly innocent people. In both cases (2) and (3), utilitarians miss the (or a major) point for punishing criminals; it has to do with giving them something they have earned by their actions in the past, not something that is done just for others to have a better future.

In saying this, I am not advocating that punishment be vengeance or retaliation since those have connotations of being irrational, subjective, and passionately vindictive. I believe that just punishment is rational and objective and can be dispensed without passion, vengeance, or vindictiveness. Any satisfaction that is achieved for justly punishing a deserving criminal is beside the point. Further, retaliation and vengeance do not take into account right or wrong, and often not even guilt or innocence. Vindictive revenge can be taken out on innocent people accidentally associated in some non-criminal way with the culprit -- people of the same neighborhood, tribe, ethnic group, race, religion, family, country, etc. And it can be exacted for an act that may not have been immoral, such as non-negligent, accidental killing or killing in justifiable self-defense. Just punishment can coincide with revenge, but it does not have to; they are two separate things even when they apply to the same case.

1 - 3 above are similar in a way. Paying debts, keeping promises, and giving rewards are like punishment in that their justifications lie in the past, not the future. We reward or punish someone because of what they have done, not what they will do. We should pay back loans and keep our promises (barring overriding circumstances) because we said we would, not because there will be some future benefit.

(4) Cases of not fulfilling apparent obligations to loved ones simply because some greater good could be accomplished for a greater number (of strangers); for example, sending your child (or yourself) and four strangers to a lower quality college just because it is less expensive, instead of sending your child (or yourself) to the highest quality institution he (you) merits. This is not to say that higher quality education is necessarily more expensive, nor that one owes one's child a college education. But I do think one owes one's friends and family members some more consideration (unless there are particular overriding reasons to the contrary) than one owes strangers. Even if a college education is not one of them, apart from some special overriding reasons to the contrary, one has certain obligations to one's children simply because one voluntarily or intentionally (speaking here for argument's sake only of those cases) had the sex that conceived them and because they need adult help. In marrying someone, one takes on a special commitment or a special relationship and in part gives one's mate reason to believe they can rely on you in ways that a stranger has no right to particularly expect. Even a date implies a commitment to return (with) the person you take, to be attentive and courteous to them, and also not to cut short the expected time because you want to "late date" someone else (you may have just met); all this implying, of course, there is not some overriding circumstances that justifies behaving otherwise. And this is even if you and a bunch of others might have a better time if you go off with them and desert your date, than the time you and they will have if you do not.

(5) Cases of overriding a smaller group's prior claim to something that would make a larger group better off having. For example, consider a smaller group watching a television program whose ending overlaps the beginning of another program a larger group would like to watch. For

example, the first group's program is from 7 to 10 and the second group wants to watch something that begins at 9:30. This happens in dormitories, bars, homes with one television, etc. It would be perhaps saintly or supererogatory for the smaller group to forfeit watching the end of their program to let the larger group watch the entire program they want to see; it would not be obligatory for them to do so. Yet utilitarianism would have it be an obligation.

(6) Similar to case 5, but not involving temporally prior rights -- cases where a smaller group has some right to something which prevents the greatest number's having the greatest good. Cases of type 3 above may also come under this. These are such cases as not being able to, say, exterminate the poor and the illiterate even if this might make it better for all future generations. It covers not letting a lynch mob have an innocent victim they want even if they may do more damage and harm if they do not get him.

It covers (and this may also fall under 4 above) cases where in sports (or perhaps even business or war) utilitarianism seems to require players for unpopular teams to surreptitiously throw a game or series so that the more popular team could win. By the time UCLA had won seven consecutive NCAA basketball titles and 9 out of 10, only their alumni, their student body and faculty, and a few misguided others were still rooting for them to beat whatever underdog they might be playing in the NCAA tournament. Yet it would hardly be right for a UCLA team member to throw a game (even secretly) just in order to make all the opponent's fans satisfied. Yet utilitarianism seems to me to demand that. Similarly, cases where a lot of Romans would like to see just a few Christians thrown to the lions. Or perhaps in our own time, cases where a lot of fans would like to see boxers or hockey players brutally fight or race car drivers slam into walls or each other in spectacular crashes.

7) Cases involving greater good for larger numbers of inexcusably bad, or inexcusably less deserving, people versus greater good for smaller groups of (heretofore) more deserving (good) people. It seems right that the smaller group should benefit in such a case. A smaller group of good people, it seems to me, deserve to have benefits over a larger group of inexcusably bad people, even in some cases if there is the possibility that giving the larger group the benefit might convert them to better behavior; and certainly when there is not that possibility.

(8) Cases involving an innocent agent(s) giving up something just because others are more numerous, such as the previously mentioned example from one of my students of a person's giving up food to keep others alive while he or she then dies. I think in some cases an agent has a right or at least a strong claim for his own interests simply because he is the agent, particularly if some work or sacrifice is involved. To sacrifice one's life for others is a supererogatory ("saintly") act, not an obligatory one. It is not a duty, but is beyond the call of duty. So insofar as utilitarianism requires one to dive on a hand grenade to save one's buddies, it requires more than it should.

I say innocent agent because if one stole food from the others in the first place, he does not then particularly have the right to keep it. Or if the hand grenade is there because it is one's own and one has been negligently playing with it and needlessly endangering the lives of others, one may have at least some sort of obligation to try to save those others even at a great risk to one's self.

There is some question in ethics whether it is generally a greater duty to refrain from causing harm than to create good, or whether these are equally obligatory. One of Hippocrates' principles was that if you could do a patient no good, at least do him no harm. There are no or few laws requiring good samaritanism -- requiring people to help strangers in need, but it is certainly illegal to hurt strangers for no particular reason. Yet there are others who take the view expressed in a popular slogan of the 1960's: "If you are not part of the solution, you are part of the problem," meaning that if you are not trying to help a situation, you actually are doing harm.

This is a difficult issue involving, I suspect, many different kinds of cases and situations, some of which may require intervention and positive action but some of which may not be one's responsibility to get involved in, even if not doing so could allow some harm. For example of this latter case, I think no one has a duty to dive on a hand grenade to protect others if that person did not cause the danger from the grenade in the first place. I think, however, the responsibility to warn someone within earshot, by calling to them, whom you see walking unknowingly toward a "blasting area", even though you have nothing to do with the blasting, is not significantly different from the duty you have not to dynamite someone intentionally. Let me just say here that I think it is at least an equal obligation to do any positive good that requires little work or sacrifice on your part as it is to refrain from doing positive harm. As doing good requires more work or sacrifice by an agent, I think more argument or more justification is needed to show the agent would be at fault, culpable, or blameworthy for the harm caused (or the good missed) by his or her not acting in a positive manner. Part of the seemingly greater force behind the obligation to refrain from harm than behind the obligations to do good is that there is no "cost" or burden for an agent not to do harm. To do no harm requires no act at all by an agent; whereas requiring positive good does require the agent to do something and therefore imposes some burden or risk. What I am claiming here is that I think a good case could be made that as the risks or actual costs to the agent for positive action are less, and the harm or risk to innocent others for the agent's lack of such positive action are great (or the benefits to innocent or deserving others would be great), the agent has a higher obligation to take positive action. Conversely the agent has increasingly less, if any, obligation to act as his undeserved burden is greater and/or the harm that would be done by his inaction (or the benefit brought about by his action) is less.

(9) Cases involving unfair distribution of a greater wealth rather than a fair distribution of less wealth. For example, is it better for a society to divide a little wealth equally or for it to be able to have a great wealth, but divided so that a few get great benefit, and others only a little, or much less? Utilitarianism would seem to say it is better to aim for a society where, say 1000 "value units" are spread among 100 people in a way that gives 99 of them each one and one of them 901 than it is to aim for a society of 95 people where each of them has 10 of only 950 "value units". And even where there are the same number of people to consider and the same wealth to divide, utilitarianism does not suggest what sort of distribution is fairest.

In his book Ethics, William Frankena argues that an equal distribution is to be preferred as the fairest to an unequal one. Even apart from questions then of someone's being allowed to keep (or leave to his heirs) greater wealth because he has attained it simply by working harder than others (not by being more fortunate or by luckily or shrewdly owning the right things which become more valuable as circumstances change), and even apart from questions dealing with ownership,

through luck or foresight, into ownership of valuable items, such as equipment that is the means of production, I do not agree that an equal distribution of wealth or good things is always the fairest or best one. Sometimes an unequal distribution is necessary and desirable so that at least someone or some group can attain things otherwise impossible, even though this requires a sacrifice on the part of others. For example, it seems to me that Neil Armstrong's or anyone's being able to stand on the moon could make the expense worthwhile even though the rest of us do not get to go but have to pay for it; it seems better to me that some people might live in mansions, if everyone else could live in at least a good home, though not perhaps as good of homes as they could live in if no one got to live in a mansion but the materials and labor used to build houses were equally distributed; it would not be right to prevent people from scrimping to send their children to violin lessons or to college to have a better life, just so that such parents could have a slightly better environment they could share equally with their children such as more steak, slightly longer vacations, a newer car, etc. I believe that a very lopsided distribution of wealth, with great riches for some contributing to great poverty and hardship for others, is always at least prima facie unfair and to be avoided; but I do not see how unequal distribution of wealth, above that assuring every deserving person of a decent standard of living (considering the kinds and quantity of wealth, technology, materials, inventions, etc. available at the time) is necessarily unfair or bad.

Even minor questions of fairness of distribution can be complex. One day when I picked up my three year old from a nursery school she attended one half-day a week, she was embroiled in a serious "discussion" (tugging match) with another three year old about the proper distribution of toys in the room. He was asserting his right to some toy because he had it first; she was asserting hers on the basis that he had taken two toys and could not play with them both. My wife thought the boy was right; a friend of mine thought my daughter was right, and argued "what if he had taken all the toys in the room first? Would that mean no one else could play with a toy?"; I was uncertain about who was right (since he hadn't taken all the toys) but wished the kids could have talked about it less physically and more rationally, since I could see both sides and wish they each could as well. (Wishes don't have to be what one reasonably could expect to come true.) At any rate, even in questions like this, utilitarianism alone could not have decided what was the correct distribution, if compromise could not have been reached. Utilitarianism does not always address itself to questions of distribution of good; and where it does, it does not always seem to give the best answer.

10) It seems to me it is wrong, and not just unreasonable, to unnecessarily risk harm in a reckless, negligent, heedless, or irresponsible manner even when no harm actually occurs because of it. For example, I think it is wrong to drive drunk on a freeway or to fire a gun into a crowd, even if you don't hit anyone. People may disagree about what counts as an unnecessary risk, and thus disagree about whether something such as skydiving or even traveling on a vacation, is wrong or not, but I think the principle itself is correct. The principle does not mean that all risks are wrong, such as investing in (or starting) a business, or such as buying an affordable lottery ticket as a means of entertainment and fantasy, but those which are unreasonably risky, however that might properly be determined.

11) It is wrong to try to inflict needless harm on someone who does not deserve it, even if you fail, and even if you end up causing something good to happen to them. E.g., suppose you try to

assassinate someone and fail, but your attempt diverts the intended victim's itinerary and saves him or her from another planned attempt later that would likely have been successful. Your attempt to assassinate him would still be wrong, even though it actually, by chance, saved his or her life. On utilitarian grounds, your act would have to be called *right*. That points out a flaw in utilitarianism. The best your wrong act could be called would be *fortuitous*, not *right*. You should still be prosecuted for attempted murder.

With the reservations of these kinds of cases though (and I am not saying these are mutually exclusive -- they may overlap -- nor that they are exhaustive -- there may be some other kinds of cases I have not recognized or thought of yet that apply here) it seems to me that utilitarianism in terms of good (that is, causing most good, least harm, or greatest balance of good over evil), not in terms of happiness, is the principle of ethics to begin ethical considerations with. I will argue against some particular ethical principles later that do not take into consideration the amount of good produced in order to determine what acts are right, but briefly here it would seem that a theory of what is right for people to do must in part, at least, involve their doing things that bring about good (prevent evil, etc.) for themselves and others -- and the more good and/or for the more people, the better. Any theory which could totally disregard or ignore how much good or how much harm is done or is caused by a given act, seems on the face of it at least to be one that could hardly describe what our obligations are. Certainly, as I have argued in some of my cases against utilitarianism, the total amount of good consequences for the greatest number of people may be overridden by other considerations; but that does not show it never needs consideration or that it should always be overridden. Until someone can develop a theory which encompasses utilitarianism with these counter-cases, it seems to me we should accept it as a place to begin deliberations, keeping in mind these kinds of counter-cases as limitations.

And, to complicate matters, these kinds of counter-cases are not always overriding anyway. These kinds of cases are only warnings not to blindly accept utilitarianism; but they are not sufficient by themselves to reject it, even in situations somewhat similar to the ones discussed. For example, the harm in keeping a particular promise might be so egregious that utilitarianism would justifiably demand such a promise be broken. You have to measure in some way the obligation to keep your promises against the obligation not to do unnecessary harm, and you then have to see which is the overriding obligation. I have no general principle or way as yet to tell automatically how to decide such conflicts -- that is conflicts between utilitarianism and the kinds of exceptions mentioned, or even between the kinds of exceptions themselves. For example, does keeping a promise to a stranger override doing a favor a family member requests; should one be loyal to a friend who has done something wrong; if so, what form should that loyalty take?; etc? You need to look at the particular conflicts, deciding what further merits each side might have, keeping in mind that you need to treat reasonably and relevantly similar cases similarly, but making sure cases which seem relevantly similar really are.

My current view about those cases which still leave self-doubt, or which leave disagreement between reasonable, conscientious, understanding people after all available evidence has been considered and carefully scrutinized and attended to, is that it is probably all right to accept either alternative. I believe that in cases that are "too close to call" probably either choice is morally acceptable or right.

And further, even in such cases where one option eventually and unexpectedly appears to produce more good than another, or where an option eventually and unexpectedly produces sufficient good to override a right that was otherwise more important (or produces less good than a right that was otherwise less important), choosing what turns out to be the wrong option will not make one morally culpable. Making a choice based on all the information available at the time does not guarantee that further information, not available at the time of the decision, would not have made one wish he or she had chosen differently. But decisions which turn out to be wrong, though reasonable at the time they were made, do not mean one was bad in making them or that it was morally culpable to make the decision the way one did.

I can encapsulate the general approach in a principle, but that principle is really just intended as a condensed or abbreviated way of saying what I have said so far:

### **Ethical Principle**

An act is right if and only if, of any act open to the agent to do, its consequences bring about the greatest good (or the least evil, or the greatest balance of good over evil) for the greatest number of deserving people, most reasonably and fairly distributed, as long as no rights --as explained previously-- are violated, as long as the act does not try to inflict needless harm on undeserving people, as long as the act does not needlessly risk harm in a reckless, negligent, heedless, or irresponsible manner, and as long as the act and its consequences are fair or reasonable to expect of the agent.\* Rights have to be justified or explained or demonstrated; not just anything called a right is actually a right. Further, the amount of goodness created or evil prevented may, in some cases, legitimately override a right that a lesser amount of good created or evil prevented may not. Overriding a right is not the same as violating a right.

\*What is fair and reasonable to expect of an agent:

It is fair or reasonable for people to do things at little risk or cost to themselves that bring great benefit, prevent great harm, or create a much greater balance of benefit over harm, to others. Apart from cases where an agent has some special higher obligation that he has assumed or incurred, as the risk or cost to the agent increases and/or the benefit to others decreases, an agent is less obligated to perform the act. At some point along these scales, the obligation ceases altogether, though the act may be commendable or "saintly" to voluntarily perform (that is, it may be "over and above the call of duty"). At other points, the act may be so unfair to the agent - - may be so self-sacrificing for the agent to perform, even if voluntary, and/or of so little benefit to deserving others, that it would be wrong. (Not every act of sacrifice or martyrdom is all right or acceptable.)

A supermarket checkout line provides ample illustration of many of these principles -- a veritable microcosm of ethics in practice. Suppose you have a cart full of groceries and you just happen to beat to the checkout line a person who is carrying only one item, a loaf of bread; and he has ample cash already in his hand. You got there first, so you have some right to go in front of him; but the more polite, and, I think, the right thing to do, other things being equal, would be to let the other person go first for two reasons: (1) utilitarianism -- if it takes him 30 seconds to check out and takes you 8 minutes, then if he has to wait for you, it makes two people wait an average of 8 minutes and 15 seconds; but if he goes first it cuts the average down between you to 4

minutes and 15 seconds. If he has to wait for you, more "person-minutes" (as in man-hours) are wasted than if you have to wait for him. (2) You are giving up a little to help him a lot; you are giving up 30 seconds to save him 8 minutes.

But suppose another person appears who is also carrying one item, and the cash to pay for it immediately. And another. The utilitarian position still may make letting them in front of you, thus saving all of you the most collective time, but fairness to you begins to count for something. At some point the burden on you makes it only reasonable that you should take your turn (which after, all you, you have earned anyway) while the others wait. (To help them see this is right, and so they don't think you are just being selfish or petty or taking selfish advantage of some mere good luck, you might explain you have already let in one or more just like them, and, in fairness to yourself, it is time for you to just go ahead and take your turn.)

Or suppose the person you beat to the register is not carrying cash, but is fiddling around searching for his/her checkbook. Now it will take him, not 30 seconds to check out, but maybe two minutes. Plus, there is the aggravation on your part of watching someone write a check for a \$1.25 purchase, the kind of thing that almost makes you want to reach in your pocket and just give him/her the money. To give up your turn to him would be less utilitarian, though still collectively utilitarian time-wise, but it would be decidedly more of a burden to you and not save the other person proportionally as much time. I think you have the right to take your turn; though it would be very kind and generous to give up your turn.

Or suppose you just beat someone to the line who has 3/4 the number of items you have. Your getting their first, coupled with the fact that you would have to give up 6 minutes to save him only 8 minutes, allows you to keep the spot, overriding the utilitarian calculation, though you could be generous if you wanted to.

Suppose you just beat in line someone with two full carts. It would perhaps be generous of you to give them your place; but barring some particular reason for it (they are old and frail -- and you hate to see them spend 5% of their probably remaining life in the checkout line, or it is a hugely pregnant woman whose labor looks imminent, or some other such cradle to grave circumstance) it seems it might be more foolish than generous.

Or suppose, you have been rushing through the store like crazy because you have some sort of time limit (appointment, parking meter, picking up kids at school, darkening sky with jagged lightning and loud thunder growing ever closer, etc.), and having to wait even 30 seconds for the person with the bread and the cash in hand seems like much too long, then utility begins to switch to your side, plus it is your turn, and the cost or risk to you is greater than just "wasting" 30 seconds.

Or oppositely, you just beat someone with a full cart to the line, but the person behind them is a good friend you have not seen in a long time, and it would be fun to visit with them. (Or perhaps "Cosmo" or Reader's Digest is waiting to tell you, in an article you can read in 5 minutes, how to make your sex life really wonderful, and you don't want to buy the magazine.) You let the person behind you go first, because now the time you have to spend while waiting for them is not being



wasted, but gives you much benefit. Hence, you both benefit by letting them go first; whereas you both lose if you go first.

Or suppose, you do not notice that the person behind you has only one item, and cash in hand; and, instead of politely asking your permission to go ahead of you, they obnoxiously demand to go in front of you because it is going to take you too long. You can stand your ground since they have forfeited their right to any utilitarian consideration. They are not a very innocent or deserving person.

Or suppose there is a long line behind you and someone politely asks if they can go in front of you because they only have one item and cash in hand. Utility may be on their side, but you have an obligation to the people behind you, not to rob their time or penalize them. Their time is not yours to give. (In driving, one periodically sees this kind of case done incorrectly all the time -- where some nice but inept driver stops a whole line of cars behind him while he "generously" waits for two cars to pull out from a parking lot onto the road in front of him. This is particularly wrong when they are waiting to turn left, and they cannot pull out anyway because the lane they need to get to is not clear. The driver who stopped to let them out is being generous with his time, but he is also being generous with everyone's time who is behind him, and he does not have the right to give away their time.)

Or suppose you are behind another person, you both have full carts, and there are many people in front of both of you. You hear the manager call for more "help up front" and you surmise they are about to open another cash register shortly, so you tell the person in front of you, and tell them to go to the only closed register (since there is no line there) and wait for both of you, while you promise to save their place for them in case that register does not open. If that register does not open, you ought to let them back in front of you, even if they have twice as many groceries as you. (I am assuming there is no one behind you, so that this does not become complicated.)

Or, finally, suppose the last case, but you are the one who moves to the other line and they promise to let you back in front of them if your register never opens. While you are waiting, five people with full carts get in line behind the other person. That situation may override their promise to you about letting you back in.

There are ample chances to do ethical reflections and acts, even in the most mundane situations. One does not need to think of ethics only in cases of life and death, government, high finance, or sex. But let me discuss next a more complex and more difficult case, with far more important consequences. The same kinds of ethical principles and consideration will still apply, though some other factual (including psychological) matters will have to be taken into account.

For example, consider the case of the train, a case of utilitarianism on the one side, opposed to a case of family duty and obligation to self on the other hand. There is more than that, however, that one can say about it. First of all let me explain about a bad answer a number of people give. They say they could only do one or the other alternative because of the way they would feel after the accident. They can think only of the revulsion to their hearts or conscience of whichever alternative seems worse to them and then say they should opt for the other alternative. But this seems to me like choosing starvation over eating snails or rattlesnake because such food seems

so repulsive or like letting someone suffocate because giving mouth-to-mouth resuscitation seems repulsive. It might be best in such a situation to mend one's "gut" reactions. Surely we can take such reactions or feelings into account, but this also means knowing they might be incorrect or that they might be able to be changed or ameliorated, in time or with some kind of therapy. Either choice would be traumatic indeed, but one often goes on after such a trauma, and particularly if one believes he has done the right thing. There is some solace in acting rightly, even if the choice is a painful one. So the question is what is the right thing and not just the least repulsive thing.

Second, some people say they would not make the decision but would leave it up to fate through a coin flip or through leaving the switch whichever way it was at the time they found it. But that would be an unsuccessful attempt to avoid a responsibility one cannot avoid. Since you know which way the switch is set and since you have the ability to easily change it, the responsibility for changing it or leaving it is yours whether you accept it or simply try to shirk it. Unless there is some compelling reason not to intervene, any situation which you have the knowledge and the power to alter or influence makes you at least in part responsible for its outcome, whether you exercise your power or not.

In the train case, I think there are a number of preliminary ideas to consider before making a final decision. First, there is the difference between the value of an adult spouse's life and the value of the life of a baby. This is for reasons that I will give shortly; but the recognition of the difference can be seen in choosing between saving the life of a mother or of her unborn child when both cannot be saved but one can. Generally one makes a clear value choice; and even though two people might disagree about whether a mother or baby's life is more important, I am here arguing only that there is for most people a clear choice, though different people might disagree with each other about which life has the higher value or which life ought to be saved, and though they might disagree about the reasons. Hence, it may turn out that the answer in the train case will be different whether you are considering the life of the 100 people versus that of the baby or considering the life of the 100 people versus an adult spouse. In fact, I believe it will, or should. So although I stated the two cases at the same time (spouse's or baby's being on the track), you need to keep in mind they are different cases and may require different results.

Second, I think one needs to consider the value of the life of the person on the track and the probable (or average) value of the lives of the people on the train. I say probable or average value, since if you knew that the train carried only correctly convicted murderers on their way to prison or execution, that would make your decision easy. Or if you knew that the train was full of especially gifted people who had the probable potential for bringing great good into the world, that might also influence your decision. And similarly with regard to your spouse or baby -- though with the baby, of course, it can only be an educated guess as to what its life might be like. With regard to your spouse, you have some definite idea of what his or her life is like -- how much potential for good or ill he or she has; how deserving in general a person he or she might be, etc. And just as knowing that the train carried only bad people should influence your decision, knowing what your spouse's life is like should also influence your decision. This will not be the only factor but it should certainly be one factor.

Before going into further detail about this, let me say something about children's lives and adults' lives. In Brothers Karamozov, Dostoevsky poignantly makes a plea against the physical and mental abuse, torture, and grief of children, even more than of adults, because children are such innocent victims; and because they have not even eaten much of the apple of life yet and have not tasted the sweetness of its fruit. Adults at least have had some pleasures in life; and also are not necessarily so innocent. One might understand and in some sense tolerate the unfortunate suffering of an adult, but not that of a child. He is speaking of God's allowing cruelty on earth to children; and he says it is all so unfair, even more unfair than cruelty and sorrow to adults. There is a sense here then in which an innocent child's life might be said to have more right not to suffer or to be snuffed out than an adult's -- because children are more innocent and because children have not yet had the opportunity for joyful experiences that adults have already had.

But now let me say something on behalf of the adult. First I am speaking about a morally worthy or morally good adult -- not a cold-blooded murderer or some other heinous person, about whom the choice might be very easy to make if they should be on the track, even if you are married to them, love them, or are simply attracted to them. I am not necessarily talking about some perfectly innocent or guiltless or errorless person, but an innocent enough, normal enough adult human being. It seems to me that often, though such an adult has eaten the apple and has experienced some of life's goodness, such a person has also put in a tremendous amount of work and suffering to get where he or she is. Further, one may have done most of the work, without yet reaping much of the reward for that work, or without yet fulfilling one's potential for returning to the world what one has received from it -- that is, without yet making the worthy contribution(s) one could. Or conversely one may have fulfilled most of one's potential for worthwhile achievement or one may be in the position where one has given back most of the good or made most of the worthy contributions one could and/or where one has received most of the kinds of goods and/or amount of good one ever is likely to enjoy. Now there is a difference in the value of the two lives -- the one who has suffered much and worked hard and whose potential for giving and receiving good are great in comparison to such work, and in comparison to what one has yet given and received, seems to me to have more desert to continue to live than the one who has already reaped or presented most of the benefits he or she will, in comparison to the work and/or suffering he or she has experienced.

It is, of course, tragic when a child dies, partly because of its unfilled promise and unfilled dreams. But is it not even more tragic when a person dies on the verge of fulfilling a promise or fulfilling a dream! Is there not a special tear for the Abraham Lincoln or Franklin Roosevelt who does not see the dream finished or the efforts rewarded? Is there not a special sadness for the Martin Luther King, Jr. or the Kennedy who has yet so much to give and to accomplish and who is finally in or near the position to do it? but who is then not allowed to. Is it not more tragic or more sorrowful to see a person die just before or just after graduating from high school or college -- so much work put in perhaps; perhaps so little received or accomplished in return? Is it not more sorrowful to see a person die after retiring from a job he did not particularly like and who so looked forward to retirement?

Is it not less tragic somehow to see the death of an older person, who though full of goodness, has filled his dreams and fulfilled his promise. The Winston Churchills, the Bertrand Russells of the world. Their deaths of course are sad; and our loss at their death is great. But their deaths do

not seem filled with the kind of sorrow and tragedy the others seem to bring. They are the ones who have truly tasted the apple of life and savored it as fully as anyone can; and they are the ones who have planted and nurtured some apple trees for others to enjoy.

I think life is often hard; and often it is hardest for children; often it is only beyond childhood and into adulthood (at whatever age that may be) that we get to reap the benefits of the hard times we suffer as children, and it is then that we get to do the good or achieve the contribution which it may have been so hard for us to learn how to do.

Hence, it seems to me that we can weigh some more things in making our decision in the train case -- things that may make it easier to come to the correct decision. We can guess what hardships our baby (and I specifically made this case involve a baby and not a child or some age and some experience already) will have in growing up. We can know what hardships and what delights our spouse has had and what potential for further hardships and delights they have, both for getting and for bestowing on others. We can guess what the average may be for the people on the train.

Now, of course, we do have a duty to our family; and were there just one or a few people on the train, and were our family deserving people, then that obligation would override, I think, any duty we might have to a stranger or even a few strangers. But I have placed many strangers on the train, to try to balance or possibly override our normal familial obligation and the value of the lives of some family members. I think in the case of the adult what tips the balance is whether or not the potential for good (both in receiving and in giving) in that person's life lies more in their future or in their past and whether or not there is much in their future, particularly if their past has been filled with much suffering and hard work in proportion to the amount of joy they have had so far. If they have received more than they will ever give or have had to suffer, and if they have received much, particularly in comparison to what they will receive or "repay" in the future, then perhaps it is time to give other people a chance. But if they have not, then because they are your loved one, and because you are at the switch, you have an overriding obligation, I think, or at least the irreproachable right to be able to save them. No one could fault you for making the choice to save such a loved one; even if they or their loved one were on the train. Certainly you would not fault such a person, even if you or your loved ones were on the train.

The case of the baby is different. I myself feel that though the baby will miss all its potential, of course, if you run over it, that is made up for by the fact that it will also have worked and suffered comparatively little in its young life. I have met others who think such lack of work and suffering is of little matter considering you are destroying all its potential for life and its joy and goodness. Some people do not feel life is all that hard, even for a child, and that children deserve the chance to live and have a chance for the good in life, even if that is at some cost to adults who have already had their chance. I myself think you should save the train rather than the baby; because though you kill the child's potential for doing and experiencing good, you simultaneously erase his potential for experiencing grief and sorrow. But I realize I see early childhood and early adulthood in a way different from many who feel you should not limit, if at all possible, a baby's chance for whatever opportunity for good or ill that life holds. I see it as so often a time when you pay your dues, and once those are paid, or in proportion to how much they are paid, tragedy is measured in how much you are made unable to give back and get out what

you have worked for, and in some sense, deserve. I think the people on the train deserve that chance, then, more than does a baby, any baby, even your baby. But I think your spouse deserves that chance from you (unless he or she has passed his or her potential or has fulfilled it already, or has never earned it in the first place) more than do all the people on the train.

I am willing to be persuaded, with good reasons, otherwise. In fact, in a sense either action you take, whether to save the baby, spouse, or the train would be right. No sensitive, rational person would judge you harshly no matter what you chose. The decision is so difficult and the options so closely balanced that no option is clearly and convincingly the correct one. Further, this seems to be one of those kinds of cases where no one else can tell another person what he ought to do -- that autonomy or liberty in making this decision, because it is so close to call, keeps anyone else's decision or judgment from being generalizable. What I have done here is to give the considerations I take into account in order to come up with the action I believe right at this time in my life and until I were to hear or figure out reasons to the contrary. The point of this exercise though was to bring to bear upon the case as many relevant ideas on either side as was possible to think of to help balance the weight of the ethical principles of utility versus family duty, duty to self, etc. These principles do not operate alone, but in connection with all the facts and values that apply in the circumstances. Ethics does not operate in a vacuum but requires other knowledge and some perspective about life as well.

But before anyone wants to make too much of this case in terms of infanticide or abortion or whatever, let me say that this is a totally fabricated case, made up intentionally to have few options, and none that are attractive. Real life often has, or could have, more and more attractive options than are available in this case. In considering abortion or abortion policies, for example, there are many, many things to consider -- the humaneness of (current) adoption laws and policies, the responsibility one had for becoming pregnant, the risks of carrying to term, the possibility or feasibility of embryo transplant that might terminate the woman's pregnancy without terminating the embryo's life, etc. For example, it seems to me that, in considering adoption laws and policies, it would be more humane and better all around for biological parents to be permitted to contact with their maturing child if they wish, but only have the legal rights that a neighbor or aunt and uncle would have in raising that child. That way they could have as much knowledge and interaction with the child as any non-parental, interested party could have, but they would not have the right to interfere with the adopting parents' rearing of the child. Such a policy might cut down voluntarily on the number of abortions, since giving up a baby for adoption under those conditions might be a more attractive alternative to abortion than it is today.

Also, say, in opposing the abortion by a mother-to-be who became pregnant in spite of reasonable and responsible birth control and who cannot afford to rear her child reasonably, it seems to me those who would prevent her abortion have some responsibility to overcome her reason for wanting it by helping to see to the child's at least minimally reasonable financial needs and well-being once it is born.

The train case does not lend itself to much generalization about matters such as abortion because the possibilities in the train case are limited and artificial. The two cases are similar, however, as they are to other ethical problems, in that they involve knowledge and considerations outside of

just ethical principles by themselves. When the time comes that embryo transfers are a feasible medical possibility, that will open up new solutions (and different problems). Access or availability of financial, psychological, and other kinds of help with rearing children probably could materially reduce the number of abortions sought or turned to as the only source of remedy. But there are far more things to consider in different kinds of cases of abortion than I want to get into here. I simply did not want my discussion of the train case by itself to be extrapolated into supporting some sort of justification of abortion or of its prevention.

Ethics does require consistency in similar or relevantly similar cases -- that is cases where there is not some good reason to accept different principles of behavior. In the train case, you would be irrationally and unfairly inconsistent if you held you should run the train carrying Jones off the cliff in order to save your wife, but that Jones should run over his wife in order to save a train with you on it -- and you can point to no morally relevant difference between you and Jones or between his wife and yours. You would not be being rational but would be rationalizing. Whereas if you hold that you and Jones should each save your own wives, even if you are on the train that he runs off the cliff, then you are taking a stand with regard to a principle and are not just acting on a selfish whim or rationalization. One of the ways of telling whether you are being rational or just rationalizing is to ask whether you would want others to follow the same principles you would if your situation and theirs were reversed. This does not test whether your principle is right or not, just whether it is a principle you hold out of logic and believed merit, or solely out of its personal circumstantial appeal and benefit to you.

In the train case, a number of my students in the past, when first confronted with the question, see a great difference between what they think they would do and they think they should do. This happens quite often to us when we are confronted with, or when we think about being confronted with, certain situations that seem to require an ethical decision, particularly ones that are difficult or that require sacrifice. Often what we do, or what we want to do or what we think we would do, is different from what we think we should do. I think it is important in such cases to try to make your "shoulds" (as a friend of mine calls your feelings of obligation) coincide, or line up, with your desires, or with what you think you would do. Don't just dismiss the situation by simply ignoring either your moral feelings or your desires. Often we do the right thing without knowing the justification for it, and we then feel guilty because we vaguely think some other act would have been more justifiable, when in fact it would not have. This is not to say we are all, or that anyone is, always moral without thinking about it or without knowing it. It is only to say that sometimes we can be wrong about what we think is the moral thing to do, particularly when we have not actually explicitly weighed the facts and values that show the justification. And oppositely, sometimes you will find, when you find there is no way to justify your desires, that those desires will actually diminish. Trying to settle the conflicts between your vague feelings of obligation and your feelings of desire will often help you find out there is not really a conflict after all, and that what you really want and what you really ought to do are one and the same.

To say that a principle is generalizable is not to say that it applies to all people in all situations, but only to relevantly similar people in relevantly similar situations. (This is not only sensible ethics, but is true in other areas, such as medicine as well; which medicine, and how much, a doctor ought to prescribe depends on the ailment, age, size, allergies, etc. of his or her patient. A doctor does not "treat" all patients the same, but only those with the same illness and physical

conditions, etc.) In ethics relevant factors can usually be reasonably discovered and discussed. I think also that numbers alone, can sometimes be a relevant factor. If thirty students is the maximum number for a certain teacher's being able to teach a certain course well, then allowing a 31st student to add the course would be wrong. This would also contradict the claim someone might incorrectly make who held that if you let Smith into a course late (as the 30th student), then you have to let in whoever else wants to add the course late as well. When I was a college academic counselor, I one day had an argument with the chairman of the English department about the rightness of allowing a woman (who worked and who had children to care for, etc.) to take a particular course at a particular hour in which it was offered that was a course she needed to go on in the field, and whose particular class in question was the only one being taught that term that she could feasibly work into her schedule. The class section was closed to additions; it had its quota of 25 students. I pleaded for this one particular addition on the grounds of utility for this particular person. The chairman admitted that one or so more students would not hurt the teacher's or class's performance, but still wanted to deny the admission on the grounds that if he let this particular student add the course to her schedule, he would have to let everyone who wanted it add it to theirs too. I said that was not true, that we would then only have to add everyone, up to the maximum (for teaching purposes) number who had such relevantly worthy circumstances as hers. She got the course.

In one of my classes there was some disagreement, if a student wanted to enroll in my course well after the term had started (and thus would have to be tutored by me to catch up), whether it was right or fair for me to accept a student I took an immediate liking to, and turn down those I did not. I thought it was right, since there was no obligation to accept anyone in such circumstances and that if I were going to have to put in extra work in order to do so to help the student catch up, I should be able at least simply to pick those for whom I thought my burden would be less.

It is simply not true that everyone should be allowed or denied what someone might be permitted or denied. Only those with relevant similarities under relevantly similar conditions need to be treated similarly -- the point is to determine which similarities and conditions are relevant and which are not. Sometimes it may be numbers alone; sometimes, not. Another kind of case involving numbers alone might be that of not walking on the grass of a scenic area. The point is not to ruin the grass by wearing it down. If thirty people per day won't wear it down, then those thirty should get to walk on it -- or if it can be walked on till it ceases to be resilient, then those who can walk on it while it is still resilient should be allowed to. This is why Immanuel Kant's deontological (that is, formal or procedural) maxim of doing only what you could will that everyone could do is an inappropriate one, I think. It is usually voiced in the rhetorical question "what if everyone did that?" You only need to generalize or universalize insofar as people are in the same relevant circumstances. If everyone made love to the same woman or man, that might be bad, but that does not make it wrong for their spouse or someone they desire to. Or for the first thirty people to take the above course or walk on the grass. The fact something would be wrong for everyone collectively to do does not make it wrong for some individuals or small numbers to do. The fact that no more than 20 people should ride in an elevator at one time does not mean one person, or the first 20 to get into it, should not. Figuring out the relevant circumstances is part of doing moral reasoning, and figuring them out is another thing that will help you see whether you are actually doing moral reasoning or just making rationalizations.

Fairness: it seems wrong to me that one should always do things for the greatest number if that means always having to deny one's own needs or desires. For example, one day I seemed to keep driving by stranded motorists near their broken down cars. The first one I changed a tire for; the second one I took to get gas; the third one I had to just ignore since I was beginning to run late for my own duties. There were plenty of other passing drivers who could help; I had already done my share for that day. Hence, consideration of fairness -- fair distribution of benefits and burdens -- might at times override considerations of utility in a particular situation. Even had there been more than one person in that third car, as long as it was not an emergency situation I think I was under no obligation to stop again to help them.

Suppose your spouse wants to go to a movie this evening, but you really don't want to go -- tired, bad day, not in the mood, don't want to spend the money, etc. These considerations alone may be sufficient to veto your accompanying your spouse to the movie; but not if the situation is always this way -- you always win on the basis of utility alone, and therefore never go to the movie. It seems to me that fairness would dictate that you should go to the movies some times even though you have other reasons not to go, reasons which in an isolated case would be sufficient grounds not to go. I think the moral of this kind of story for relationships is that it is better to give in to your mate or friend at times when you can, so that at times when it would really bother you to do things your mate or friend's way, utility alone can win the day for you, rather than having it instead be overridden by considerations of fair distribution (that is, in this case, having to do what you do not want to do so the other person can do what he or she wants to do because it is their "turn"). The fairness part of the condensed version of the "Ethical Principle" given earlier should be understood in this overall sense, not as applying just to individual cases of risk or cost to the agent.

Now concerning deciding just utility alone for a particular situation, it is imperative that you are able to explain just how important a particular action or desire may be to you -- and to understand how important a particular action or desire may be to someone else -- since the value of the stifling of a desire or the value of the fulfillment of a desire counts as part of the consequences one must consider in calculating utility. (It is only part because, for example, a child may not want to eat vegetables, but his desires are overridden by considerations of the consequences for his health. We don't always know or want what would be best for us.) Describing the importance of your desires is sometimes difficult since we do not have a standard measurement or vocabulary of measurement of the strength of feelings. However, one can give some fairly clear indication about how one feels about something in helping to discuss and to mutually decide a case on the basis of utility that involves who has the stronger desires or dislikes about a certain course of action. You might say something like "Remember how we both felt after moving into this apartment last year? Well that is how I feel after what I went through at the office today. I couldn't go to that movie for anything." Or you might describe what your day was like, verbally recreating the circumstances that made you feel like you do, so that the other person can get a pretty good idea of how you must feel, given what you went through. If you each do this kind of thing, this should help you both better understand how important your individual desires are at this particular time; and this should help you mutually decide which choice will be the most utilitarian (that is, give the greatest benefit). It might also give the other person some clue how to change your mood and attitude or desire -- "You must be exhausted (frustrated, angry, tense, whatever) after a day like that; why don't you take a nap (soak in the



tub, listen to some serene Mozart, go hit some tennis balls against the practice wall) for an hour or so while I fix your favorite dinner. If you feel up to it then, maybe we could catch the late show. If not, I understand. Some other time."

In cases where equal desires oppose each other, where desires cannot be easily changed, where utilitarian consequences other than desires are also equal, and where considerations of fairness (concerning past "giving in") are also indecisive, then some sort of compromise or impartial decision needs to come into play. If there are two tasks to be done which neither wants to do, each should do one and a coin could be flipped to see who does which. If the question is a movie or single event or some such, a coin might be flipped, with the winner getting his or her way that time and giving the other person her or his way the next time, alternating each time. Or you can flip a coin each time.

The point is, in deciding disagreements over choices, two people should consider the utilitarian consequences for themselves and each other, should determine if fairness or any other "prior" right overrides such consequences, and if there is still no right answer to be shown by logic, then some impartial and fair method needs to be employed such as flipping a coin or drawing straws or whatever. As long as each side is generally concerned about the other's feelings and well-being, as long as each side is aware of that, as long as each side is able to state the kinds of considerations that logically justify its position, and as long as each side is able to understand and appreciate those statements when made by the other, most disputes or disagreements should be able to be worked out in an amiable and civilized manner.

### **Two Kinds of Utilitarianism**

Philosophers distinguish two kinds of utilitarianism: (1) act utilitarianism and (2) rule utilitarianism. Act utilitarianism is what I have been discussing, is what is perhaps closest to the ordinary idea of doing ethics, and is, to my way of thinking, the more correct form of utilitarianism, when there is any real difference between the two forms. Act utilitarianism looks only at particular acts and says that a particular act is right if and only if it is the act open to the agent which creates the most good consequences, least bad ones, or greatest balance of good ones over bad ones for the greatest number. Rule utilitarianism is more like the law to some extent, and is an outgrowth of some of the problems that confront act utilitarianism such as the one previously mentioned where act utility might dictate breaking a promise in order that more people might have more fun, even though our intuitions make us certain that breaking a promise for that reason would be wrong. Hence, rule utilitarianism says that an act is right if and only if it conforms to a rule, and the rule is right if and only if always obeying it, rather than always obeying some alternative rule, leads to the greatest amount of good (least bad or good over evil) for the greatest number. Hence, utilitarians say that breaking the above kind of promise for the reasons given is wrong because it is for the most good overall for people to obey a rule "always keep a promise," whether or not there may be particular occasions that would cause more good to break a promise. The law is like this in that supposedly one should always obey the law even if on particular occasions it might cause more good not to -- for example, coasting through a stop sign when it is perfectly clear there is no pedestrian or cross-traffic at the intersection. Rule utility says to decide cases on the basis of rules and to decide the rules on the basis of their

utility. Act utility says to decide all cases on the basis of their particular utility, treating relevantly similar cases, of course, in the same ways.

But since there is no reason to think rules need to be overly simple or devoid of built-in exceptions or special cases, it seems to me there is no reason to need to have rules which you know will give the wrong answers in some cases just for the sake of having rules. For example, there is no reason to have a rule that everyone should keep off the grass if it would do just as well to have a rule that everyone should stay off the grass when it is not being resilient -- when it is just lying down instead of springing back. I believe it is wrong to have a rule which is so broad or so narrow that you know it will lead to incorrect acts in particular circumstances. If a rule is to be the best rule, then it seems to me it should be the rule that also incorporates all the necessary exceptions in it. This then, it seems to me, would then give all the same answers as would act-utilitarianism since it would be the rule that would maximize utility (greatest good...for the greatest number) in each and all (kinds of) cases. Any less exact form of a rule utilitarianism seems to be wrong in that it is inferior to act utilitarianism and will in some cases mandate that we do the wrong act on grounds of utility alone. But, of course, any rule utilitarianism which gives the same results as act utilitarianism is open to the same criticism I listed earlier of act utilitarianism (that is, the cases labeled 1-11 earlier). Hence, it would be wrong to have rules like "never lie" or "never break promises" because there are cases where it is better to lie or to break a promise; and the rule should therefore spell out the exceptions like "never break a promise except when keeping it would cause some grievous harm not realized when making the promise, or when..." etc.

Consider the case in the poem Casey at the Bat. Suppose after the third strike Casey were to ask the umpire for four strikes, instead of three, on the basis that if he were called out it would really upset the fans. Now suppose the umpire argues that baseball is a rule utilitarian game; that is, particular cases come under particular rules (in this instance "the batter is out after three strikes") and the rules are decided on utility. Some philosophers say this is in fact the case. I do not think so. For certainly there could be a rule which says "a player is out after three strikes unless he is very popular and needs a fourth chance." This would be wrong, of course, but not because of utilitarian grounds, either act or rule utilitarianism. Rather it would be wrong because it would be unfair to other players and because it would undermine any significance to the game, since there would be no grounds for comparing different teams or players since they would be playing under different conditions. Giving Casey four strikes would not be right, but not because of utilitarianism, act or rule.

Further, morality is not a game and not like the law. If a moral rule precludes an act that is right or requires an act that is wrong, then it is an incorrect moral rule, even if in general it gives the correct results. "In general" is simply not good enough. Some laws may have to be kept unfairly simple to be practically enforceable; or it may be necessary for consistency, stability, or management reasons to enforce the system, even with some bad laws in it, rather than to pick and choose between the good and bad laws. But morality requires right always to be done, and not sometimes to be ignored because of practicality of enforcement, social usefulness, ease of deciding culpability in wrong-doing, etc.

Professions and organizations often are guilty of having rules that are over-simple, rules of conduct or of professional "ethics". Although such rules often have a point or some reason, still they often require the wrong acts and cause the wrong results in many cases. A number of television shows and movies often make use of situations where conflict arises because the actually right act is the "unprofessional" one. Television teacher Lucas Tanner one time helped save a depressed girl student from suicide by talking with her late into the night when her parents were away from home. However, because he took her home at 2 a.m. (she was a high school student of his) and was seen by the parents doing this, and because he would not tell why he had been with her so late, since the girl had spoken to him confidentially about something she did not want her parents to know which would have got her in trouble of a different sort, he was brought up on charges of unprofessional or wrong behavior. Danny Thomas, as the doctor on his show "The Practice" was accused of unprofessional conduct when he purposely caused a depressed female patient to fall in love with him because he felt she would otherwise not have the necessary will to survive surgery she needed. He had unsuccessfully tried a more verbal and rational direct appeal to elevate her spirits earlier. In these cases the unprofessional conduct was the right conduct because the "professional" codes contained bad, overly broad, rules. None of this is to argue that teachers should date their students or that doctors should seek for their vulnerable patients to fall in love with them in general. It is easy to see numerous situations that would turn out badly if these were standard practices. It is only to say (1) actual ethics should take precedence over professional codes, which are often oversimplified ethical standards, or not really ethical standards at all, (2) in cases where ethical standards and professional codes conflict, ethics should prevail, and (3) professional codes should incorporate allowances for such special circumstances and should incorporate mechanisms or processes by which those allowances can be sought or recognized and achieved. When intentionally violating a professional rule, one should understand the general rationale for the rule and be able to demonstrate why that rationale does not pertain in the case at issue and why the professional rule, if followed, would lead to the wrong or undesirable results. And professions should be flexible enough to appreciate and accommodate reasonable and conscientious disagreements and conflicts with their general policies.

### **Professional Distance**

Some people seem to think that professional distance means you do not have to show normal decency, kindness, friendly behavior, etc. to others. I hold this to be wrong. There is sometimes a point to professional distance in order to be fair and objective in dealing with students, employees, colleagues, patients, clients, etc.; but distance does not mean discourtesy, incivility, or inhumanity. And I am not always certain professional distance is not just a poor excuse to keep from getting involved when one actually should get involved with another. If one would not treat his friends like he treats his patients or customers, maybe one should begin to treat his patients and customers more like he would treat his friends insofar as time and energy permit and insofar as there is no special practical reason not to.

### **The Golden Rule**

The Golden Rule is probably not meant the way it is usually understood and applied. As it is usually understood and applied, it is often a wrong and harmful "formal" rule. As it is usually

understood, it implies first that what you like or think you should have is what others also like or think they should have. Second it implies that a person should be treated the way he or she wants to be treated. Neither is always the case. Certainly how a person would like to be treated needs to be taken into consideration, but it is not the only consideration. A murderer might like to have royal treatment, but he may not deserve it. A madman may like to have nuclear weapons, but he should not be able to have them. A three year old may not want to take a nap, eat vegetables, take a bath, or go to bed at a reasonable hour, but those wishes ought not always to be honored. People may want drugs but that may not be good for them. People may want to watch mindless sports or mindless movies all the time, but that too may not be good for them. There are all kinds of things that people may want that they ought not to have. There are things to take into consideration in many cases besides what people want.

Further, the Golden Rule -- "Do unto others as you would have them do unto you" or "Do not do unto others as you would not have them do unto you" -- assumes that what you want or don't want is what others want or don't want as well. But certainly other people do not always want the same things we want. Parents often force their children to do things they wish others had forced on them as children -- but though that might have been the right thing for them as children, it may not be right for their children and it may not be what their children want or would want. A person with some musical talent may wish his parents had made him continue piano lessons when he was younger; but that is not good enough reason to force his child, who may have no musical talent or interests, to continue piano lessons. Teachers and academic or vocational counselors sometimes incorrectly force or talk their students into taking fields of their own interests rather than fields more in line with the students' interests. At least utilitarianism takes into account, in consideration of how to treat others, what others want (and whether that is good for them and for everyone), not just what you (would) want. And the cases mentioned in opposition to utilitarianism also take into account what is fair for others (and everyone else affected) as well as what is best. One could imagine a rapist giving the Golden Rule as a defense of his actions: "Well I would have wanted her to rape me." (Or "I would not have wanted her to pass by without raping me.") (I do not consider there to be any difference between the positive and negative form of the rule because almost any act can be described using either form; it may just sound a little stilted or odd stated in one form rather than the other.)

It seems to me that the Golden Rule, however, was more likely intended to mean something like "Consider other people's feelings the way you would consider your own," or "Do not forget that other people have feelings and concerns just the way you do, so do not ignore their feelings and concerns when deciding how to act." This is good insofar as it goes, but it does not tell us all the considerations we need to take into account in deciding what act is right in a given situation. As I have just pointed out, people's feelings or desires often need to be outweighed by other factors. A rule that is meant to be "the" (only or main) principle of ethics would need to be much more complete than the Golden Rule is.

And like the Golden Rule, the fiats to "love thy neighbor as thyself" and to "love, and do as you will," are neither specific nor helpful, and may be wrong or harmful in many cases where good intentions lead to bad results. "The road to hell is paved with good intentions," is not without some justification. Love, in terms of feelings or concern alone, does not insure right conduct toward the loved one or toward anyone. Rather than love's being a guide to ethics, I have been

arguing that ethics -- right behavior -- is a part of love (as well as an important part of other relationships). If you do not treat people right, they, regardless of what they feel for you (even if it is some kind of attraction), cannot have love for you. And if others do not treat you right, whatever you feel for them (even if it is some kind of attraction) cannot be love. But loving someone does not imply you will treat them right. And I think it does not necessarily even imply that you will try to, let alone that you will succeed. However, you do have responsibilities and obligations to try to do what is best for your family members and for friends, people with whom you have grown interdependent, who depend on you and help you out at times with some sacrifice to themselves, children who are in your care. This is an ethical obligation or responsibility, not one dependent on love or something as uncertain, unpredictable, and possibly ephemeral as feelings. Such responsibilities and obligations might be overridden by higher obligations, but they ought not be dismissed for no good reason or just because one is simply no longer "in love" (for example, "magically attracted") or no longer feels like fulfilling them.

### **Responsibility and neglect of obligation**

In one of my classes someone made the point that (in the book of Job God was not responsible for Job's misfortune -- the devil was. God only let the devil do it. However, on both models or concepts of responsibility described earlier in the section on free will, God was still responsible in that He could have prevented the catastrophe had He chosen to (and He could have chosen to). Likewise the doctor who could perform either a successful abortion or a successful delivery. He is responsible for whatever he chooses, since he could have done either, and he could choose either. In this sense he is playing God either way, not just when he acts "actively" to perform the abortion. He is responsible either way. And it is no good answer in ethics to say in such cases we should do the "natural thing" or just let nature take its course; since if we did natural things we would still be living in the jungles, still be eating with our fingers, still be doing without diapers and toilet training for our children, and without toilets for ourselves. We would not be using vaccines to prevent disease or antibiotics to cure it. Since probably most of what we do and think right is not natural, it is hard to argue in certain difficult or controversial cases that the natural thing is therefore the right or obligatory thing simply because it is natural.

The modern way to try to shirk responsibility is through deference to rules, company policy, regulations, the law, or through supposed delegation of responsibility to a committee or to another person, group, or department. Actually one can only pretend to avoid responsibility these ways because the point remains that if you have the capability to change the outcome or to control or even to influence the committee or the other people, you have the responsibility to try, or to have a good reason not to have to try. You cannot simply say, it is not in your hands, because that is not true. Saying something is not your responsibility does not make it true. And having something not be part of your job description does not alone prevent it from being your moral responsibility.

### **Goodness of Persons vs. Rightness of Acts**

This is an important distinction. People can try to do right without succeeding, and they may be responsible in various ways for omitting to do something that ought to be done, without in either cases thereby being evil or morally bad. I am not sure I know all the things that make a person a

good one (for whatever instance or amount of time is in question) but some qualities that come to mind are their being conscientious, responsible, trying to do right things, trying to figure out what things are right, being concerned about and considerate of other people's feelings, etc. I don't know whether being loving in terms of feelings would count. I doubt it. Seems more a character trait or psychological trait rather than strictly a moral trait. Anyway, good people can do, and often in fact do, wrong things when they are trying to do right; and bad people can do right things (though this is probably rarer) even though they are trying to be selfish, vindictive, or spiteful at the time. Since it is necessary to know a person's rationale, motives, and intentions to determine whether he is good or bad or not, it is wise to exercise extreme caution in making such judgments, since these are usually harder to know than just whether his action is right or wrong. It is usually easier to judge the rightness of acts, since the act can be seen, than to judge the goodness and badness of persons. You can hold that someone is being wrong without accusing him of being a bad person; and this can often help you get your point across without his becoming too defensive to see it. In some cases there will be clear-cut malevolence intended, but in most cases in life among civilized people it will be difficult to tell whether the perpetrator of wrong acts is malevolent or incompetent or simply misguided, myopic, or incidentally ignorant, though well-intentioned. Until you can prove otherwise, it is often better to assume mistake rather than malevolent intent. It is generally better -- because more tactful and more effective at least to begin pointing out a problem by saying something like "I don't think this is the right thing to do because...." than to say something like, "How could you be so selfish (mean, stupid, or whatever)...."

### **The Ethics of Caring**

In line with the preceding paragraph, it seems to me that an "ethics of caring", which is something of a recent theory of ethics advocated by some, does not necessarily point out the right thing to do. It is a good thing to care about people, but it is also a good thing to care about doing what is right for people whether you care about them -- i.e., have any personal feelings for them over and above humane feelings you would have for anyone -- or not. In some cases, one's feelings for another can even override one's judgment in a harmful way. It may be that having personal feelings toward another person will make one work harder to try to figure out what is right and to try to do it, but it is not clear that is more likely to lead to knowledge about what is right than will simply caring about doing the right thing. It is probably true that caring about people whether in a special way or even just in a humane way, along with treating them right is better than just treating them right. But it is not clear that caring will help one know the right acts to do; and if the choice were between being treated right by someone who didn't care and being treated wrong by someone who did care but was mistaken, I think I would prefer to be treated right without compassion than wrong with it. Of course, in a situation where no one can actually solve your problems or help you, then compassion will be preferable than lack of it, but compassion by itself is not a guide to determining what is right in a given situation. It may only help you be more diligent in seeking what is right, but is no guarantee you will find it.

### **"Virtue Ethics"**

Usually attributed to Aristotle (I believe mistakenly), "virtue ethics" is the view that there are certain virtues, such as loyalty, integrity, truthfulness, etc. that let us act rightly. Aristotle did

point out that ethics consisted of doing what is right and not just knowing what is right to do, and that without the proper cultivation and practice of virtuous behavior, people might not do what they know in their minds they should. But Aristotle thought that the virtues to be developed were those which one discovered through reason, and once one discovered them, then one should cultivate or practice them so that they became easier to do when necessary. The modern theory however seems to assume that there are certain virtues which are the right way to behave under all circumstances; e.g., never lie, always be loyal, etc. Aristotle would, I am pretty sure disagree with that, and think that such a principle led to extremes rather than to the golden mean, that he thought most virtues represented. For example, undercover police agents need to lie to do their work. Similarly spies. But I think it is also okay to lie when doing so will cause only good but telling the truth will do only harm. Particularly in cases where one is trying to build confidence in, say, a child, and the lie will help that but the truth will undermine it. So, for example, one might tell a child s/he looks good in some outfit that is not all that attractive on him/her, but is not so bad that others will poke fun and prove you to have lied. That is particularly true if your child's confidence will help him/her actually seem more attractive to others than would a better outfit that the child does not feel confident wearing. Or, in teaching children to ride a bicycle, I lie to them about not letting go because otherwise they will not even let me help them learn to ride. I don't let go until I know they can balance the bike, and I have them ride on grass at the time I do let go. Invariably after they have ridden some fifteen feet on their own, they will notice I am not with them and they will fall over, and be angry that I let go. But when I point out how far they got on their own after I had let go, and tell them they **can** ride their bicycle now by themselves, they immediately get over their anger and want to ride by themselves again. So I think lying about not letting go is a good lie that is right to tell. Or consider loyalty. Clearly blind loyalty to someone like Hitler or to someone out to make money at any cost to others is not a good kind of loyalty and is not right to have. I would argue that the only thing that makes something a virtue is that it is right to do, not that any act is right because it fits into a category that is simply considered to be a virtue. While truth telling and loyalty are often right ways to behave, that does not mean they are always the right thing to do. And if a normally virtuous behavior would in some particular instance only cause significant harm and its opposite behavior would instead achieve much good, then it seems pretty clear to me that it is not the right thing to do in that particular case, and is not a "virtue" then.

### Conscience

The problems with principles which rely on conscience telling you or anyone what is right are that (1) conscience can be wrong -- conscience usually has more to do with good intentions and is satisfied with them than with whether acts really are right or not. Also (2), some people's consciences are more easily satisfied than others and than they ought to be. Many former Nazis had, and many still have, clear consciences about their acts. This is not to say that people who follow principles cannot be wrong; it just does not make their wrong be right. As I mentioned earlier, principles should not say a right act is one that you think does the greatest good, keeps a promise, or whatever; principles should say a right act is one that in fact does the greatest good, keeps a promise, or whatever. Otherwise for an act to be right, a person only has to think he is doing the right thing; he would not have to actually be doing the right thing. In the case of conscience, this translates into the only requirement for an act's being right is for the person performing it to have a clear conscience, for whatever reason, about it. You could never then say

anything, without being contradictory, like "I know you think that was the right thing and I know your conscience is clear about what you did, but what you did was wrong." Any principle or theory which makes that kind of statement contradictory is a flawed one.

### **Doing Right When It Is Not In Your Own Self Interest**

Why do the right thing when it is not in your own self interest? Why make sacrifices you can never regain? The initial answer is because it is in someone else's interest; because it brings about the greatest good for the greatest number of deserving people, because it keeps a promise; because it ... -- any of the reasons that justify the act in the first place. Some then ask, but why do it anyway? Why be moral? This is a moral question that seems to require a non-moral answer, since the moral answer will have then already been given. I do not know that a good nonmoral answer to this question can or needs to be given. If a morally blind or insensitive person wants to know what the point is in being moral, how can you show him? Is it not like a blind person's asking to be explained the difference between blue and red? It cannot be explained to him; not because there is no explanation, but because he cannot "see" it or understand it. The difference between blue and red is a difference in color, and you can only perceive and understand that difference if you can see different colors. If the blind person then asks for the difference besides that or beyond that, there is no satisfactory answer; and there need not be one. Perhaps to explain the point of morality or of being moral (whether it is in our own self-interest or not) we can only answer with Batman's tautology in one comic that "Good is better than evil, Robin."

I have lately come to believe there is another answer that can also be given, which is that by doing the right thing, even when it is not in your own best interest, you make yourself a more "deserving" person -- a person more deserving of having good happen to you. Now, just being deserving does not, of course, mean that good will actually happen to you, but it means it should. And just as in some metaphysical sense "good is better than evil", it is also, in some metaphysical way, better to be a deserving person than not to be one. Deserving people are better in some way than undeserving people. And it is better to be deserving even if you are not necessarily then better off -- meaning even if you do not benefit in the way you deserve.

In one of my ethics classes one time, the students felt that it was right to keep money that you found instead of giving it back to the person who had lost it. One woman even remarked that she had found a purse with cash in it once and returned it all intact to the person who had lost it, and that she felt guilty about that because she thought she should have kept the money. I disagreed with them and we argued periodically about it throughout the term. They also held a view that seemed to me to be oddly inconsistent with their view about keeping found money, though they saw no inconsistency. They believed that if someone they did not know was about to accidentally leave their purse or wallet when they left a restaurant or library or any such place, that they should tell the person so that they did not lose it. They believed they were entitled to keep lost money, but they had an obligation to help people who were still within sight not lose their money. So they had an obligation to prevent money from being lost, even though it could be theirs the second it was lost, but they had no obligation to return lost money to anyone.



The last point I made that term was that if they held the view they did about not having to return lost money, they could then neither expect nor demand that anyone should return any money they themselves might lose. I said that I thought that if they were not willing to return found money, then they did not deserve to have any money they lost returned to them. I also pointed out that I thought that it was just not as good to live in a community where people did not unselfishly help each other as it was to live in a community where people did help each other, even if that meant you were the one who often helped others but did not necessarily need or receive help in return. That was about as far as I could take this then, and now, except to point to a story that was once on either *Twilight Zone* or *Alfred Hitchcock* or a series like those.

In that story a stranger comes one evening to the door of a married couple, bringing with him a briefcase that contains a fortune in cash (at the time of the show, it was a million dollars, but with inflation would today be much more). He will leave the briefcase with them for 24 hours, returning to pick it up tomorrow, and they may keep the money or give it back to him when he comes. He will take back the briefcase either empty or still full of the money, whichever they decide; it does not matter to him. The only catch is that if they keep the money, someone they do not know, somewhere in the world will die who would not otherwise have died that day.

The couple falls to arguing about what they should do, and most of the episode is taken up with their arguments. They finally decide to keep the money, since, they figure, one more death among the thousands of people who die every day throughout the world will be of no real consequence, and since it is not as though that person would live forever otherwise anyway. The man returns to pick up the, now empty, briefcase, and as he is about to leave they ask him why he wants it, since the value of the case is insignificant compared to the value of the money. Why bother coming back for the briefcase? He responds that he needs it back because he is going to put another million dollars in it and take it to someone who does not know them.

### **Two Closing Thoughts About Ethics**

1) I think ethics takes precedent or should take precedent over all other things in life. Business, political, governmental, military, or whatever considerations should (and actually do) all come secondary to ethical considerations. You cannot suspend acting ethically for any of these things or for any reason though you may try or may pretend to or may think you can. Of course, certain choices may be difficult and have compelling reasons or obligations on both sides. There can often be disagreement among good, intelligent, well-meaning people. But the point is that you must try to determine what the morally correct answer is, and not just ignore that in order to "follow orders", "obey rules", "abide by the decision of the committee", "do [your] job", or "not make waves." These kinds of reasons may be overriding or sufficient justifications in some cases, but they are not necessarily always or automatically so.

I think all our choices have a moral component or character, though not all our deliberations or decisions recognize this. We do not always take morality into account in making our choices. Not thinking at all; being blind to all but one side; peer pressure; habit; fashion; fad; social, governmental, or employer pressure; tradition; parental guidance; religious prescriptions, etc., particularly when they are not perceived as influencing our decisions, often make us choose things without considering whether they are really right or not. This is often very unfortunate.

(2) Do ethics. Do it as Socrates did; discuss, analyze, question, explain, try to guide others to see what you see and try to remain open to seeing what they do. Help others show you what they know if they are not as good at explaining their views and their insights as you might be. Help draw out of them what they really think, so that you both can analyze it and scrutinize it to see whether it holds up. This way both of you can learn what is right and what is not, and why. As with Socrates, even if you only find out what you do not know, you will be the wiser for it; for it is better to know what you do not know than to believe untruths.

But do it, as did Socrates, tactfully and nicely and in honest search for truth, not contemptuously, abusively, or arrogantly. Even then, you will not be universally loved. Socrates made enemies and was ultimately condemned to death essentially for practicing philosophical inquiry. And even in supposedly civilized places today, people do not always take kindly to being questioned or to having someone disagree with them on ethical grounds. (People seem to feel they are all expert enough in moral matters and do not like to have their expertise challenged. Or perhaps they misconstrue challenge of the rightness of their ideas as challenge of their own goodness or good intentions.) They are not likely to put you to death for it any more, but often they can make your life miserable for it. You need to be circumspect with many people and only to discuss or disagree about important issues with them. With others it is safe to discuss all kinds of ideas about ethics. The more you can do it with different people, the more your knowledge of ethics can grow and the better morally you can become.

### **Added Section**

In some of my ethics courses, a set of questions I posed for discussion was:

You and a group of 9 others, all innocent friends of yours, are invaded and captured by a hostile group of evil people who tell you that you must choose and kill one of the others or they will kill you. What should you do and/or say in response? and why?

What if they had said instead that you must choose and kill one of your friends or they will kill **all** of them (or all of you) and that the choice and responsibility for everyone's lives is yours? What should you do and/or say in response? and why? Explain and justify your answer.

I believe my answer, to these questions, along with some of the points I make in "[The Flaw of Legalism in Society and Education](#)" show there is a problem with the way utilitarianism is often stated<sup>1</sup>