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UNIT 1 FUNDAMENTAL ISSUES IN MORALITY 1

Issue 1. Is Moral Relativism Correct? 2

YES: **Gilbert Harman**, from “Moral Relativism,” in Gilbert Harman and Judith Jarvis Thomson, eds., *Moral Relativism and Moral Objectivity* (Blackwell, 1996) 4

NO: **Louis P. Pojman**, from “The Case Against Moral Relativism,” in Louis P. Pojman and Lewis Vaughn, eds., *The Moral Life: An Introductory Reader in Ethics and Literature* (Oxford University Press, 2007) 13

Philosopher Gilbert Harman argues that relativism is true for morality—much as Einstein proved it was true for motion. Just as motion always presupposes some framework in which it occurs (and something can be in motion relative to one person but not to another), morality too always presupposes some framework. Louis Pojman carefully distinguishes what he calls the diversity thesis—that moral rules differ from society to society—from ethical relativism. The diversity thesis is a straightforward description of what are acknowledged differences in the moral beliefs and practices of various human groups. But he argues that moral relativism does not follow from this diversity.

Issue 2. Does Morality Need Religion? 24

YES: **C. Stephen Layman**, from *The Shape of the Good: Christian Reflections on the Foundations of Ethics* (University of Notre Dame Press, 1991) 26

NO: **John Arthur**, from “Religion, Morality, and Conscience,” in John Arthur, ed., *Morality and Moral Controversies*, 4th ed. (Prentice Hall, 1996) 35

Philosopher C. Stephen Layman argues that morality makes the most sense from a theistic perspective and that a purely secular perspective is insufficient. The secular perspective, Layman asserts, does not adequately deal with secret violations, and it does not allow for the possibility of fulfillment of people’s deepest needs in an afterlife. Philosopher John Arthur counters that morality is logically independent of religion, although there are historical connections. Religion, he believes, is not necessary for moral guidance or moral answers; morality is social.

UNIT 2 GENDER, SEX, AND REPRODUCTION 49

Issue 3. Must Sex Involve Commitment? 50

YES: **Vincent C. Punzo**, from *Reflective Naturalism* (Macmillan, 1969) 52

NO: Alan H. Goldman, from “Plain Sex,” *Philosophy and Public Affairs* (Spring 1977) 58

Philosopher Vincent C. Punzo maintains that the special intimacy of sex requires a serious commitment that is for the most part not required in other human activities. Philosopher Alan H. Goldman argues for a view of sex that is completely separate from any cultural or moral ideology that might be attached to it.

Issue 4. Is Abortion Immoral? 66

YES: Don Marquis, from “Why Abortion Is Immoral,” *The Journal of Philosophy* (April 1989) 68

NO: Margaret Olivia Little, from “The Moral Permissibility of Abortion,” in Andrew I. Cohen and Christopher Heath Wellman, eds., *Contemporary Debates in Applied Ethics* (Blackwell Publishing, 2005) 76

Professor of philosophy Don Marquis argues that abortion is generally wrong for the same reason that killing an innocent adult human being is generally wrong: it deprives the individual of a future that he or she would otherwise have. Margaret Little finds several serious problems with the way debates are structured concerning abortion. She stresses three things: first, the continuous development of the earliest stage of the fertilized egg to the birth of a baby; second, the poverty of idea theory that pushes us into all-or-nothing talk of *rights* rather than *values*; and third, the fact that it is a pregnant woman who actively gestates the fetus rather than being merely a passive carrier of it.

Issue 5. Is It Right to Prohibit Same-Sex Marriage? 88

YES: Jeff Jordan, from “Is It Wrong to Discriminate on the Basis of Homosexuality?” *Journal of Social Philosophy*, vol. 26, no. 1 (Spring 1995) 90

NO: David Boonin, from “Same-Sex Marriage and the Argument from Public Disagreement,” *Journal of Social Philosophy*, vol. 30, no. 2 (Summer 1999) 101

Philosopher Jeff Jordan defends the claim that there are situations in which it is morally permissible to discriminate against homosexuals, i.e., to treat homosexuals unfavorably. There is a public dilemma (or a clash of views) concerning the moral status of homosexuality and, unless something of overriding importance—such as human rights—is at stake, the government should refrain from favoring one side by publicly recognizing same-sex marriage. Philosopher David Boonin argues directly against Jordan that his argument is unsuccessful. He uses Jordan’s argument to address some of the questions that seem to lie, unanswered, in the background of this issue: In particular, is it correct that homosexuality is immoral? Do people have a right to marry only certain other people? Is opposition to same-sex marriage comparable to opposition to interracial marriage?

Issue 6. Should Human Cloning Be Banned? 112

YES: Michael J. Sandel, from “The Ethical Implications of Human Cloning,” *Perspectives in Biology and Medicine* (Spring 2005) 114

NO: John A. Robertson, from “Human Cloning and the Challenge of Regulation,” *The New England Journal of Medicine* (July 9, 1998) 120

Political philosopher Michael J. Sandel argues that much of the talk about cloning revolves around a few limited concepts (e.g., rights, autonomy, and the supposed unnaturalness of asexual reproduction) that are inadequate and fail to express what is really wrong with cloning. We need, instead, to address fundamental questions about our stance toward nature. Law professor John A. Robertson maintains that there should not be a complete ban on human cloning but that regulatory policy should be focused on ensuring that it is performed in a responsible manner.

UNIT 3 LAW AND SOCIETY 129

Issue 7. Is Cloning Pets Ethically Justified? 130

YES: **Autumn Fiester**, from “Creating Fido’s Twin: Can Pet Cloning Be Ethically Justified?” *Hastings Center Report* (July/August 2005) 132

NO: **Hilary Bok**, from “Cloning Companion Animals Is Wrong,” *Journal of Applied Animal Welfare Science* (vol. 5, no. 3, 2002) 142

Autumn Fiester argues in support of cloning animals (in particular, people’s pets). She emphasizes the point that pet owners really care about their pets. One result of this is that they spend large amounts of money on veterinary care for their pets. Cloning their pets could serve as a useful extension of this idea—and also serve as a positive demonstration of society in general that individual pets have intrinsic value and cannot simply be replaced by new pets. Hilary Bok argues that cloning pets is immoral first of all because it causes great harm to animals. The animal that results from cloning, for example, is much more likely to have physical defects than the animal from which it was cloned. Moreover, the process of cloning itself necessarily involves harm to other animals (e.g., the animal that will carry the new pet to term). Finally, the end result simply does not provide pet owners with what they were looking for.

Issue 8. Should Congress Allow the Buying and Selling of Human Organs? 148

YES: **Lewis Burrows**, from “Selling Organs for Transplantation,” *The Mount Sinai Journal of Medicine* (September 2004) 150

NO: **James F. Childress**, from “Should Congress Allow the Buying and Selling of Human Organs? No,” *Insight on the News* (May 7, 2001) 155

Lewis Burrows, M.D., begins with the observation that the need for organs far outstrips the supply: each year, hundreds of patients die while waiting for transplants. Burrows argues that payment to the donor (or payment to the donor’s family, in cases in which the donor is deceased) would increase the supply of organs, regulations could restrain possible abuses, and a payment-for-organs system could meet relevant medical ethical principles. James F. Childress, professor of ethics and professor of medical education, argues that a free market would cause the loss of important altruistic motivations and would turn organs into commodities; moreover, such an untried market might make fewer—not more—organs available.

Issue 9. Should Drugs Be Legalized? 161

YES: Meaghan Cussen and Walter Block, from “Legalize Drugs Now! An Analysis of the Benefits of Legalized Drugs,” *American Journal of Economics and Sociology* (July 2000) 163

NO: Theodore Dalrymple, from “Don’t Legalize Drugs,” *cjonline.com (The City Journal)* (Spring 1997) 172

Meaghan Cussen (a student in economics) and Walter Block (her economics professor) argue that the legalization of drugs would provide many sorts of benefits (e.g., crime would fall, the quality of life in inner cities would rise, and taxpayers would no longer have to pay for an unwinnable “war on drugs”). Moreover, the legalization of drugs would promote the American value of liberty. Theodore Dalrymple stresses the harm that drugs can do and the danger of “giving up” in the “war on drugs.” He takes issue with most of the claims of the supporters of legalization, and more generally with Mill’s “harm principle”: the idea that in a free society, adults should be permitted to do whatever they please (provided that they are willing to accept the consequences of their own actions, and those actions don’t cause harm to others).

Issue 10. Is Price Gouging Wrong? 182

YES: Jeremy Snyder, from “What’s the Matter with Price Gouging?” *Business Ethics Quarterly*, vol. 19, no. 2 (April 2009) 184

NO: Matt Zwolinski, from “Price Gouging, Non-Worseness, and Distributive Justice,” *Business Ethics Quarterly*, vol. 19, no. 2 (April 2009) 199

Health science professor Jeremy Snyder argues that although there are arguments from a business perspective which emphasize the economic benefits of raising prices in the wake of disasters, price gouging in fact fails to respect persons as persons and is morally wrong insofar as it undermines fair access to essential goods. Political philosopher Matt Zwolinski’s article is a direct response to Snyder. He argues that although price gougers may not be morally virtuous agents, they—unlike most of use—are nevertheless doing something that the victims of the disaster can benefit from. In addition, he argues that the allocation of goods via the market is a more just system than other alternatives, including those suggested by Snyder.

Issue 11. Is Affirmative Action Fair? 209

YES: Albert G. Mosley, from “Affirmative Action: Pro,” in Albert G. Mosley and Nicholas Capaldi, eds., *Affirmative Action: Social Justice or Unfair Preference?* (Rowman & Littlefield, 1996) 211

NO: Louis P. Pojman, from “The Case Against Affirmative Action,” *International Journal of Applied Philosophy* (Spring 1998) 223

Professor of philosophy Albert G. Mosley argues that affirmative action is a continuation of the history of black progress since the *Brown v. Board of Education* desegregation decision of 1954 and the Civil Rights Act of 1964. He defends affirmative action as a “benign use of race.” Professor of philosophy Louis P. Pojman contends that affirmative action violates the moral principle that maintains that each person is to be treated as an individual, not as representative of a group. He stresses that individual merit needs to be appreciated and that respect should be given to each person on an individual basis.

Issue 12. Should the Death Penalty Be Abolished? 235

YES: Michael Welch, from *Punishment in America: Social Control and the Ironies of Imprisonment* (Sage, 1999) 237

NO: Ernest van den Haag, from "The Death Penalty Once More," *U.C. Davis Law Review* (Summer 1985) 251

Criminologist Michael Welch argues that the death penalty encourages murder and is applied in a biased and mistake-laden way to growing groups of people. Much of the recent popular support of capital punishment is due to ignorance of the facts. Professor of law Ernest van den Haag argues that the death penalty is entirely in line with the U.S. Constitution and that although studies of its deterrent effect are inconclusive, the death penalty is morally justified and should not be abolished.

Issue 13. Is Torture Ever Justified? 264

YES: Mirko Bagaric and Julie Clarke, from "Not Enough Official Torture in the World?" *University of San Francisco Law Review* (Spring 2005) 266

NO: Philip E. Devine, from "What's Wrong with Torture?" *International Philosophical Quarterly*, vol. 49 (September 2009) 275

Bagaric and Clarke remind us, first of all, that torture, although prohibited by international law, is nevertheless widely practiced. A rational examination of torture and a consideration of hypothetical (but realistic) cases show that torture is justifiable in order to prevent great harm. Torture should be regulated and carefully practiced as an information-gathering technique in extreme cases. Philosopher Philip E. Devine argues for an absolute (or virtually absolute) position against torture. Devine suggests that the wrongness of torture and the repugnance that we feel toward it ultimately go beyond any moral theory. In addition, the examination of extreme cases should not inform our general thought about these and other matters.

Issue 14. Is Physician-Assisted Suicide Wrong? 286

YES: Richard Doerflinger, from "Assisted Suicide: Pro-Choice or Anti-Life?" *Hastings Center Report* (January/February 1989) 288

NO: David T. Watts and Timothy Howell, from "Assisted Suicide Is Not Voluntary Active Euthanasia," *Journal of the American Geriatrics Society* (October 1992) 295

Admitting that religiously based grounds for the wrongness of killing an innocent person are not convincing to many people, Doerflinger argues on mainly secular grounds having to do with inconsistencies in the arguments of supporters of physician-assisted suicide. He examines the idea of autonomy, and the tendency for something like physician-assisted suicide to spread once it becomes initially accepted in a limited way. Watts and Howell first claim that it is very important to distinguish between *assisted suicide* and *voluntary active euthanasia*. Basically, the first of these is suicide or killing oneself; the second involves being killed by someone else (e.g., a physician). Watts and Howell argue that most of the opposition to physician-assisted suicide turns out to be really opposition to voluntary active euthanasia; furthermore, they argue that physician-assisted suicide would not have the dire consequence that its opponents predict.

**UNIT 4 HUMAN BEINGS AND OTHER
SPECIES 305**

Issue 15. Does Morality Require Vegetarianism? 306

YES: Michael Allen Fox, from “Why We Should Be Vegetarians,”
International Journal of Applied Philosophy (vol. 20, no. 2,
2006) 308

NO: Holmes Rolston III, from *Environmental Ethics: Duties to and
Values in the Natural World* (Temple University Press, 1988) 320

Michael Allen Fox believes that the common practice of eating meat is something that we need to apply critical thinking to. He argues that if we care about pain, suffering, and death, and if we are to live up to the demands of justice, then we should take responsibility for our diets and become vegetarians. Environmental thinker Holmes Rolston III maintains that meat eating by humans is a natural part of the ecosystem. He states that it is important that animals do not suffer needlessly, but it would be a mistake to think that animals, like humans, are members of a culture. Rolston concludes that people too readily project human nature on animal nature.

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