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# Ethical Perspectives

## Introduction

In all moral decision making, there are two necessary components: a value theory and a normative theory. The value theory tells us what things, including objects and properties, such as being pleased or being a living thing, have a worth that should be taken into account in some way when making a decision. Basically, values serve as the data in ethics. Normative theories, on the other hand, say how to use the data. Normative principles classify actions as morally right or wrong, or morally required, forbidden, or permissible. They also classify people, actions, and objects as good or bad. But the principles could not fulfill this function without values. As will be seen in what follows, some ethicists believe that an action is morally right because in performing the action, no moral agent was treated in an inappropriate way. In other words, everyone affected was respected for their intrinsic worth. So here value is found in being a person, and the normative principle states that we have to respect that value in order to do the right thing.

Below, we will develop normative principles we or others find useful in making moral decisions about death. We shall also develop a value theory that allows the normative theories from this chapter to be applied in theoretical and, more importantly, real-world situations.

## Steffen

The question at the heart of ethics is this: "Why do you do what you do?"

This question may look simple, but consider all the other questions that it opens: What are our motives, our intentions, and our purposes? Why do we act one way rather than another? What goes into making a decision? Do we have to deliberate in a conscious reflective mode when we act or do our actions flow from something more basic and unreflective, as if the way we act is

somehow a part of our personality, our habits and character? If what we do—our actions—reveals our character and character is built up over years of experience and interaction with others, what does it mean to say that what we do flows from decisions we make? Do we really deliberate over actions or do we act out of habit, almost out of moral instincts, and are we forced to hunker down and think things through only occasionally, when confronted for the first time with a really serious issue out of the ordinary?

And the questions continue. Can we change character—and why would we want to if we are feeling comfortable with our own sense of identity? Do we really aim at goodness in what we do? What role do emotions play in choosing how to act? What role does reason play in decision making, and what role does it play in decisions that seem to be grounded in emotion? Are reason and emotion really so different if both involve perceptions that entail judgments, evaluations, and interpretations of those things we perceive to be objects of fear, resentment, anger, or love? What authority do we try to serve when we act one way rather than another? Do we always try to choose the good thing to do, the best thing—and what is that, and how can we possibly know? Is the good action the one that promotes my interest, or is it the one that promotes the interests of my community, or of everyone taken altogether? Can we deceive ourselves about what is good so that sometimes we do something wrong, hurtful, or injurious to others or even ourselves while thinking that action is a good thing? Is being selfish or self-interested a good reason to act one way rather than another? Can I calculate goodness and make a decision by running the numbers? If I want no one else to enjoy the benefits I receive from some action, can the action be said to be good? Why do bad things happen to good people and why do good people sometimes do bad things? We can stop now with the questions. We have just started, but the questions go on and on.

The variety and breadth of the questions that arise in thinking about how we are to live well are what make ethics an intellectually demanding and even exciting arena of inquiry. It is worth noting at the outset, however, that ethics does not claim to be doing new things. New problems demanding ethical attention arise all the time, many of them created by technology or new political, social, or scientific advances. Kant never had to deal with a heart-lung machine and wonder when it might be justifiably turned off. Aristotle never had to contemplate a justification for a public policy on carbon emissions aimed at reversing global warming. These are our problems, not those of Kant or Aristotle, yet both Kant and Aristotle contemplated the meaning of ethical living and made contributions to moral philosophy that are still being used—and appreciated—today. Ethics adapts to address new issues and problems, but it is

concerned with timeless issues that have preoccupied thoughtful people over the ages and probably before we even began thinking about ages and time, old issues such as the meaning of the good life and what is required to live life well.

Those old questions at the heart of moral inquiry may make the field of ethics look like it avoids innovation, which it does to a considerable extent, and they may lead the newcomer to the field to suspect that this is a subject area dominated by a lot of old fuddy-duddy philosophical types—probably male and privileged in one way or another—and from there it is an easy inference to the suspicion that ethics is boring. How could it not be if it is relying on the insights of thinkers who lived twenty-five-hundred years ago in the case of Aristotle or over two hundred years ago in the case of Kant? In a world where we expect change as rapidly as we expect to see a new advertisement proclaiming this year's pair of jeans to be vastly superior to last year's, the idea that we could benefit from philosophical thought about living well formulated in a faraway land two millennia ago seems itself far-fetched. But before stopping there, note that in this field, unlike many others, there are some actual proposals on the table for considering questions that, truth be told, really are of interest to just about everyone. In ethics, the question, "What is it that makes life worth living?" is a question worthy of consideration, and ethicists actually do answer it. When, at the end of this section, I share one of the most common answers ethicists offer, I hope that the reader who responds by saying "That's it?" will also go on to say, "Well, of course, but that just opens up a lot of questions."

What makes ethics interesting is not the answers but the questions—and the questions can be challenging. We cannot think about the topics that are the subject of this book—dying and death—and not realize that these topics raise hard questions. Dying and death are realities and prospects in life that have or will involve us all, and ethics reminds us that at the heart of these topics are real people in difficult, sometimes tragic situations. They often do not know what to do or what they should do, but decision making is inescapable. So ethics is going to prompt a series of questions: Why will people facing dying and death do what they do? How will they justify their actions? How will they present their positions so that we will agree with them and support them, or perhaps criticize them and even want to prevent them from enacting their decisions?

Before we enter into discussions and debate over the particular issues that will be addressed in this book—all those big and messy issues: abortion, capital punishment, physician-assisted suicide, just to mention a few—we should pause to inquire about ethics and its resources.

### *Ethics and Morals*

Ethics is a field of philosophy that inquires into the meaning of action and all that bears on reasons for action. Ethics has been described as the philosophical study of morality, with morality in this formulation pointing to behaviors—those things human beings actually do. In *descriptive ethics*, we take the pulse of the world and note how the world is filled with different kinds of behaviors, justifications, and systems of justification for those behaviors. In *metaethics,* philosophers analyze the nature of moral judgments and consider the adequacy of theoretical systems. And *normative ethics*, which will be the focus of this book, tries to establish which moral views are justifiable so that we can prescribe the good, right, and fitting thing to do, which one hopes will be a good action but which may sometimes be the least bad action.

In ethics we use prescriptive language, the kind of language physicians use when they direct a patient to take a medication three times a day: here is a prescribed action and this is what you ought to do. By saying that ethics uses prescriptive language—a language of *shoulds* and *oughts*—we are also saying that our aim is to arrive at a position where we can recommend some action to others as the best thing to do, just as the physician will say, "Take one pill three times a day—do not skip a day or take three pills at a time."

To begin an ethics book by talking about prescriptive language may seem odd and out of step, especially when the view is widespread that ethics is really about opinions and the need to respect the diversity of opinion. We are rightly suspicious of a judgmentalism that can reveal ethnocentrism or, worse, cultural imperialism. We have learned the importance of toleration, respect for diversity, and the value of being nonjudgmental toward other viewpoints, all good things we could actually show to be good ethically speaking. Ethics, however, is filled with *oughts* and *shoulds* that commend certain kinds of actions and attitudes, such things as these: we ought not to tell lies, we should be kind to others and respect other persons, we ought to be tolerant of a position we disagree with but recognize as reasonable, and we ought not be judgmental in this situation for the reason that the facts are not all clear or known. Although normative ethics involves more than compiling a list of shoulds and oughts, it is still inescapable that analyzing situations and problems to establish what one should do is very much its aim. Moral inquiry pushes us to discern, establish, and then commend to others why we ought to do this rather than that. We are looking for reasons, the best reasons—which means the most justifiable reasons—for our actions, and what we determine to be the best, most fitting, and right thing to do is what we *should* do and others *ought* to do as well. It's only logical.

Normative applied ethics seeks to resolve particular moral issues, and this book is about particular moral issues related to very specific topics familiar to everyone—abortion, suicide, euthanasia, war. What should one recommend in thinking about physician-assisted suicide or abortion or war? Are such activities allowable, not allowable, sometimes allowable? How do we know? How do we determine when such an activity is justified and, if so, under what circumstances? When we ask what is right and what is wrong, we are applying *normative ethics* to particular issues, and that is our purpose in the pages to follow. Readers may disagree with us, but when they do so, their disagreements should be based on an analysis of the strengths and weaknesses of the positions being offered. Disagreements should be welcomed if one encounters better arguments or questions that either were not raised or still are not satisfactorily answered. The work of applied normative ethics requires engagement with problems and with people who are confronting problems. Those who would study ethics and engage the problems that people face need to bring to their work of critical analysis clarity, constant questioning, and the envisioning of possible answers or imaginative solutions.

### *Ethics Education*

We learn to be moral persons by all that intersects with us in our relations with others. We are schooled in what constitutes acceptable and unacceptable behaviors. We learn to be moral persons from our parents and families, our friends, our schools and religious institutions, groups we join, the books we read, and the people who become friends, critics, or even enemies. We are educated into the moral life and then come into the study of ethics already formed as moral persons. The task of ethics is not to provide the moral education we associate with behavioral training, but ethics education is itself a good thing in the moral sense of "good." For ethics education requires that we engage practical reason to consider action and justifications, values and behaviors, and engage processes whereby people create moral meaning. This book is an ethics education project, and as such it is meant to benefit those who will make use of it, for it is designed to contribute to the efforts each of us makes to live well in relation to both ourselves and others. The authors of this book both believe that ethics is important to the life projects every one of us undertakes. This book, then, as an exercise in ethics education, is a contribution to thinking about the good life (and perhaps, given our subject matter, a "good death").

Ethics education—education into ethical thinking and reflection—is itself an activity that can be subjected to ethical critique. Ethics education is what allows us to construct an argument against the position of the reader who, in reflecting on the claim made just a short time ago that ethics might be boring, concluded that the study of ethics must therefore be a waste of time. A response to that position would point out that ethics education contributes to life projects aimed at living fulfilled and meaningful lives, and engaging with the meaning of one's own life is the central task we face as moral persons. Individuals suffering from psychological distresses that prevent them from finding pleasure and enjoying life—Freud called such states "anhedonia"—might of course find such a task boring, but we might be concerned about such persons, make judgments about their condition, and wish to help them reinvigorate their existential passion for living. Our life projects are not boring, and boring is not bad in any case: persons who have faced an adrenaline rush caused by the possibility of mayhem or a threat to their lives could probably speak eloquently to the issue. Let us dwell there no further and turn instead to ethics education as it contributes to life projects aimed at life lived well and meaningfully.

We derive several benefits from ethics education, the first of which is that we increase our sensitivity to the needs and desires of others. That increase in sensitivity, which also represents increasing self-awareness, is made possible by learning to identify the various kinds of ethical issues that arise in the context of our relationships with self and others. Ethics education helps people learn about and identify a wide variety of such issues, and then provides some of the tools for analyzing those issues and considering responses. Involving oneself in an ethics case study, for instance, results in finding out about moral complexity and the many options for action people face when confronting problems and dilemmas. As life itself is complex, so too is the moral life. Deliberating on options for action increases our own awareness of the problems both we and others will face. Becoming sensitized to complexity may help us identify moral issues however they arise—in our personal life, in work or professional life, even in our downtime as we grapple with moral issues at the heart of the literature we read, the films we watch, and the video games we play. Moral complexity is central to any form of entertainment we judge to be challenging and ennobling, and grappling with that complexity contributes to our desire to live well.

Another benefit of ethics education is learning about ethical theories and systems of analysis. All ethical theories have strengths and weaknesses. Learning to use these theories and apply them to real-life issues makes them resources for ethical living. Ethical theories provide action guides that affect decision making.

They articulate principles that people actually use to justify acting one way rather than another. I shall discuss ethical theories shortly.

Ethics education benefits us by helping us analyze the moral meaning of everyday activities. The more educated we are in ethics, the more able we are to apply theory to practice and refer actions to theory. As we apply the best in these theories to our everyday lives, we grow more confident of our moral reasoning abilities and powers. Ethics education seeks to nurture the processes of reasoning that lead us to accept ethical principles and then apply those principles to real-life situations and problems.

Finally, we must note that the study of ethics—this process of ethics education, of which this book is a part—may not lead us to consensus with others about what to do on so thorny a problem as, say, abortion. Yet the increase in ethical awareness may alter ethical behavior. This cannot always be assured, but ethics often presents situations other people confront even though they are not part of our personal experience. By making us think about the principles or action guides relevant to a particular situation, we may be shaped in new ways in our own thinking about how we would or should act. Ethics education is, after all, education. As such, the acquisition of ethical knowledge and understanding may enlarge our sense of empathy for those facing complex situations. That increase in empathy contributes to the possibility that what we learn will affect not only our understanding but our decision making and our behavior. Learning changes people. Going from not knowing to knowing, and from not understanding to now understanding, alters outlook, framework, and awareness. The reader should expect to be changed by studying ethics, even if he or she already knows that it is good to be kind to people and wrong to lie. Ethics education does not so much change basic moral commitments and orientation as it does increase understanding, deepen awareness, and expand empathy toward others. By sensitizing us to moral dynamics and ethical nuance, such education affects how we think, and it may very well affect how we live.

## *Ethical Theories*

Ethics education presents various ethical theories for our consideration. These theories create a structure within which we can analyze moral issues and problems, and they provide working tools in the form of action guides or principles that we can apply to behavioral dilemmas. Ethical theories make it possible to sort out what is at issue when moral questions and perplexities arise. They help us propose options for action so that we might do what is good, right, and fitting. Theories, in other words, can help us determine the

reasons to do one thing rather than another when faced with a choice. Ethical theories help determine why people do what they do, and they also provide the assessment tools to determine if those decisions, either proposed or already accomplished, are, or were, the best thing to do.

We shall examine four ethical theories that are worthy of attention because they are commonly discussed and studied by those who work in ethics. More importantly, however, these theories provide the ethics handles that people actually use in their everyday lives. The theories claim reason as their foundational authority. Deontological ethics, utilitarian ethics, virtue ethics (axiological ethics), and natural law ethics all claim to be reasonable and reason-based ethical structures. This distinguishes them from religiously based ethics, which, however reasonable they may be, do not look primarily to reason but to transcendent revelation and divine command as their source of authority.

### *Deontological Ethics or Kantianism*

Deontological ethics is associated with the ethical writings of Immanuel Kant (1724–1804), the eighteenth-century Prussian philosopher who formulated two versions of what he called "the Categorical Imperative." Kant's ethics proposes a formal prescription for discerning what is and what is not the good, fitting, and right thing to do, and he put it this way:

- Act on that maxim through which you can at the same time will that it should become a universal law.
- Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end.[1]

These two principles are the core of Kant's deontological or duty-based ethic. The ethic articulates two principles that establish the formal reasons for making decisions and then acting one way rather than another. The first principle is often called the *universalizability principle*, the second the *respect for persons principle*.

When contemplating an action under the universalizability principle, the Kantian constructs a maxim, or rule, and applies it universally. That means that if the rule is good for me to do, as in "Cheating is a morally good action because it contributes to many good results not only for myself but for others," it is good

1. Immanuel Kant, *Groundwork of the Metaphysics of Morals*, trans. H. J. Paton (New York: Harper and Row, 1964), 88, 96.

for everyone else to do. My thinking might go like this: if I cheat I will improve my grade and help myself get into medical school; and if I get into medical school and become a doctor, many good things will accrue to me and those I will help as a doctor. The benefits look to be incalculable. Therefore cheating is a good thing, a morally good action as our maxim or rule states.

The principle of universalizability operates by taking the rule one has devised and making it universally applicable, like a "law of nature" as Kant put it. Perhaps Kant had in mind gravity, which is a constant, so when we talk about the law of gravity, we do not say it applies to left-handed people one way and to blue-eyed people another, but to everyone everywhere in a similar way. The rule about cheating, which is akin now to the law of gravity in that it applies to everyone, specifies a morally good action *if* it is good for everyone. If, however, it is not good for you to do it, or for everyone to do, then it is not something that I should do. In fact, if I apply the rule and find out that it will not apply universally, I must conclude that it is not good for anyone to do. That is how we identify under the rule of universalizability an immoral or wrongful act. What is immoral is whatever fails to pass the universalizability test. So if I am going to justify cheating, I can only do so by acknowledging the goodness of cheating for everyone, thereby authorizing everyone who is similarly situated to cheat.

But this will not work. The people who contemplate cheating do so because they want to increase their advantage over others, but the universalizability principle exposes a contradiction. On the one hand, I want to cheat to gain advantage for myself over others. On the other hand, if I universalize a rule that endorses cheating so that everyone is entitled to cheat, I am allowing others to seek their advantage by cheating me, and that makes no sense. A person who decided to cheat, therefore could not reasonably want someone else to cheat, for by allowing someone else to cheat the original advantage to be gained over others by means of cheating is lost.

The universalizability principle insists that this is how ethical determinations must be made. In the case of cheating, I have to admit that I do not want others to do what I want to do because cheating only "works" if other people are honest and do not cheat. In the logic of cheating, one gains the advantage only if others refuse to cheat. When we analyze cheating, the point of the behavior is to gain over others an unfair advantage, but reasonable people would not want others to take advantage of them in this way. If people do not want to be taken advantage of by others, then, on Kant's viewpoint, neither should they act in a way that allows them to receive an unfair advantage. This analysis shows that cheating fails the test of universalizability, and that is why cheating, for Kant, is wrong.

On the principle of universalizability, one ought not to cheat. And on the second "respect for persons" principle, one ought not cheat because by doing so one is treating all those who do not cheat disrespectfully. They are actually harmed by the cheater because they are being put in a position of inequality and disadvantage—the playing field is not level, the deck is stacked and the cards are marked. When this happens, the noncheater is actually harmed by the cheater who treats others unjustly by taking unfair advantage of them. To cheat is to treat others as a means to an end. The cheater seeks to promote his or her own benefit and create through the act of cheating a situation in which all who do not cheat are disadvantaged. Cheaters act as if the rules that establish a level playing field do not apply to them, and they act as if they were superior to others. Who would willingly agree to have his or her own dignity assaulted as the victim of such an injustice? When someone cheats, those who do not cheat are being treated disrespectfully.

### *Utilitarianism/Consequentialism*

In Kant's ethic, no attention is paid to the consequences of an action. Attention is paid to intentions—the good will. The focus of the ethic is on motives and intentions because they are under rational control, and reason tells us that we can never truly foresee the consequences of our actions. One wants to do what reason bids, to do one's duty and obey the moral law as formulated in the Categorical Imperative. Another reason-based Enlightenment ethic, utilitarianism, does pay attention to consequences and bases determinations of what is and what is not moral solely on the "greatest good for the greatest number" of people. Utilitarianism, associated with Jeremy Bentham and John Stuart Mill, proposes that what is moral—what is good, right, and fitting to do—is what reason is able to establish as the best possible anticipated or foreseen consequences of an action for the greatest number of people. That is the sole determinant of moral meaning. The content of the principle of utility ("usefulness") may be defined as happiness or pleasure, or even in Christian "situation ethics" as the act that shows itself to be the most loving, but moral meaning is always the result of assessing consequences. Although utilitarian consequentialism does not pay attention to intentions or principles of human dignity, it does understand human beings, because they possess the rational capacity, to have standards of happiness above those of other animals—better a dissatisfied human being than a satisfied pig, John Stuart Mill famously said, but the ethic determines moral meaning by rational calculation. If a utilitarian were to consider intentions, as in saying that physicians should intend to show

kindness as they approach patient care, the showing of kindness would not be intrinsically valuable but would be justified as the best way to maximize the good of physician care.

Both Kantianism and utilitarianism are Enlightenment-era ethics grounded in reason, but they are not thereby compatible with one another. They engage reason in service to two quite divergent purposes. Both seek to provide a means for understanding good action and provide the tools for realizing what is good and morally appropriate, but they have no truck with one another. If one is a consequentialist, one is by necessity not a deontologist. Many students of ethics decide between these options, choosing which side of this ethical divide they will commit to, so we have deontologists—Kantians—on one side, utilitarian consequentialists on the other. They often arrive at the same conclusions about what to do in a particular situation. That student cheating on a test to get into medical school does not fare well on the utilitarian ethic any more than on the deontological side, since a consequentialist would question how much good comes from allowing a student to enter the medical profession when he or she is not in command of the body of knowledge required in physician training. Consider all the harm such an individual could do to patients and to the profession, and we can ask, "Would I, or any reasonable person, want to have as a physician someone who cheated to get through medical school?"

The consequentialist considers the greatest good for the greatest number—all those prospective patients who might one day have a doctor who cheated his or her way into the profession and who, if found out, would bring disgrace to the profession. The individual who cuts corners in study may be revealing a propensity to harm future patients by similar acts of dishonesty. A utilitarian, then, would on consequentialist grounds object to the cheating as well, though for different reasons than the Kantian. Consequentialism must not be thought of as a form of ethical egoism where moral meaning is determined by placing inordinate weight on the consequences for oneself. On the contrary, in the weighing of consequences, one's personal interests are no weightier than anyone else's, and what one might personally prefer for an outcome might be thwarted by a rational consideration of consequences generating the greatest good for the greatest number, which might be quite contrary to one's own preferences. The utility of allowing a cheater to cheat for some supposed good end would in all likelihood not withstand scrutiny, and utilitarianism would adjudge the act of cheating as disallowable and, yes, immoral.

But utilitarianism does not, in a formal way, say that there is any act that is intrinsically wrong, and an act utilitarian, that is, one who calculates the foreseen consequences of a particular action, might determine on

consequentialist grounds that an otherwise immoral action is justified in a certain situation—lying to save a life, say, or intentionally killing one person to save five others. A Kantian could not easily make that move, for a wrong act, one that disrespects persons or fails the universalizability test, is an act that ought not be performed. Both theories have advantages, but both have problems as well. Utilitarianism will not provide us with any notion of human rights, which Kantianism does, but Kantianism also has a tendency to move toward ethical absolutes—as if there were never an occasion or situation so morally challenging that a lie could not be told or cheating could not be justified. Logically, the Kantian could conceivably accede to even an immoral action as long as it were universally adopted (such as stealing as long as it is not detected)—a criticism John Stuart Mill made of Kant. Kant does not deal with the problem that universalized rules or maxims might actually come into conflict with one another, so when confronted with, say, hiding a Jew from a pursuing Nazi, how does the Kantian reconcile the maxim not to lie with the maxim to save a life? The Kantian cannot appeal to consequences.

The obvious problems with these theories include the inevitable failure of the utilitarian to foresee all the consequences of any action while refusing to acknowledge any act as intrinsically wrong, instead viewing such an act as only consequentially bad. Kantians, on the other hand, can become so strict in regard to principles that they refuse to make exceptions to rules, so that lying, when it might be necessary to save a person's life, is impermissible; and the idea that there are foreseen evil consequences is sloughed off as something that the person with good intentions is simply not responsible for—because one can never tell all that might happen and responsibility extends only as far as preserving a good will in one's own decision making. The problem is that sometimes we can foresee evil consequences. We can see that what is going to happen is harmful or destructive. We are so situated that not to act is to act, and the refusal to act on grounds of moral purity contributes to the wrongdoing despite our protests to the contrary. In sum, the two theories have internal problems, and each is lacking something for which the other provides some kind of compensation with respect to moral meaning. Beyond that, they are antagonistic toward one another, and each excludes the other.

### *Virtue Ethics*

Frustration with the problems created by these ethical theories led to a revitalizing of Greek virtue ethics several decades ago. If Enlightenment ethical theories focus on action and direct attention to the central ethics