HOW DO WE MAKE MORAL JUDGEMENTS?

In an earlier lecture, we said that moral claims are distinguished by the following features:

1. They are **normative,** in the sense that they make judgements about how things ought to be, relative to some "norm" or "standard." They are NOT merely descriptions of the way the "is."
2. Moral claims are **true** or **false,** even if we don't happen to know which one this is. Basically, the claims that "abortion is morally wrong" and "abortion is morally permissible" are *contradictory,* and the truth of one means the other must be false. This means that moral claims are NOT mere expressions of feelings.
3. They are **overriding,** and take precedence over other norms (such as norms of beauty, law, or etiquette). For example, it is a moral norm that we should save someone's life if we can do so with little cost. If saving a person's life requires that we drive her or him to the hospital in an ugly, loud car without a muffler (while speeding, and passing people in the righthand lane), we ought to do so!
4. They are **universalizable,** and apply to people/actions generally, and not merely to one specific person. The basic idea: if it's wrong for *me* to kill you (in a given set of circumstances), it is also wrong for you to kill me (in these same circumstances).

We are now in a position to think a bit more carefully about how exactly people go about making moral judgements.

TWO MODELS OF MORAL DECISION-MAKING: MORAL REASONING VS. MORAL REFLECTION

The first (normative, idealized) model of moral decision-making is sometimes called **moral reasoning.** Basically, it says that, when you are faced with a moral dilemma of some type, you need to do three things:

1. Gather information about the situation, and make a **descriptive claim** about what exactly is going on. In some cases, you might have plenty of time to gather information; in other cases, you'll have to act relatively quickly (and act on the information you have so far).
2. Figure out which **moral principle** or principles are relevant to a case of this type, and apply them. These principles should be general rules that are applicable to multiple cases, rather the principles that apply only to this particular case. The MOST general principles are called **fundamental moral principles.**
3. When we combine the moral principles with the description of the case, we can derive a **moral judgement.**

So, for example, let's suppose that you are trying to decide whether to terminate life support for an elderly family member, and you know that this person did NOT want to kept alive in this situation.

1. The description of the case would include what you know about the family member's medical situation and on what you know of their wishes. It might also include things like the wishes of *other* family members, what the law happens to be, etc.
2. Relevant moral principles might include "we ought to give moral deference to autonomous people" or "we ought to preserve human life." You'll need to decide how these principles apply to this case.
3. Your moral judgement will be a judgement about THIS case: you will decide that it is either *morally right* or *morally wrong* to terminate life support.

In contrast to this model (of moral reasoning based on moral principles), defenders of **moral particularism** have claimed that there are often no general-purpose moral principles that can be appealed to in cases like these. Instead, they argue that we ought to make moral judgements based on (1) descriptive claims and (2) "moral considerations." Here, moral considerations are just statements like "It would be good to respect Aunt Elsa's wishes" or "Uncle Bob's kids need a bit more time to say goodbye." This method of reaching moral judgements is sometimes called **moral reflection.**

It's worth noting that one might also claim that *both* models of reaching moral judgements have their place. So, for example, when the U.S. Supreme Court makes a decision about whether or not a law is constitutional, they often rely both on (1) general principles of the law (similar to moral reasoning), and their application to this particular case and (2) particular considerations about this particular case compares with other, similar cases (more similar to moral reflection). While the norms of law are not always the *same* as the norms of morality, they are clearly related, and we often think about them in somewhat similar ways.

SOME PROBLEMS WITH CHARACTER: A BRIEF INTRODUCTION TO MORAL PSYCHOLOGY

Both moral reasoning and moral reflection are normative ideas about how we *ought* to reach moral judgements, and part of normative ethics. By contrast, **moral psychology** is the descriptive, empirical study of how people actually *do* make moral judgements. In contrast to ethics (which is very old), moral psychology has only been recognized as a distinct area of study in the last hundred years or so (though many moral psychologists point to people like the 18th century Scottish philosophers **David Hume** and **Adam Smith** as being early pioneers in this area). In recent years, however, moral psychology has a made a number of important (and somewhat distressing) findings that may have implications for normative ethics.

No Such Thing as "Having Good Character?" People writing about normative ethics have often seemed very confident that (1) there is such a thing as "being a good person" (or "having good character"), and (2) there is something we humans can do to get better at this. While this idea is especially central to the virtue ethics of people like Aristotle and Confucius, it's also central to many religious ideas about ethics and morality. It's also central to the way that parents, teachers, sports coaches, etc. tend to think about moral education: if children will only practice "doing the right thing" it will eventually become "second nature." Finally, character plays a huge role in the way we punish criminals (probation vs. prison; determining parole, etc.). However, a number of findings in moral psychology have cast doubt on this:

1. **No Difference Between Nazis and the Rest of Us?** In the famous **Milgram experiments,** Stanley Milgram showed that an *overwhelming* majority of people were happy to inflict (what they believed to be) pain or risk of death on innocent people so long as an authority figure (the experimenter) told them to. This basic idea—that "normal" humans are all too happy to behave in violent, blatantly unethical ways given slight changes to their environment—has been confirmed by other studies, as well.
2. **Do parents matter?** If character were "real," one would expect parenting style (regarding things like discipline, etc.) to make a big difference to how children turn out. However, outside extreme cases of abuse and neglect, some studies have found that parenting style have a relatively small effect on how their children turn out as adults. What does matter? The social situation (such as peer group) that their children finds themselves, the parents' genes, etc. (It should be noted here that other studies HAVE found that parenting makes a bigger difference; nevertheless, it's clear that other things matter more than we once thought.)
3. **Does reason or reflection play any role at all?** A number of studies have examined how people's moral behavior (e.g., donating to charity, helping strangers, responding to "trolley cases") respond to seemingly irrelevant things (like whether the person found a dime, or whether they'd eaten recently). It's hard to square this with the idea that people are actually thinking through their decisions in any sort of systematic way (e.g., they are NOT using moral reasoning/reflection).

So, What Does All This Mean? Traditional ethicists have responded in several ways to these studies: (1) they have criticized the research (since there are other studies that much more character-friendly), (2) they have accepted the research, and just concluded that its *tough* to develop good character or to make good moral decisions (no surprise there!), and/or (3) they have concluded that normative ethicists really do need to pay more attention to things like creating good "environments" that encourage people to make good decisions. (In fact, this last thing is something that people like Aristotle and Confucius would be happy to grant—both of them strongly believe that our ability to become "good people" is depended on being a part of a good, well-organized society).

ETHICAL EGOISM AND PSYCHOLOGICAL EGOISM

I am reminded of a story about Abraham Lincoln. According to the story, Lincoln was riding with a friend in a carriage on a rainy evening. As they rode, Lincoln told the friend that he believed in what economists would call the utility-maximizing theory of behavior, that people always act so as to maximize their own happiness, and for no other reason. Just then, the carriage crossed a bridge, and Lincoln saw a pig stuck in the muddy riverbank. Telling the carriage driver to stop, Lincoln struggled through the rain and mud, picked up the pig, and carried it to safety. When the muddy Lincoln returned to the carriage, his friend naturally pointed out that he had just disproved his own hypothesis by putting himself to great trouble and discomfort to save a pig. "Not at all," said Lincoln. "What I did is perfectly consistent with my theory. If I hadn't saved that pig, I would have felt terrible." (B. Bernanke)

Psychological egoism is the thesis that EVERY voluntary action of EVERY human is motivated by that human's own self-interest. In other words, everyone is inherently *selfish,* no matter how strongly they feel that this is not the case. Here is one common argument for psychological egoism, which has appeared in various forms.

1. Premise: If a person makes a voluntary choice to do some action X, then he or she must *want* to do X more than anything else.
    - For example, when Shari chose to share her ice cream cone with Owen, this shows that she *wanted* to share it more than she wanted to eat it herself.
2. Premise: If a person is acting only on his or her wants, then he or she is trying to maximize his or her own self-interest. This action is a *selfish* one.
    - So, since Shari *wanted* to share with Owen, she was just trying to maximize her own interests, and this was inherently selfish.
3. Conclusion (psychological egoism): So, if a person makes a voluntary choice to do any action X, it must be because that action X is in his or her self-interest. All voluntary actions are selfish, and it is impossible to behave altruistically, or on behalf of others.

Problem with the above argument. This sort of argument is, as James Rachels notes, a pretty terrible one. (However, this hasn't stopped it from popping up regularly for thousands of years, in all sorts of different places and times).

1. The first premise claims that people ALWAYS do what they want. But this isn't true, at least in any ordinary sense of the word "want." People do things all the time (such as "keep their promises") that they don't want to do.
2. The second premise claims that doing what you want means *by definition* you are acting in self-interest AND that all self-interested actions are "selfish". Again, however, this makes nonsense of the very concepts of "self-interest" or "selfishness." A person may want to do something (a soldier wants to save his friends' lives) without being self-interested (he or she jumps on a grenade to do so). And there are many "self-interested" actions (such as drinking enough water to avoid death by dehydration) that are not "selfish." Again, this premise is only true is we adopt very different ideas of selfishness/self-interest than we usually do.
3. People sometimes try to "save" the argument for psychological egoism by offering new definitions for terms like *want, self-interest,* and *selfish.* But, once you do this, it's unclear why anyone should care about your argument. For example, let's suppose I want to write a

paper arguing that abortion is murder, and I begin by noting "by *murder,* I mean causing the death of any being that is biologically human." On this definition, abortion is obviously murder, but since I mean something different by "murder" than the law does, my argument won't be convincing to anyone.

ETHICAL EGOISM, AND WHAT RATIONALITY REQUIRES

In contrast to psychological egoism, which claims that altruism is impossible (and that everyone is selfish), ethical egoism grants that you *could* behave altruistically, but that it would be *irrational* to do so. That is, **ethical egoism** claims that you have no obligation to act on behalf of *other* people, but instead should act only in your *own* self interest.

- Being an ethical egoist doesn't require that you behave *stupidly*. For example, an ethical egoist might see nothing morally wrong with killing people to take their money. However, a smart ethical egoist would also realize that this would be unwise, since this sort of behavior would quickly lead to being arrested. In fact, a smart ethical egoist realizes the value of *appearing* to be ethical (so that other people like/trust you); they just don't see the point of behaving well "when no one is looking."
- Ethical egoists might still "love" their families/children (since this helps them carry on their legacy, or whatever). Depending on their religious beliefs, they may also think they have to follow certain rules to get to heaven or to being reincarnated in a decent next life. What distinguishes the egoist is the fact that all of this is, in the end, about their *own* well-being. Other people don't matter *intrinsically;* they are simply "means to an end."

So What is Wrong With Egoism? What Does this Show About Morality? While most ethicists grant that egoism is "rational" in some minimal sense, the vast majority of people find pure egoism to be morally repugnant ("burn down the school because it amuses me, and the cops will never catch me"). This rationality of egoism means, if we want to persuade egoists NOT to behave in morally horrible ways, we'll have to use methods other than arguments (that's why we have police, courts, and jails, among other things). However, this does NOT mean that altruists (i.e., the rest of us!) are irrational for caring about morality. After all:

- Just as egoists **intrinsically** value only their own well-being and **instrumentally** value everyone else, altruists intrinsically value things *besides* their own well-being. That is, non-egoists can rationally respond to questions such as "What is wrong with child abuse?" by saying "It hurts children, which I hold to be intrinsically wrong." For this same reason, altruists should care about moral *arguments*—i.e., it is *because* we care about other people that we should listen to what other have to say about abortion, euthanasia, animal rights, and so on. So, being moral (and studying ethics) is perfectly rational, at least if you start with the general idea that people besides you matter.
- While egoism may be rational in some minimal sense, we actually have good reason to believe that altruists are (in general) happier than their egoist counterparts. Studies have consistently found, for example, that highly altruistic people (who donate large amounts of time/money/etc.) generally find their lives to be more enjoyable and fulfilling.

REVIEW QUESTIONS

1. Suppose that you are trying to raise "good" children in a society where some highly immoral practice was both legal and encouraged. So, for example, you might live in a slave-owning society, a modern version of Nazi Germany, etc. Moreover, suppose that both you and your children are relatively "high-status" and are not harmed by this practice. **What are some specific ways you could raise your children to make the "right" choices?** How confident are you that you would succeed?
2. While it is impossible to clinically identify "ethical egoists," we have gotten better at identifying people with high degrees of **psychopathy** who lack empathy and remorse (and who are unlikely to develop such things, since these are strongly determined by biology and early childhood environment). While psychopaths only make up less than 5% of the population, they commit a disproportionate share of crimes. A few questions:
    a. Would it be morally OK for employers to use the results of "psychopathy" tests when hiring for jobs in education, nursing, or law enforcement *even if the person lacked a criminal background?* What about applications for adopting children?
    b. Would it be morally OK to base decisions about sentencing or parole of *adults* on whether or not the person was a psychopath? (For example, should parole boards take account of psychopathy tests when determining who gets released early?)
    c. Would it be morally OK to base decisions sentencing or parole decisions of *minors* based on psychopathy? (For example, should this play a role in determining whether to charge a 16-year-old as an adult?).
3. You have been asked to give a high school commencement addressing ethical egoism to a group of graduating high school seniors. Use what you've learned in this lesson to explain and critique ethical egoism (and make sure to give examples!).