Philosophy 437

ETHICS

Instructor: Paul Semm

Phone: 619-286-5254

Text:

May, Larry. Applied Ethics: A Multicultural Approach, 3rd edition.

Films/Documentaries:

*Africa*

*Children in America's Schools*

*Legacy of Nuremberg*

*Screbrinica*

Course Description:

Ethics is a branch of philosophy along with metaphysics, epistemology, and logic. Philosophy in general is concerned with giving an account of human experience, and ethics is concerned with giving an account of that dimension of human experience called morality, i. e., questions of value, right and wrong, good and bad.

This course will focus on applied ethics, that is the application of moral theories to contemporary social issues in order to determine questions of personal and collective moral responsibility. Therefore, this course will examine both the dominant moral theories of Western society and those central social issues confronting Western society today. This will take the inquiry into areas like politics, the environment, global poverty and hunger, the economy, racial and ethnic discrimination, gender discrimination, terrorism, and war and genocide.

Another emphasis in this course will be the introduction of non-Western moral theories in order to broaden the perspective on both moral questions and social issues.

Course Goals:

1. To introduce students to the discipline of philosophical ethics.

2. To broaden students understanding of social issues.

3. To demonstrate the significance of understanding social issues from the philosophical perspective.

Evaluation:

There will be a total of two hundred (200) points in this class. Two exams will be worth sixty (60) points each. There will be a journal worth sixty(60) points. And the final twenty (20) points will be for class participation, which includes relevant questions and comments.

The journal will consist of personal reflections on the ethical issues, raised in the readings, lectures, and discussion. One of the requirements for the journal is to write a reflection for each class based on one of the readings assigned for that class. I will also give specific journal assignments, questions to be answered in the journal. When handed in on the last day of class, the journal should be typewritten, double-spaced, and a minimum of ten pages in length. On the last Wednesday of class students will be required to share some of their journal reflections with the class.

Course Schedule:

Date Topic Assignment

3/4 Mo Intro: Philosophy and Ethics Intro: 1-13

3/6 We Applied Ethics: Human Rights Sec I: "Declaration,"

View: *Children in America's Schools* Mill, O'Neill, An-Anaim

3/11 Mo Environmental Ethics Sec II: Leopold, Cajete

View: *Earth on Edge* Cheng

3/13 We Poverty & Hunger Sec III: Curtin, Singer,

View: *Africa*

3/18 Mo War and Violence Sec III: Filice,

View: *The Legacy of Nuremberg* Sec IV: Lackey

**Exam #1**

3/20 We Civil Disobedience vs Terrorism Sec IV: Ghandi, King, Jr.

View: *Showdown in Seattle* Wilkins, Khatchadourian

3/23 Sa Gender Roles and Morality Sec I: Bunch, Sec II: Shiva

View: *Killing Us Softly* and Sec V: Jaimes and Halsey

*The Global Assembly LIne*

3/25 Mo Racial and Ethnic Sec II: Collins-Chobanian

Discrimination Sec VI: Appiah, May

View: *Paha Sapa*

3/27 We Capitalism, Technology, and Ethics Sex IX: Kramer, Goering

View: *Dot.con* \***Journal Reflections**

3/30 Sa **Review, Exam #2, Journal due**

**\*On the last Wednesday of class, we will share some journal reflections**

Ethics

Class I: Introduction to Ethics

A. What is philosophy?

1. Socrates and the questions that he raises as

the model for philosophy.

2. Ethics as first philosophy

a. how ought I live my life

b. how should society be organized

B. Moral philosophies

1. Four questions that moral philosophies try to

answer

2. western moral tradition

C. Explain three major western moral theories and how they

attempt to answer the four questions

1. Christianity

2. Kantianism

3. Utilitarianism

D. Explain ethics

Class II: Human rights as applied ethics

A. Universal Declaration of Human Rights as applied

ethics

B. Historical context that gave rise to the Declaration

1. explain genocide in Nazi Germany

2. who were the neighbors of the Jews

C. Analyze the Declaration

1. relate Declaration to moral theories, identify assumptions

2. explain procedural and substantive rights

D. Environmental rights as human rights

1. Nigeria and Ecuador

2. new constitutions that include environmental rights

E. Problems

1. rights are universal and absolute

2. cultural differences

3. claims to national sovereignty

4. enforcement

F. moral responsibility as individuals and as society

G. View *Legacy of Nuremberg* and raise the following questions

1. genocide and punishment

2. South Africa and reconciliation

3. International Criminal Court

H. Journal assignment: ICC to punish crimes against humanity,

genocide, and war crimes

Class III: Environmental Ethics

A. Expanding the boundaries of the moral community

B. Explain ethical extensionsism

1. Peter Singer and animal liberation

2. Tom Regan and animal rights

C. Explain environmental philosophy

1. Thinking like a mountain or lord of the earth

2. explain Aldo Leopold's Land ethic

D. View: *Earth on Edge*

1. view first part on holistic approach to farming

2. journal: moral obligation to act in a way that reflects

our membership in land community rather than our

superiority over it.

Class IV Povert and Hunger

A. Are poverty and hunger natural and inevitable or are they

caused by social relationships

B. Explain poverty and hunger as a consequence of the relationships between the first and third world

1. the role of colonialism in creating poverty and hunger

a. Africa

b. Haiti

c. India

2. the role of neo-colonialism in creating poverty and

hunger

a. Indonesia

b. Mexico

c. Thailand

3. the myth of the green revolution

4. globalization as a moral question

a. individual responsibility

b. collective respoonsibility

5. aids, intellectual property rights, and morality

C. View *Africa* on colonialism

1. reparations

2. cancellation of debt

Class V: Just and Unjust War

A. Explain the international laws that govern that govern

war

1. jus ad bellum

2. jus in bello

B. Discuss WWII, Vietnam, and Iraq as they relate to

jus ad bellum

C. Discuss free fire zones, saturation bombing, the bombing

of Hiroshima and Nagasake as they relate to the rules of

war

D. Discuss the war on terrorism in relation to:

1. jus ad bellum

2. jus in bello

a. land mines

b. cluster bombs

c. humanitarian effort

E. Are sanctions an alternative to war?

1. who is effected most by sanctions?

2. sanctions and Iraq

F. View: *The Rape of Nanking*

1. which of the Japanes actions are war crimes?

2. does this suggest that rules for war are necessary or

absurd?

Class VI: Terrorism vs civil disobedience

A. Explain civil disobedience

1. moral justification

2. history, including civil rights movment, and

anti-Vietnam war movement

3. would civil disobedience work against state terror:

Hitler, death squads

B. Terrorism

1. explain terrorism

2. applying the rules of war to terrorist acts

3. is there such a thing as collective guilt which makes

members of group legitimate targets of terror?

C. The war on terrorism

1. goals and justification for the war on terrorism

2. politics of the war on terrorism

D. Explain state terrorism

E. Relationship between the individual and the state

Class VII: Gender, children, and human rights

A. Explain the special situation for women in terms of rights

1. women and culture, Saudi Arabia and Afghanistan

2. women and health

3. women and violence

a. violent crime and women

b. family: haven in a heartless world?

4. women in war

a. rape as a war crime

5. women in the global economy

a. trafficking in women

b. women and sweatshops

6. explain attempts to protect women through international law

B. Children and rights

1. Children and family

2. violence and sexual assault of children

a. school

b. caretakers

c. police

VIII: Race and Morality

A. Colonialism and race

1. Christians vs heathens

2. emergence of race as a category

B. Institutionalized racism vs personal racism

1. moral question: personal responsibility for institutionalized racism

C. Morality and the black experience in America

1. the emergence of the slave trade

a. historical treatment

b. moral implications

2. slavery as a crime against humanity

3. slavery and reparations

C. Morality and the Native American experience

1. treatment of indigenous people

2. defining indigenous people as less than human

3. return of land

D. Environmental racism

1. toxic waste and minority areas

2. toxic waste and the third world: L. Summers, it makes

good sense to dump our toxic waste on the third world

IX. Capitalism, Technology, and Ethics

A. Three philosophies of technology

B. technological development and ethics

1. moral limts to technological development

2. capitalisms influence on technological development

3. who owns life?

C. Corporations and morality: corporate crime

1. type and extent of corporate crime

2. corporate crime and the avoidance of moral culpability

3. NAFTA Ch 11 making corporate crime legal

D. View: *Trading Democracy*

1. morality of "takings"

2. morality vs cost-benefit analysis\

X. Review: Ethics and American society

A. Review ethical theories

B. Students read from journal

C. Final exam and hand in journal

Ethics: Exam #1

1. The ethical theory where God, the creator and sovereign, gives a law that demands obedience is called the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ theory.

2. An ethical theory based on the teachings of Jesus in the New Testament can be derived from what parable? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ .

3.-4. In Christian ethical theory the beings that have moral standing and \_\_\_\_\_\_\_\_\_\_ and it is on the basis of their possessing \_\_\_\_\_\_\_\_\_\_\_\_.

5. (t/f) According to utilitarian ethics, the rightness or wrongness of an act is determined by the intent of the moral agent.

6. (t/f) One assumption of the utilitarians, Jeremy Bentham and J. S. Mill, is that the scientific method could be applied to questions of right and wrong in order to determine with certainty the morality/immorality of an act or policy.

7.-12. Identify and define the following terms as they relate to utilitarian ethics

a. principle of utility

b. equal consideration

c. principle of freedom

13. (m/c) According to utilitarians, society should be organized in the following way(s).

a. democracy c. capitalism e. all of the above

b. universal education d. a and b

14. The basis for attributing moral standing to beings according to the Kantian theory of ethics is \_\_\_\_\_\_\_\_\_\_\_.

15. (t/f) Kantian theory believes that the basis for determining the rightness or wrongness of an action are the consequences of the action.

16.-17. (t/f) Kantian theory believes that we ought to treat other human beings as \_\_\_\_\_\_\_\_\_ not merely \_\_\_\_\_\_\_\_\_.

18.-23. Identify and explain the following terms in Kantian moral theory.

a. good will

b. categorical imperative

c. Kingdom of ends

24. The UDHR covers \_\_\_\_\_\_\_\_\_\_\_.

25.(t/f) Because the UDHR guarantees the rights of life, liberty, and security of person, and because these rights inhere in the person, torture is a human rights violation, as is slavery, indentured servitude, and force labor.

26. (t/f) According to the UDHR, all persons are persons before the law. This guarantees equal protection under the law, no arbitrary arrest, and a fair, independent, and impartial hearing.

27. (t/f) Your professor has argued that the U. S. criminal justice system violates the "impartiality" clause, because it is heavily politicized, that is biased towards convictions.

28.-33. The documentary *A Case for Innocence* demonstrates the bias of the justice system in what three ways, be specific.

a.

b.

c.

34. The majority of funding for elementary and secondary schools in the United States is from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

35. (t/f) The U.S. Supreme Court has ruled that equality of education is not guaranteed by the Constitution.

36.-38. Identify three of the consequense for schools of the unequal funding, according to the documentary *Children in America's Schools*.

a.

b.

c.

39.-40. Peter Singer calls our exclusion of animals from moral standing \_\_\_\_\_\_\_\_\_\_ and argues that animals that can \_\_\_\_\_\_\_\_\_\_ should have moral standing.

41. Tom Regan believes that animals who are \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ should have moral standing.

42. The model of the natural world Leopold uses to develop his theory is called the \_\_\_\_\_\_\_\_\_\_.

43.-44. Explain the basic moral principle (the way of determing right and wrong) of Leopold's ethic.

45. Leopold believes human beings are not "lords of the earth" but only \_\_\_\_\_\_\_\_ of the land community.

46.-47. Explain briefly the ways in which the U. S government subsidizes anti-environmental farming practices, according to the documentary *Earth on Edge*.

48.-49. Leopold concludes that the land ethic demands certain constraints on human behavior in relation to the environment. The documentary *Earth on Edge* identified two violation, one in South Africa and one in Mongolia, name them \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_ .

50.-55. Dean Curtin argues that the "green revolution" was an example of how so-called developmental programs really help the First World and hurt the Third World. Indentify and explain three of the reasons he gives.

a.

b.

c.

56.-57. Neo-colonialism works by putting a country in \_\_\_\_\_\_ and then by the World Bank and IMF demanding that they adhere to a \_\_\_\_\_\_\_\_\_\_\_\_\_\_ program.

58. (t/f) Chapter 11 and programs of the World Bank and IMF in relation to the Third World violate Kant's supreme moral principle, human beings should be treated as ends, not merely as means.

59. (t/f) However, Chapter 11 and programs of the World Bank and IMF in relation to the Third World can be justified by the principle of utility.

60. The European Union has introduced a law that makes it the responsiblity of the corporation, when introducing a new product, to prove that it is save. This is called the \_\_\_\_\_\_\_\_\_\_\_.

60. (t/f) The U.S. is suing the European Union in the WTO for prohibiting genetically modified foods ("frankefoods") from entering European markets.

Ethics: Exam #2

1.-3. According to international law the only justification for war is \_\_\_\_\_\_\_\_\_\_\_, and there are two criteria; they are a threat to \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

4.(m/c) Historically, philosophers have argued that other criteria can justify war. An example(s) is:

a. enslavement b. bestow benefits of civilization

c. conversion d. all of the above

5.-7. Even if a country has a just cause for going to war there are three other criteria that must be met.

a.

b.

c.

8.-9. The international law that determines the rules for going to war are called \_\_\_\_\_\_\_\_\_\_\_\_. The rules which fighting a war are called \_\_\_\_\_\_\_\_\_\_\_\_\_.

10.-11. Explain the princle of proportionality or the principle of non-combatant immunity.

12.-13. In WWII the British intentionally bombed German civilians which violated the principle of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. However, they justified it by another principle which is called \_\_\_\_\_\_\_\_\_\_\_\_.

14. (t/f) The allied bombing of Dresden, Hiroshima, and Nagasaki are war crimes according to the rules of war.

15.(t/f) One of the reasons the U.S. bombed Hiroshima and Nagasaki was as an experiment. They wanted to see the effects of two different types of atomic bombs on virgin targets.

16.-18. The U.S. is engaged in a war on terror, does it meet the rules for war. Explain.

19. The use of cluster bombs and high altitude saturation bombing by the U.S. in Afghanistan violates which rule of war? \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

20. If the rules of war are applied to sanctions, what rule is violated by sanctions that prevent vital necessities from reaching a people? \_\_\_\_\_\_\_\_\_\_\_.

21.(t/f) As a party to the Geneva Conventions, the United States is required to treat every detained combatant humanely

22. Filice makes a distinction between morally required acts and morally commendable acts. He says that people in a democracy authorize the actions of their government so that helping victims of our government's policies is which?\_\_\_\_\_\_\_\_\_\_\_\_.

23.-25. Lackey argues that terrorism can never be justified if the rules of proportionality and non-combantant immunity are applied. Explain.

26.-27. Khatchadorian argues that terrorism can be justified when there is collective guilt. Explain.

28.-30. According to the documentary *Legacy of Nuremberg*, the limits to, or shortcomings of, international tribunals like the International Criminal Court are:

a.

b.

c.

31.-33. According to Bunch women are subject to gender specific rights violations. They are:

a.

b.

c.

34. In the third world, the medical procedure used primarily a the gender biased practice of abortind female fetuses is:

\_\_\_\_\_\_\_\_\_.

35.-38. Women make up over 80% of sweat shop labor. Describe the conditions.

a.

b.

c.

d.

39. In some countries, India, Jordan, Turkey, when a woman or young girl is raped she is killed by her family. This is called an \_\_\_\_\_\_\_.

40. When wifes are killed by their husband and his family, they are called \_\_\_\_\_\_\_\_\_\_\_\_. Frequently, they are described as a type of accident, \_\_\_\_\_\_\_\_\_\_\_\_.

41.(t/f) Women and children are 80% of refugees, and as refugees they are highly vulnerable to sexual and physical assault.

42.(t/f) Rape of women during war and conflict is now part of military strategy.

I. Ethics

A. Philosophy

1. philosophy attempts to give an account of human

experience

a. many areas

i. metaphysics, epistemology, logic,

ethics

ii. social philosophy, political philosophy,

philosophy of language, philosophy of history,

environmental philosophy, philosophy of

language, existentialism

b. return to Socrates and Plato

i. philosophy as critique or questioning or

thinking about our most fundamental

beliefs, ideas, norms, and values

ii. he explains it in dialogue called The Apology

\*Oracle at Delphi

\*challenges in dialogues, love, knowledge, justice, friendship, power

iii. arrives at conclusion "the unexamined life

isn't worth living"

iv. how ought I live my life? in pursuit

of truth that will lead to good

v. society's response - "kill him"

b. three early themes which orient us to applied

ethics

i. examine one's own moral principles to determine if one's actions reflect them

ii. if our opinions shape our actions and our

support of collective policy which effect others do we have a moral obligation to have an informed opinion, death penalty, poverty,

foreign policy

"An Obligation to Keep Informed About

Distant Atrocities"

iii. question the way society is organized - just

or unjust - in terms of moral principle

c. Allegory of the cave

2. ethics is branch of philosophy that examins moral

theories - right and wrong, good and bad, values

3. applied ethics deals with the application of moral

theories to social issues

a. if we accept in principle a moral theory, then

how "ought" I act, how must we act?

b. abortion, capital punishment, economy

B. Western moral theories try to answer three broad questions?

1. What are the boundaries and values of the moral

community?

a. moral standing: who is a member of the moral community

i. these constitute those beings to whom

I am accountable to and responsible for

ii. basis of moral standing

b. the ultimate values are absolute and unconditional and usually establish moral standing

2. How ought I live my life?

a. how am I rsponsible to those with moral standing

and the community?

b. what are my duties, obligations, and limits within

the moral community

c. to whom am I responsible?

3. How should society be orgranized and what policies should be pursued collectively to affirm ultimate values

a. relation of social justice to the moral community

e.g. ideal vs real

b. questions of political, economic, and social organization

c. collective responsibility

i. Germans

ii. US sanctions on Iraq

d. collective responsibility

e. ignorance and morality - moral obligation to know consequences of personal and collective life

on others

i. consumerism, environment, sweatshop

I. Christian Ethics

A. The Law

1. God is creator and sovereign and as such he is the

giver of the law.

2. He demands obedience to his law which is codified

in Commandments

3. To disobey God's law is to sin.

4. Moral goodness equals obedience to God's law

5. Why obey? God is powerful and punishes sinners and

rewards the good

B. Ten Commandments

1. Preface: God identifies himself as having led the Israelites out of Egypt

2. Commandments

a. Thou shalt have no other Gods

b. Thou shalt not take the name of the Lord in vain

c. Remeber the sabbath and keep it holy

d. Honour thy Father and Mother

e. Thou shalt no kill

f. Thou shalt not steal

g. Thou shalt no bear false witness

h. Thou shalt not covet

C. Jesus of Nazareth and the law

1. Emphasis on doctrine of original sin and justification

by faith conclude that moral goodness is not possible

a. human nature too corrupt

b. salvation is through faith

c. undeserved grace

2. The law serves to makes us know we are "exceedingly

sinful" and only unmerited grace can save us

D. Jesus and ethical theory

1. Jesus does not codify an moral theory, no rule of

thumb for us to follow

2. He defines a relationship(s) as the basis of moral

action - personal and social

a. Love the Lord they God with all your heart and

mind

b. and love thy neighbor as thyself

3. And offers parables as ways of elucidating the personal and social dimensions of moral action

4. What does Jesus mean by *love* and *neighbor*?

E. The Good Samaritan

1. It begins fittingly, with a lawyer - expert in the law -

asking a question, referred to as "tempting" -

"What shall I do to inherit eternal life?"

2. Jesus answers: Love God and your neighbor

3. and the lawyer replies with a technical question: And who is my neighbor?

4. Jesus responds with the parable of the injured man who is finally helped by the Samaritan

5. Samaritan's help is unqualified - defininition of love

a. doesn't ask whether he deserves help

b. helps to the degree which he can

c. apparently without regard for himself

d. helps a stranger

6. apparently neighbor is that person who needs help

7. however, Jesus' answer reverses the question

a. ques: who is my neighbor?

b. Jesus answers ques: how can I be a neighbor?

i. "Which now of these three thinkest thou,

was neighbour unto him that fell amon the

thieves?"

ii. "He that showed mercy on him"

iii. "Go and do likewise."

8. Neighbor is not a category, and love is not simply a

feeling

a. neighbor is quality of relationship

b. love is active concern, taking responsibility, for

the suffering of others

F. Render unto Ceasar - see "Religion"

II. Christianity - modern moral theory

A. Inherent value of every human being - soul

1. acknowledge: persecution of heretics and Jews,

and role in genocide - "heathens"

2. equality is implicit, all equal before God

B. I -Other relationship

1. existence is relational - responsibility for other

2. not just in terms of how my acts effect other

3. but need

C. social justice

1. community organized so that value of each member

is recognized

2. obligation to act against injustice

D. Protestand reformation and family values, or valuing 'ordinary life'

1. 'ordinary life' not very high on hierchy of values

for early church fathers - Paul, Augustine, Aquinas,

institution - monasticism

2. "calling" - work is doing God's work - work ethic

a. no end in itself, serving God, common good

b. success, materialism false idols

3. "marriage"

a. intrinsic spiritual value

b. love and companionship

c. great affection, but for God

d. too much in love with creature is idolatry

I. Kantian Ethics - motive theory - the moral character of actions is determined by one's motives

A. Cultural milieu - Eighteenth Century Age of Enlightenment

1. Secularization of western society

a. the collapse of religious world view

i. authoritarian and dogmatic

ii.

b. the rise of the Enlightenment world view

i. the power of reason to shape the world

ii. progress towards individual moral

perfectability and social justice

2. Kant posits two realms

a. Newtonian world view

i. world as mechanism

ii. reason can come to know the laws of

nature

b. noumenal world

i. unknowable

ii. realm of practical reason or moral reason

B. Kant - deontological or rights theory

1. secular morality grounded in reason

2. an analysis of practical reason allows us

to determine the supreme principle of morality

C. The search for the supreme principle of morality

1. good will is only unqualified good, counter example,

intelligence, wealth, power

2. good will is only good in itself - inherently good

a. not because of what it accomplishes the good

b. but because it is the "intention to do good"

3. meaning of "good"

a. a will which acts for the sake of duty

b. "for the sake of duty" equals reverence for the

law

c. there is moral worth to an act only when it is

done "for the sake of duty" i.e. vs accordance with

i. practical reason

ii. inclination

iii. sentiment or sympathy

4. the good will is the will which acts out of moral duty

5. moral duty according to Kant means action in accordance with moral laws

a. moral laws are not discoverable like the laws of

nature through pure reason, discoverable through

practical reason

b. they are not give divinely

c. however, they are universal and categorical, not

subjective

7. practical reason and moral law

a. human beings create moral laws and a moral

community through practical reason

b. the moral laws that a person has the duty

to obey is determined by:

i. identifying one'e motive or intent

ii. make a maxim out of it

iii. and determine whether that maxim should

become a universal law

iv. a law that could universally and categorically be obeyed by all rational beings

in the same situation

v. Kant's formulation

"Act only on that maxim through which you can at the same time will that it should become a universal law"

"Act as if the maxim of your action were to become

through your will a Universal Law of Nature"

c. categorical imperative

d. the good will is the will that obeys the categorical imperative

i. excludes consequences

ii. good will is good because it acts in accord with the categorical imperative

e. supreme moral principle

i. the good will is intrinsical good of absolute

value, and end in itself

ii. and every human being is a moral agent

iii. every human being is a end in itself

iv. intrinsically good, of absolute moral value

v. supreme moral principle (secularized golden rule)

"So act as to treat humanity, whether in your own person or in that of any other, always at the same time as an end and never meely as a means."

D. Kant's Kingdom of Ends

1. A systematic union of rational beings through common

moral law

2. not just principle but historical development

3. Each person is member and sovereign

a. sovereign

i. as moral agent - rational moral being- moral legislator

ii. freedom is condition of moral being

iii. freedom means

freedom from desires and inclininations

freedom to exercise moral agency

b. member

i. respect and dignity as member of the

moral community, absolute moral worth

ii. respect and dignity of others

"So act as to treat humanity, whether in your own person or in that of any other, always at the same time as an end and never merely as a means."

E. Answering our questions

1. moral community: adult humans

2. basis: reason

3. ought: duty to universal moral laws

4. intrinsic value: human beings

5. social organization: social justice

II. Kant and modernity

A. Each human being has inherent value because they

are rational moral beings - ends in themselves

B. The nature of rational moral beings presupposes rights like freedom, life, liberty, happiness, security

1. rights are not given

2. can't be taken away

C. Reciprocal recognition - respect for the other as an end

in themselves is a presuppositive of the moral community

D. autonomy

1. self- creating

2. architects of their lives

III. Utilitarian Ethics - consequentialist - moral status of actions, persoanl or social 55determined by consequences

A. Jeremy Bentham 1748-1832 and J.S. Mill 1806-1873

1. Reformist and practical, mainly interested in social

reform - political, legal, and penal

a. concerned about policy

b. emphasis is on social morality

c. but also personal

2. interested in constructing a secular morality that will

a."tell us our duties, or by what test we may know them."

b. the test is a means of acertaining what is right

and what is wrong

3. they are consequentionalists

a. not intentions or rights

b. but the consequences of actions determine

their moral status

B. Two basic assumptions

1. the morality of actions and policies, their goodness or badness, rightness or wrongness can be arrived at by employing the scientific method

a. scientific method has allowed us to quantify reality and derive the laws of the natural world

b. quantification allows us measure the world to arrive at certain knowledge

c. ques. how to employ scientific method to

questions of right and wrong

c. morality of actions can be determined by quantitative analysis of right and wrong

2. a psychological assumption - psychological hedonism

a. human beings always act towards achieving

pleasure and strive to avoid suffering

i. they are the only ends in themselves, ends

with intrinsic value

ii. every person seeks to maximize happiness

iii. by actions they are referring to classes of

actions i.e. homicide rather than a specific murder

c. all other desirable things are means to pleasure and pain, not of intrinsic value in themselves

d. even virtue and justice (see Mill)

e. good and bad, right and wrong, values are simply

questions of pleasure and pain

f. pleasure and pain can be measured therefore

we can derive a calculus or formula to determine

the morality of actions or policies

C. Principle of utility or greatest happiness principle "actions are good in proportion as they tend to promote happiness; wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure and the absence of pain; by unhappiness, pain and the privation of pleasure."

1. a happiness means pleasure and the avoidance

of pain

2. happiness means the general happiness

D. in practice

1. Consideration

a. consideration all those whose interests are involved

b. the being whose interests have to be considered

is someone who will be effected - in terms of

happiness-unhappiness, pleasure-suffering

2. principle of equality

a. principle of equality - each person effected counts as one and only one

b. equal claims to means of happiness

"all presons . . . have a right to equality of treatment, except when some recognized social expediency requires the reverse."

b. measuring pleasure and suffering

i. intensity

ii. duration

iii. certainty

iv. nearness

v. purity

c. easily measured by application of "secondary

principles"

i. the draft

ii.

d. community and consequences

i.how will act or policy effect the greatest happiness of the greatest number effected by the act or policy

"Hence an act of legislation or of government is said to conform with or be dictated by the principle of utility when 'the tendency which it has to augment the happiness of the community is greater than any which it has to diminish it.'"

3. Example

E. Two principles derived from moral theory

2. Principle of justice

a. pursuit of good is end in itself

b. justice is indespensible necessity, the most important social utility = security

c. rights are a logical and necessary outcome of

consequentialist thinking

i. necessary for security

ii. pursue our ends

2. Principle of freedom

a. free development of individuality is principle

ingredient of happiness

b. liberty is necessity On Liberty

i. individual should enjoy full liberty only

limited in terms of harm to others

ii. however, liberty is not just negative,

development of human potential

3. Role of government is the harmonization of interests

a. democracy is necessary

i. political parallel to moral theory - equality

ii. policy decisions in hands of those

effected

iii. social legislation should be directed had

creating conditions for individuals maximizing

potential

b. only justification for using power to coerce and individual is to prevent harm to others.

4. universal education is important

a. necessary for optimal pursuit of good

b. common good is one's own good

5. capitalism is the necessary economic system

a. allows individuals to pursue own self-interest

b. laws of supply and demand guarantee general

welfare

II. Utilitarian ethical theory answers the central questions of ethical theory

A. human beings have moral standing and make up the moral

community

1. they are sentient beings who pursue certain intrinsic ends

2. accept uncivilized people (Mill)

B. How ought they live their lives

1. the ought is determined by the test - the principle of

utility

2. the principle of equality

C. intrinsic worth

1. pleasure and pain as consequences

2. common good

D. society

1. in accordance with the principle of justice

2. the principle of equality

E. bequeathed to us

1. connection between moral and political realms

a. personal and social morality

b. social justice

2. the idea of equality of person in terms happiness

and suffering

3. moral concern for others

I. United Nations Declaration of Human Rights

A. Unanimously approved on Dec 10, 1948 (eight abstentions,

Soviet bloc, South Africa, and Saudi Arabia

B. Declaration is a statement of principle, in principle we

agree, not binding international law

C. Principles became binding international law with

1. International Covenant on Civil and Political Rights,

1966

2. International Covenant on Economic, Social, and Cultural Rights, 1966

3. Genocied Convention

a. condemnation

b. committment

D. Why at this time? Historical conditions

1. WWII

a. War between forces of democracy - peace,

freedom, and equality vs tyranny - aggression,

dictatorships, and racism

i. 55 million killed

ii. infrastructure destroyed

b. England, France, US vs Germany, Italy, Japan

c. moral either/or? not quite

i. European colonalism both aggressive and

racist

ii. England - South Africa, Rhodesian, India,

Tasmania, Churchill and mentally retarded

and people of color

iii. France - Indochina

iv. US - Haiti, Dominican Republic, Panama,

Nicaragua

v. US legally segregated, hate strikes, race riots

vi. military segregated, troop ships, blood

2. Breakdown of colonialism

a. colonial countries couldn't maintain colonies and

fight war

b. Atlantic Charter 1942

3. War required propaganda defining the enemy as

absolutely evil and allies as virtuous - peace, equality,

freedom

a. people believed it

b. began demanding independence from colonial

powers

c. domestically minority groups, Truman set up

Civil Rights Commission

4. The Enlightenment morality? Who was the neighbor of

the Jew

a. racial anti-semitism - Jewish problem

b. neighbors

c. civil and legal authorities in Germany, Wannsee

d. churches

e. nations

f. Denmark

5. Reconstructing a moral order

E. Moral Foundation of the "declaration"

1. it is Kantian or rights based moral theory

a. individual has moral rights

b. standing is based on reason and conscience

c. all individuals entitled to all rights

a. unconditional

b. without qualification

2. in general everyone has the right to life, liberty, and security of person ( Mill and utilitarianism)

a. needs to be given substance in political,

economic, cultural spheres of society

b. this on the face makes slavery, indentured servitude, torture, etc violations

3. to guarantee fundamental rights

a. person has legal standing, a "person before the law"

b. due process - laws and procedures which are

codified and apply equally to all

i. no arbitrary arrest

ii. fair and public hearing by independent

tribunal

iii. presumption of innocence

iv. all guarantees necessary for defence

4. Article 12 - 18

a. privacy, movement, property, marriage and family

5. Political rights - freedom the capacity of people to

collectively determine without coercion - force or

propaganda- the shape and direction of their society

a. freedom of religion

b. speech, assembly, participation

c. "the will of the people shall be the basis of the

authority of the government"

6. economic, social, and cultural rights

a. work - Article 23

b. rest and leisure - Article 24

c. food, clothing, housing, medical care, and social

services - Article 25

d. education - Article 26

7. Intellectual property rights - Article 27 :2

8. security in international order - Article 28 (Mill)

a. instability of international order can threaten

security of persons within nation

b. war, nuclear war

9. limits to constraints on individual

a. recognition and respect for the rights of

and freedoms of others ( Mill)

b. just reqirements of morality, public order,

and the general welfare (utilitarianism)

D. Environmental Rights

1. on both international and national level it is now being realized that a fundamental human right must

be a "secure, healthy, economically sound environment

2. internationally environmental injustices undermine

human rights

3. for example, if health is presupposition to life, clean

environment is precondition of health

4. reciprocally recognition of human rights - political and legal lead to less environmental injustice

a. Nigeria

b. Indonesia

c. Ecuador

5. some countries have included environmental rights

in there constitution, e.g., South Africa

E. Problems

1. national sovereignty vs human rights

a. right of each state to treat its own subjects in

whatever manner it deems fit.

b. own political, economic, environmental policies

c. Article 2.7 of the U.N. Charter does not "authorize

UN to intervene in matters of domestic jurisdiction

d. contradiction: international law and charter

e. World Criminal Court

2. cultural values vs universal values,

a. e.g, status of women, caste societies

b. western values and norms- the individual as

the starting point

3. lack of enforcement by international organizations

a. genocide - Rwanda

b. war crimes - Bosnia

Short Paper #1

This paper is worth ten (10) points and should be a minimum of two full pages in length, typewritten, and double-spaced. It is due on 7/10 at the beginning of class.

Abdullahi Ahmed An-Na'im in his essay "Islam, Islamic Law and the Dilemma of Cultural Legitimacy for Universal Rights" raises the questions of what he calls the human rights paradox and the legitimacy dilemma in the context of Muslim societys. Reconstruct his argument explaining what he means by each. Conclude by describing what he thinks the solutions to these problems should be.

Human Rights and American Society

I. Universal Declaration are influence by western society and US

A. Concept of the individual as rights bearing

B. Declaration of Indpendence and Constitution

1. equal in rights

2. life, liberty, and happines

C. Political system

1. democracy - will of the people

2. political rights - free speech, assembly

D. Judicial system - person before the law

E. No cultural barrier in those terms, but economic and social rights

1. US makes housing, food, health care, and education

a commodity

a. life as value

b. withour access to life chances

2. political and judicial system likewise might undermine

idea of freedom and equality

II. Political system

\* way in which power arrangements are authorized and instituted

\* in a democracy avoid concentration of power

\* concept of general welfare or common good

A. UDHR "the will of the people shall be the basis fo the authority of the government"

B. D of I: governments derive their just power from the

consent of the governed."

1. people and groups have different interests and goals

C. For this to be the case two things

1. informed citizenry

2. institutions must allow participation

D. Informed citizenry - but knowledge is also a presupposition

of not just political but moral agency

1. UDHR- Articles 19,20,21

2. Constitution Bill of Rights Amendment I

a. Congress shall make no law

b. abridging free speech, press, assembly

c. free circulation of opinions and ideas in order

to form a knowledgeable opinion

\* if my opinion is going to have consequences

for those in moral community I have an

obligation "to know"

3. Press in America

a. Americans have access to more media than

anyone but know less

b. high school graduates and US political system

c. why?

d. ownership

i. who owns? concentration

ii. institutional goals and commitments beyond

iii. customers

e. structure of corporate news

4. Representative government in America

E. Institutions of Representation

1. Who should we elect? Why don't they show us their

voting record on their web pages

2. Voting

a. campaign financing

b. lobbying

c. two party system

i. nowhere in

ii. Federal Election Commission

\* who's funding

\* who's excluded

iii. same or two factions of the business party

III. Economic system

A. Work and life chances

1. Transformation

2. globalization

a. private corporations and the general welfare

b. absence of social contract

B. Consequences

1. stratitfication

a. wealth

b. income

c. power

2. wages

3. poverty and life chances: commodities or rights

a. poverty

i. America

ii. SD

a. housing

i. govt subsidy

ii. housing in San Diego

b. food and hunger

i. hunger in America

ii. aged

iii. drug users

c. healthcare

i. managed care

ii. universal healthcare

4. welfare to work

IV. Legal system

A. unequal laws

1. drug laws

2. criminal vs corporate crime

B. unequal before the law

C. Unequal resources

D. Discretion

V. Children in America

A. the most vulnerable

1. who speaks for children

2. violence and childre

a. school

b. home

3. hunger, health, education, security

Essay/Exam #1

This essay/exam is due Wed July 19 at the beginning of class. It should be a minimum of six pages in length, double-spaced and typewritten. The criteria that I use for grading is on the syllabus. Read the directions carefully.

A. Answer one of the following. (10 points)

1. Explain applied ethics, the questions it deals with and the moral theories that most influence it. What moral values have emerged from western moral thought?

2. Compare and contrast Kant's moral theory with Bentham's and Mill's, especially in regard to how the moral good is determined.

3. Explain the "Parable of the Good Samaritan" (Luke 10: 23-37) and the story "Render unto Caesar" (Matthew 22: 15-22) as the basis of personal and social ethic of responsibility.

B. Answer one of the following. (10 points)

1. From the point of view of applied ethics, each of us as moral agents has an obligation to know how our opinions, actions, and the collective policies of our society effect others in the moral community. Most Americans depend upon the corporate press to keep informed about important issues. Explain the institutional goals and commitments of the press, describe its form and content. Does it fulfill its responsibilities? Do we have a moral obligation to go beyond to alternate sources?

2. Explain how the "new economy" (deindustrialized sales and service) tied to the commodification of health care, food, housing and education create a cycle of poverty. Does this raise questions about American society and human and environmental rights?

C. Answer one of the following questions.

1. Dean Curtin "challenges the widespread assumption that the green revolution is a moral program designed to address hunger and to promote peace." Explain.

2. Globalization proceeds under the banner of human rights. Explain how the past (colonialism) and present (neo-colonialism) reality demonstrate human and environmental injustice as its basis.

Just and Unjust Wars

I. The cost of wars

A. "War is hell", no limits especially moral

1. von Clausewitz ON WAR, 'War is an act of force which

theoretically can have no limits"

a. no restraint at all in weapons used, tactics adopted, people attacked

b. no imaginable act of war which falls outside outside of war, war

c. "the ruthless user of force who shrinks from no amount bloodshed must gain an advantage if his opponent does not do the same."

2. not just descriptive argument, but moral argument,

moral argument, a justification of "war crimes"

3. Sherman and the burning of Atlanta in response

to Hood, "ingenious cruelty . . . all acts . . .dark history

of war

a. War is cruelty and you cannot refine it ... those

who brought war . . . deserve all the malediction

and curses a people can pour out."

b. "I had no hand in making this war.

c. limitlessness of war, necessary, enemy deserves

it, no my responsibility

B. Specific wars and specific battles reveal

1. necessity

a. indispensable

b. inevitable

c. mercenary Moroccan soldiers in WWII

d. bombing of Dresden and Royan

e. bombing of Hiroshima and Nagasaki

f. starvation of one million Russians at Lenningrad

g. WWI

h. German terrorism of Russian people

2. realm of freedom and human decision with a

variety of options

B. Cost is too high to ever justify war - no just wars

1. WWI

2. WW2

3. Korean War

4. Vietnam War

5. Iraq War

6. Iran-Iraq, India-Pakinstan

C. Social costs

D. Environmental costs

II. Justifying War

A. Three questions

1. are some wars morally justifiable?

2. can we establish a set of consistent rules which

can be consistently applied - an "applied ethics of

war"

3. if some wars are morally justifiable are there still

moral limits to acts

B. Considerations

1. two sorts of war

a. morally permissable - self-defense

b. morally obligatory - help

2. "just" and "unjust" are logical contradictions

3. injustice of one side doesn't mean justice of the

other side

4. Moral evaluations - two types of rules

a. jus ad bellum -

i. rules for permissability and

obligation

ii. reasons states have for fighting

iii. requires judgments about aggression and

self-defense

b. jus in bello - soldiers have an equal right to kill

i. how a war should be fought - two sets of

rules

\* when and how they can kill

\* whom they can kill

ii. judgments about the observance or violation of the cutomary and positive rules

of engagement

c. logically independent

i. can fight unjust war justly, or just war

unjustly

ii. contradiction - can't fight unjust war justly

iii. Rommel/the avg soldier

\*Commando Order Oct 28, 1942

\*Nuremberg "The killing of combatants

is legal . . . only where the war is legal

III. Jus ad bellum -

A. War - controlled use of force for political purposes

B. Just cause

1. Aristotle - enslavement

2. Mill - bestow benefits of western civilization

3. church - conversion

3. modern wrong received

a. insults, affronts to honor

b. policies or acts resulting in violation of rights

of nations

4. Aggression

a. "Aggression is the ue of armed force by a State

agains the sovereignty, territorial integrity, or

political independence of another State . . ."

i. international society of independenct states

which represent interests and rights of

citizens

ii. international society establishes rights of

its members - territorial integrity and

political sovereignty

iii. aggression is a territorial integrity and

political soveriengty

iv. aggression justifies war of self-defense

and war of law enforcement by victim and

any other member of int society

v. nothing but aggression can justify war

vi. once aggressor has been repulsed, can

be punished

b. The first use of force . . . prima facie evidence which is a physical threat to nation

i. invasion or attack on territory, or occupation

ii. bombardment

iii. blockade

iv. proxy forces

B. Rule of Porportionality

1. If cause exists and other means possible to achieve

ends then war is unjustified

2. If cause exists and ends are not obtainable by war

or other means then war is not justified

3. justness relies on "evil" prevented by war being

greater than evil without war

a. suffering b. rights

IV. Jus in bello

A. Rules for treatment of neutrals, non-combatants, civilians,

weapons and tactics

1. Geneva Convention 1925 bans chemical weapons ( US hasn't signed)

2. Hague Conventions 1899 and 1907

3. Geneva Convention 1929

4. Geneva Conventions of 1949 - sick and wounded on battlefield, sick and wounded at sea, prisoners of war,

protection of civilians

a. surrendering soldier enters into aggreement

with captors

b. rights and obligations

i. right to escape

ii. not to kill a guard, that is murder, gave

up right to kill when they surrendered

c. the "Laconia affair" and international law

i.

ii.

iii.

iv.

v.

5. Second Protocol to Fourth Geneva Convention 1977

(US hasn't signed)

B. Necessity

1. No more destruction that necessary to achieve goals

a. no wanton destruction

b. concept of military objective

i. Omar Bradley July 1944 Normandy

ii. breakout from invasion beachhead

iii. Code name Cobra approved by Ike and

Montgomery

iv. saturation bombing of 5 sq miles near

town of St. Lo

v. Bradley can't warn the civilians, need

surprise even if it meant "the slaughter of

innocents as well."

c. if other option must pursue

2. Military principle of proportionality

a. destructiveness must be proportionate

to the importance of the objective

b. certain objectives ruled out because the

destruction involved would exceed the importance

3. Principle of non-combatant immunity or discrimmination

a. military force at military objectives

i. German bombing of England

b.defining "military" vs "civilian"

c. objective and subjective version

i. consequences

ii. intentional but ruled by limit of

proportionality

4. Guerilla war

a. Vietnam - US Army rules of engagement for rural villages

i. must notify villagers in advance that

villages were to be destroyed

ii. (1) a village could be bombed or shelled

without warning if troops had received

fire

iii. (2) a village could be bombed or shelled

if was known to be hostile with warning,

helicopter loudspeaker or leaflets

iv. (3) once civilians moved out village and

surrounding area "free fire zone"

v. rules ineffective, ignored, no understaning

b. resettlement was goal

i. Vietnemese to camps to deprive guerillas

of base of popular support

ii. Aug 1967 Army units ordered not to generate more refugees, camps full, but

search and destroy continued

5. Supreme emergency

a. saturation bombing of German cities

i. consequences of defeat are more intolerable - Nazis threat to human society

ii. Britains decision to "terror" bomb Germany

to destroy civilian morale

iii. Argument was that only bombing would

have an effect

iv. called terror bombing of civilians war

crime, but now necessity

v. Churchill and Arthur Harris 1942 until

end of war

vi. 400,000 German citizens killed and one

million more injured

vii. crucial precedent to fire bombing of Tokyo

and using the atomic bomb

viii. by late 1942 the bombing of military and

industrial targets forbidden

ix. "the aiming points are to be the built-up

areas ... not the stockyards or aircraft factories."

x. resistance from officers not wanting to

bomb civilians, should only be by-product

xi. Churchill: "The bombers alone provide the

means to victory."

xii. continued bomber raids after war turned

in favor of allies - Dresden, Royan

xiii. Churchill acknowledges in July of 1942

"other avenues now open

xiv. Harris: end the war more quickly

b. Hiroshima

i.

ii.

iii.

iv.

v.

vi.

6. nuclear deterrence

i.

ii.

iii.

iv.

v.

7. Sieges and sanctions

I. Environmental philosophy

A. Ethical extensionism

1. rethink our assumptions regarding our relationship

to world

2. "Thinking like a mountain"

3. analogy: US centered, world community

B. Limits of animal liberation and animal rights from point of

view of environmental philosophy

1. It is still anthropocentric,

a.adult males as the paradigm for ethical standing.

b.Only animals that are enough like us should have moral standing

2. It is individualistic and rights oriented

a. repeats basic flaw in western conception of human/nature relationship

b. can't extend moral standing to species or ecosytems, wholes

B. Problem is really twofold

1. basic assumptions of western culture about man and

relation to nature is wrong

a. maya or illusion

b. ignorance

c. hubris

2. rethinking assumptions is necessary

a. categories of western thought not adequate need to engage other cultures

b. need critique

c. need to come to new understanding

d. ecology

i. study of interrelationships of living organisms with each other and their non- living environment

ii. independence of within and between

systems

iii. unintended consequences of human

activity

iv. and man's imbeddennes in it and not surperior to or difference from it -- holism

C. Biocentric or ecocentric ethics

1. Goodpaster's criticism as a transition to environmental

philosophy

"Nothing short of being alive seems to me to be a plausible and nonarbitrary criterion.

D. Biocentric ethics is an ethical positions that

1. identifies life itself as the basis of attribution moral stnding

a. not particular characteristic,

b. biocentric ethics takes us beyond the hierarchy and anthropomorism.

2. Schweitzer and reverence for life, "I am life which wills

to live, in the midst of life which wills to live"

3. "feels the compulsion to give to every will-to-live

the same reverence for life that he gives his own.

4. for Schweitzer all living things have "intrinsic value"

5. life not just"fact" that we slap value onto, but is good.

6. no formula or rule to be derived "A morally good person stands in awe of the inherent worth of each life.

7. a fundamental moral attitude in

relation to the world

8. we are an attitude an embodiment of what we value and we stand in relation to the world under the horizon of those values

"Character is not like a suit of clothes that the self steps into and out of at will. Rather, the self is identical to a person's most fundamental and enduring dispositions, attitudes, values, and beliefs."

B. Ecocentric ethic goes even furher in its atempt to

establish moral standing --

1. not only all life but ecosystems **--** forests, wetlands, lakes, grasslands, deserts, the areas in which a variety of

2. living organizms ineract in mutally beneficial ways with their living and non-living environment

3. Ecocentric ethics raises the interesting quetion about the distinction between biotic and abiotic, is fertile land really dead, is water really dead.

4. goal

a. the **increasing of the moral sphere** to

include both biotic and abiotic elements, living as well as non-living

b. a **theoretical emphasis on holism** -- the whole is more the sum of its parts, it has a life of its own. This is significant

c.because the whole then becomes the basis of

significance for the parts, the whole is the ultimate reality

d. essay "Thinking Like a Mountain" is an example of this the mountain is a metaphor for the whole, human beings and human consciousness is just one part of whole

II. Basic Assumptions

A. cultural causes

1. Religion - Christianity

a. Text

b. church and society

c. Puritan America

2. Science

a. world as matter in motion

b. human genome than can be manipulated

3. Capitalism

a. resource

b. commodities

4. manifest destiny

B. Lords of the Earth

1. human beings are qualitativey differnt form other creatures, the difference is hierarchical -- based on reason, self-consciousness, soul.

2. human beings are masters of their own destiny,

a. disengaged subjects who can define their goals, develop appropriate means to achieving those goals, estimate and predict theconsequences of their actions

b. the basis of this is instrumental reason -- the reduction of everything to means, resources for ends

c. the success of science and technology appears to give us power

3. the earth is unlimited resource, standing reserve with only instrumental value, dead matter, disenchanted, ready for transformation into commodities

4. history of western society, is history of us getting better, improving, this is measured in terms of material progress

5. western culture is superior to othe cultures, especially so-called primitive culturs which are still steeped in superstition, their practices languages, rituals, and institutions have no inherent right to respect, or right to exist

Essay/Exam #2

This essay/exam is worth 30 points. It is to be placed in my mail box at Building 151 Center Assistant's Office by Sat July 28 no later than 12:00 PM. It should be a minimum of six pages in length, double-spaced and typewritten. The criteria that I use for grading is on the syllabus. Read the directions carefully.

A. Answer the following. (10 points)

1. Explain *jus ad bellum* and *jus in bello*. Then analyze the case of the "supreme emergency" ( British terror bombing or U.S. bombing of Hiroshima and Nagasaki) in terms of the rules. Or analyze the "rape of Nanking" in terms of the rules.

B. Answer one of the following. (10 points)

1. Explain corporate crime, definition, typology (include examples, and corporate logic). And then give the reasons that corporate crime escapes moral approbation and corporate criminals deny moral responsibility.

2. Explain the attempt by environmental philosophers to expand the boundaries of the moral community, then reconstruct Leopold's argument in his essay "The Land Ethic"

C. Answer the following question. (10 points)

1. Explain the ways in which the human rights of minorities and women have been and are violated in the United States. Include an analysis of *Still Killing Us Softly* and *True Colors* or *Paha Sapa*.

2. Explain non-violence as a theory of moral action to overcome social injustice. Give examples. Is the violence of the AIM justified? Should we as a society acknowledge our treatment of minorities? Do we owe reparations (re: *Paha Sapa*)?

I. Terrorism

A. Definition is contested

1. Nazis called French partisans terrorists

2. frequently definition ignores state terrorism

3. definition limts terrorism to acts of violence against

innocents

B. Terrorism is acts of force with the goal of changing the social order through fear

II. Terrorism is never justified

A. Terrorism is complex

1. range definition

2. multiple characteristics

B. Apply rules of war to it

1. discrimmination

2. proportionality

C. discimmination

1. can never discrimminate

2. with adequate assurance

D. proportion

1. outcome of acts is sufficiently ambiguous

2. that can't measure importance vs destruction

III. Terrorism can be justified when there is collective guilt

A. If there is collective guilt

1. Nazis Germany

2. discrimmination is not necessay

3. citizens are guilty of atrocity

4. legitimate targets

I. Human Rights and Gender

A. Women are uniquely vulnerable to rights violation

1. political and civil rights

a. rights vis a vis the state

b. rights vis a vis the family

2. Those set of rights called socio-economic

a. work

b. education

c. health care

d. ownership and poverty

3. gender specific rights violation

a. violence

b. trafficking

c. women in conflict and refugess

B. These sets of violations constitute a crisis Convention on the

Elimination of All Forms of Discrimination against Women

C. However, governments don't make foreign or domestic

policy based on violations of women's rights

D. And human rights groups with their emphasize

political and civil rights tend to ignore the violations that

are directly at women only

1. too trivial

2. abuse and violence is cultural and private

3. not really human rights

4. unattainable goal

II. Political and civil rights

A. Political system

1.

2.

B. Civil rights or personal status of women

1. relationship to male husband or relative determined

their rights

2. Sub-Saharan African countries discriminate base on both statutory and customary laws with regard to

property ownership and inheritance

a. Zambia deny widows to inherit from deceased

husband despite Aids epidemic

b. same in Sierra Leone

3. Nigeria, Ghana, Kenya, Uganda, and Zimbabwe passed

statutory non-discrimination laws but judges make rulings based on customary laws

4. Egypt, Sri Lanka, and Bangladesh have nationality laws

that don't allow women to transfer citizenship to their

children

C. Personal status in marriage and family

1. In Syria and Morocco, among other countries, laws

curtailed women's rights entering into marriage, during

marriage, and dissolving marriages

a. man could have up to four wives

b. disobedience could be punishable by non-support

c. marriages could be annuled by older male guardian

d. man could simply get a divorce by repudiation, wife had to go to court and prove her husband neglected his marital duties

2. Chilean law: husband control over household decisions and

wife as property

3. Argentine, Mexico, and Colombia had lower marrying ages

for women, 16, 14, and 12 respectively

4. Venezuela women could not remarry for 10 months after

a divorce or annulment unless they were pregnant

III. Social and Economic Rights

A. health care

1. gender bias medical practices

a. amiocentesis in Third World

b. medical care

i. WHO - less medical care and poor

\* drug dumping

\* wave informed consent

ii. childbirth and abortions

iii. less access to major diagnostic and

therapeutic interventions, kidney transplants,

lung cancer diagnosis, cardiac catheterization

iv. recommend the pill

v. darker skin and poorer the worse care

vi. condescending, withhold information,

c. medical studies

i. cardiovascular disease exclusively men

2. survey of health professionals in US

3. gender and stratified institutions

i. gendered fields

ii. medial books, instructors

iii. women's prisons and lack of medical

care

B. Work

1. sweat shop labor

a. women make up most of maquiladora labor

in third world sweatshops

i. forced labor

b. labor laws of countries are non-existent or

unenforced

i. six and seven day weeks

ii. mandatory overtime

iii. no labor unions

iv. wages are inadequate to subsist and

even a minimal level

v. physical and sexual abuse

vi. export zones - don't get pregnant

c. no occupational, safety, and health

i. fires

ii. illness and disease from exposure

2. domestic work

a. Guatemala is main employment for tens of thousands of indigenous women

i. no right to eight hour workday

ii. no minimum wage

iii. only national holidays are days of rest

iv. no healthcare

b. US domestic workers explicitly not included in

National Labor Relations Act, Occupational Safety

and Health Act and the overtime provisions of the

Fair Labor Standards Act

3. Farm workers

a. South Africa

i. lowest paid

ii. few benefits

iii. targets of harrassment

iv. seasonal and temporary and menial

v. planting and harvesting which makes them

more vulnerable to exposure to pesticides

C. Education

1. global illiteracy

2. birth control

D.violence against women

a. spousal abuse and murder

i. in US

ii. Bangladesh, Canada, Thailand, Kenya 50% of

murdered women family

b. incest

c. rape and violent crimes

i. Pakistan-Bangladesh rape victims

ii. rape in U.S.

iii. Peru 70% of crimes against women

iv. France 95% of victims of violence are

women, 51% by spouse or lover

v. 8 out of 10 wives are victims of violence

d. dowry deaths, kitchen accidents

e. violation of cultural norms: "honor crimes"

i. Jordan

ii. Turkey 200 women and girls killed each

year

f. Virginity tests to determine immoral

f. female genital mutilation

E. Trafficking

1. Traffickers deal in human beings, mostly women and

children

a. prostitution

b. forced labor - sweatshops

c. forced labor - domestic

2. Traffickers keep them in bondage

a. debt bondage

b. seize passports

c. threats to them and families

d. help of authorities

i. part of trafficking

ii. or arrest women and children as illegal

immigrants

3. Examples

a. Nigeria

i. poverty and corruption of officials

ii. large numbers to domestic and prostitution

iii. officials and traffickers send women to other African countries

b. Bosnia

i. trafficked in women form Urkraine,

Moldavia, and Romania in debt bondage

ii. prostitution and sex to police officers

c. Colombia

i. between two and ten women trafficked from Colombia each day, mostly to Europe

d. Japan

i. 260,000 undocumented migrants, most in

the sex industry

ii. no rights protections

iii. Thailand a major country of origin for women to Japan

e. Thailand

i. hilltribe women not citizens of Thailand,

therefore stateless

ii. wouldn't allow trafficked wome back

f. Israel

i.not even minimal human rights for persons

trafficked for domestic, agricultural, or

prostitution

ii. state corruption is endemic in Isreal

iii. ranked in lowest tier of countries for failure to deal with trafficking

g. Protocol to Prevent, Suppress, and Punish

Trafficking in Persons, Espcially Women and

Children

F. War and refugees

1. Rape and sexual assault are being used to attain

specific military and political objectives

2. women refugees experience sexually and physical

assault in refugee camps

3. acts of sexually violence are war crimes and crimes

against humanity

4. usually not enforced: International Criminal Tribunal for the former Yugoslavia not one indictment on rape

as a war crime in Kososvo

5. examples

a. Indonesia

i. conflict betwen Indonesian security forces

and the Aceh people

ii. if reported police use pressure on victims

to recant

b. Democratic Republic of the Congo

i. Mai Mai and Rwandan Hutu rebels raped

women in front of their husbands

ii. imprisoned wome as sex slaves

iii. consequences: murder and AIDS

c. no refuge: Guinean security forces harrassed

thousands of refugees from Liberia and Sierra

Leone

i. strip searchers, beatings, sexual assault,

and rape

d. Tanzania

i. refugees from Burundi

ii. physically and sexually assaulted inside

and outside of refugee camp

e. Burma/Myamar

f. Bosnia

IV. US

A. Women and work

1. Stratification

a. income

b. job segregtion

c. glass ceiling

2. Women and poverty

3. Sweatshops and Trafficking in America

B. Women: marriage and family

C. Women, education, and health

1. discrimination

2.

D. Women and the mass media

1. women as objects

2. women as consumers

E. Women and violence

I. Non-violence or direct action

A. Attempts to transform society, domestic or global, its institutions and policies non-violently

1. Social institutions have failed to respond to cries

of injustice

2. non-violent civil disobedience is method

B. Ethical tradition

1. Christianity, esp, Sermon on the Mount

a. turn the other cheek

b. love your neighbor

c. moral order that injustice undermines but that

adherence to truth can restore

2. Tolstoy and Thoreau "On Civil Disobedience"

C. Historical tradition

1. Ghandi in South Africa

a. coming make from England and law school

b. couldn't ride in first class

c. third class "coloreds only"

d. moral question: "what ought we to do"

i. the good or truth demands action

ii. risk - death, imprisonment, punishment

e. strike, disobedience - burn passes

f. affirming rights as British citizens

g. what about the women?

2. Ghandi in India

a. England had colonized India

i. transformed economy

ii. ruled politically

b. Ghandi led non-violent fight for independence

c. satyagraha

i. satya - truth

ii. agraha - force

iii. the force that is generated through adherence to the truth

d. untouchables, haritans - children of God

e. social justice equals what kind of social

organization

i. decentralized authority - democracies

ii. decentralized low tech agricultural

f. satyagraha and the Nazis

3. Colonists vs England

a. refusal to pay stamp tax

i. official stamp for publications and legal

documents

b. boycotts of British goods

c. establishing parallel institutions to take over

function of government

D. Method of non-violence

1. Injustice is so profound that it demands moral

person act

a. not passive

b. non-violent active resistance to injustice

c. ahimsa is an absence of ill will against all that

lives. It embraces even non-human life . . . good

will towards all life

d. we all share the responsibility for stopping

injustice

2. Break unjust law

a. not all laws are just - moral

b. examples

i. laws of segregation

ii. draft for unjust war

3. non-cooperation

a. refuse to cooperate with institutions that embody

injustice

b. protests, strike, boycotts, tax refusals

c. examples

i. Montgomery bus boycott

ii. Massachusettes law and Burma

iii. stamp tax

iv. WTO

v. lunch counters

4. Accept punishment

a. demonstrate your commitment to stopping

injustice by accepting punishment, beatings,

jail, even death

b. overwhelms the system

c. reveals the system to be governed by force and

not justice

5. Not question of power

a. reestablishing social justice or moral order

b. embrace your opponent

i. oppressor is victim

ii. injustice is self destructive

iii. self is seen in identification with

society and natural world

iv. needs to be challenged through active

resistance

c. change of heart

d. accept violence directed at you