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**ETHICS
AND
TECHNOLOGY**

Controversies, Questions, and Strategies
for Ethical Computing

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*In memory of my grandparents,
Leon and Marian (Roberts) Hutton,
and Antonio and Clelia (Giamberardino) Tavani*

Ethical Concepts and Ethical Theories: Establishing and Justifying a Moral System

In Chapter 1, we defined cyberethics as the study of moral issues involving cybertechnology. However, we have not yet defined what is meant by *ethics*, *morality*, and *the study of moral issues*. In Chapter 2, we define these terms as well as other foundational concepts, and we examine a set of ethical theories that will guide us in our deliberation on the specific cyberethics issues we confront in Chapters 4–12. To accomplish the objectives of Chapter 2, we provide answers to the following questions:

- What is ethics, and how is it different from morality or a moral system?
- What are the elements that make up a moral system?
- Where do the rules in a moral system come from, and how are they justified?
- How is a philosophical study of morality different from studying morality from the perspectives of religion and law?
- Is morality essentially a personal, or private, matter, or is it a public phenomenon?
- Is morality simply relative to particular cultures and thus culturally determined?
- How is meaningful dialogue about cyberethics issues that are global in scope possible in a world with diverse cultures and belief systems?
- What roles do classic and contemporary ethical theories play in the analysis of moral issues involving cybertechnology?
- Are traditional ethical theories adequate to handle the wide range of moral controversies affecting cybertechnology?

► 2.1 ETHICS AND MORALITY

Ethics is derived from the Greek *ethos*, and the term *morality* has its roots in the Latin *mores*. Both the Greek and the Latin terms refer to notions of custom, habit, behavior, and character. Although “ethics” and “morality” are often used interchangeably in

everyday discourse, we draw some important distinctions between the two terms as we will use them in this textbook. First, we define ethics as the study of morality.¹ This definition, of course, raises two further questions:

- a. What is *morality*?
- b. What is *the study of morality*?

We had begun to answer question (b) in Chapter 1, where we described three approaches to cyberethics issues. You may want to review Section 1.4, which describes how moral issues can be studied from the perspectives of professional ethics, philosophical ethics, and sociological/descriptive ethics. We will say more about the study of morality from a philosophical perspective in Section 2.1.2. Before we examine the concepts and theories that comprise morality or a moral system, however, we briefly consider a classic example of a moral dilemma.

First, we should note that the phrase “moral dilemma” is often misused to describe a “moral issue.” We will see that not every moral issue is a moral dilemma, and not every dilemma is necessarily moral in nature. A dilemma describes a situation where one is confronted with two choices, neither of which is desirable. Sometimes it may mean choosing between (what one may perceive to be) the lesser of two evils. But our primary interest in this chapter is not so much with the specific choices one makes; instead it is with (i) the principle that one uses in making his or her choice, and (ii) whether that principle can be applied systematically and consistently in making moral decisions in similar kinds of cases. We next consider a dilemma that has become a classic in the ethics literature.

► SCENARIO 2–1: The Runaway Trolley: A Classic Moral Dilemma

Imagine that you are driving a trolley and that all of a sudden you realize that the trolley’s brake system has failed. Further imagine that approximately 80 meters ahead of you on the trolley track (a short distance from the trolley’s station) five crew men are working on a section of the track on which your trolley is traveling. You realize that you cannot stop the trolley and that you will probably not be able to prevent the deaths of the five workers. But then you suddenly realize that you could “throw a switch” that would cause the trolley to go on to a different track. You also happen to notice that one person is working on that track. You then realize that if you do nothing, five people will likely die, whereas if you engage the switch to change tracks, only one person would likely die.² ■

What would you do in this situation—let the trolley take its “natural” course, expecting that five people will likely die, or intentionally change the direction of the trolley, likely causing the death of one person who otherwise would have lived? If you use what some call a “cost-benefits” approach in this particular situation, you might reason in the following way: throwing the switch will have a better outcome, overall, because more human lives would be saved than lost. So, in this case you conclude that throwing the switch is the right thing to do because the net result is that four more people will live. If the reasoning process that you used in this particular case is extended to a general principle, you have embraced a type of consequentialist or utilitarian ethical theory (described later in this chapter). But can this principle/theory be consistently extended to cover similar cases?

Next consider a variation of this dilemma, which also involves a runaway trolley, but this time you are a spectator. Imagine that you are standing on a bridge overlooking the track on which a runaway trolley is traveling. You observe that the trolley is heading for the station where there are many people gathered outside. Standing next to you on the bridge is a very large and obese person (weighing approximately 500 pounds), who is leaning forward over the rail of the bridge to view the runaway trolley. You realize that if you gently pushed the obese person forward as the trolley approaches, he would fall off the bridge and land in front of the trolley; the impact would be sufficient to stop the trolley. Thus you could save the lives of many people who otherwise would die.

Would you be willing to push the obese person off the bridge? If not, why not? What has changed in the two scenarios? After all, if you are reasoning from the standpoint of a utilitarian/consequentialist theory, the same outcome would be realized—one person dies, while many others live. But studies have shown that most people find it far more difficult to push (intentionally) one person to his death, even though doing so would mean that several persons will live as a result. However, in this case, you might reason that intentionally causing someone’s death (especially by having a “direct hand” in it) is morally wrong. You may also reason that actively and deliberately causing one person’s death (as opposed to another’s) is unjust and unfair, and that it would be a dangerous moral principle to generalize. In this case, your reasoning would be nonutilitarian or nonconsequentialist.

Perhaps you see the inconsistency in the means used to make decisions in the two similar scenarios. However, you might react initially by saying that it is permissible to flip-flop on moral principles, depending on the particular circumstances you face. But we will see that it is difficult to have a coherent moral system where the ethical theories used to frame policies are inherently inconsistent. Fortunately, there is no need for us to resolve these questions at this point in the chapter. Rather, the purpose of posing this dilemma now is to get us to begin thinking about how we can respond to dilemmas that we will invariably face in our professional as well as personal lives. Later in this chapter, we revisit this dilemma and we complicate it somewhat by replacing the trolley’s human driver with an autonomous computer system. We then examine in detail some specific ethical theories that can be applied in our analyses of this and other moral dilemmas. First, however, we examine some basic concepts that comprise morality and a moral system.

2.1.1 What Is Morality?

As noted above, we defined ethics as the study of morality. However, there is no universally agreed upon definition of “morality” among ethicists and philosophers. For our purposes, however, *morality* can be defined as a system of rules for guiding human conduct, and principles for evaluating those rules. Note that (i) morality is a *system*, and (ii) it is a system comprised of moral *rules* and *principles*. Moral rules can be understood as rules of conduct, which are very similar to the notion of policies, described in Chapter 1. There, “policies” were defined as rules of conduct that have a wide range of application. According to James Moor (2004), policies range from formal laws to informal, implicit guidelines for actions.

There are two kinds of rules of conduct:

1. *Directives* that guide our conduct as individuals (at the microlevel)
2. *Social policies* framed at the macrolevel

Directives are rules that guide our individual actions and direct us in our moral choices at the “microethical” level (i.e., the level of individual behavior). “Do not steal” and “Do not harm others” are examples of directives. Other kinds of rules guide our conduct at the “macrolevel” (i.e., at the level of social policies and social norms).

Rules of conduct that operate at the macroethical level guide us in both framing and adhering to social policies. For example, rules such as “Proprietary software should not be duplicated without proper authorization,” or “Software that can be used to invade the privacy of users should not be developed,” are instances of social policies. Notice the correlation between the directive “Do not steal” (a rule of conduct at the microlevel), and the social policy “Unauthorized duplication of software should not be allowed” (a rule of conduct at the macrolevel). In Section 2.1.2 we will see that both types of rules of conduct are derived from a set of “core values” in a moral system.

The rules of conduct in a moral system are evaluated against standards called *principles*. For example, the principle of social utility, which is concerned with promoting the greatest good for the greatest number, can be used as a “litmus test” for determining whether the policy “Proprietary software should not be copied without permission” can be justified on moral grounds. In this case, the policy in question could be justified by showing that not allowing the unauthorized copying of software will produce more overall social good than will a policy that permits software to be duplicated freely.

Similarly, the policy “Users should not have their privacy violated” might be justified by appealing to the same principle of social utility. Or a different principle such as “respect for persons,” or possibly a principle based on the notion of fairness, might be used to justify the social policy in question. Figure 2.1 illustrates the different kinds of rules and principles that comprise a moral system.

What Kind of a System Is a Moral System?

According to Bernard Gert (2005, 2007), morality is a “system whose purpose is to prevent harm and evils.” In addition to preventing harm, a moral system aims at promoting human flourishing. Although there is some disagreement regarding the extent to which the promotion of human flourishing is required of a moral system, virtually all ethicists believe that, at a minimum, the fundamental purpose of a moral system is to prevent or alleviate harm and suffering. We have already seen that at the heart of a moral system are rules of conduct and principles of evaluation. We next consider some other characteristics that define a moral system.

Gert describes a moral system as one that is both public and informal. The system is *public*, he argues, because everyone must know what the rules are that define it. Gert uses the analogy of a game, which has a goal and a corresponding set of rules. The rules are understood by all of the players, and the players use the rules to guide their behavior in legitimately achieving the goal of the game. The players can also use the rules to evaluate or judge the behavior of other players in the game. However, there is one important difference between a moral system and a game: Not everyone is required to participate in a game, but we are all obligated to participate in a moral system.

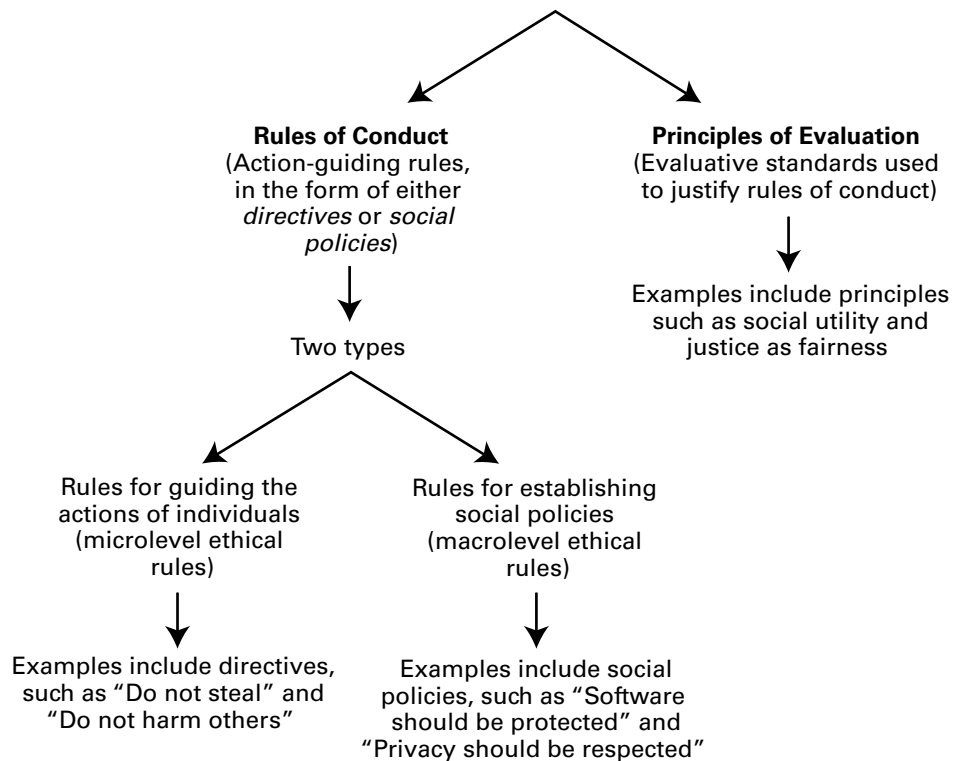


Figure 2.1 Basic components of a moral system.

Morality is also *informal* because, Gert notes, a moral system has no formal authoritative judges presiding over it. Unlike games in professional sports that have rules enforced by referees in a manner that approaches a legal system, morality is less formal. A moral system is more like a game of cards or a “pickup game” in baseball or basketball. Here the players are aware of the rules, but even in the absence of a formal official or referee to enforce the game’s rules, players generally adhere to them.

Gert’s model of a moral system includes two additional features: *rationality* and *impartiality*. A moral system is rational in that it is based on principles of logical reason accessible to ordinary persons. Morality cannot involve special knowledge that can be understood only by privileged individuals or groups. The rules in a moral system must be available to all rational persons who, in turn, are (what ethicists call) *moral agents*, bound by the system of moral rules. We do not hold nonmoral agents (such as young children, mentally challenged persons, and pets) morally responsible for their own actions, but moral agents often have responsibilities to nonmoral agents. (We examine the concepts of “agency” and “moral agency” in detail in Chapter 12.)

A moral system is *impartial* in the sense that the moral rules are ideally designed to apply equitably to all participants in the system. In an ideal moral system, all rational persons are willing to accept the rules of the system, even if they do not know in advance what their particular place in that system will be. To ensure that impartiality will be built into a moral system, and that its members will be treated as fairly as possible,

TABLE 2.1 Four Features of Gert's Moral System

Public	Informal	Rational	Impartial
The rules are known to all of the members.	The rules are informal, not like formal laws in a legal system.	The system is based on principles of logical reason accessible to all its members.	The system is not partial to any one group or individual.

Gert invokes his “blindfold of justice” principle. Imagine that you are blindfolded while deciding what the rules of a moral system will be. Since you do not know in advance what position you will occupy in that system, it is in your own best interest to design a system in which everyone will be treated fairly. As an impartial observer who is also rational, you will want to ensure against the prospect of ending up in a group that is treated unfairly.³

Table 2.1 summarizes four key features in Gert's model of a moral system.

2.1.2 Deriving and Justifying the Rules and Principles of a Moral System

So far, we have defined morality as a system that is public, informal, rational, and impartial. We have also seen that at the heart of a moral system are rules for guiding the conduct of the members of the system. But where, exactly, do these rules come from? And what criteria can be used to ground or justify these rules? Arguably, the rules of conduct involving individual directives and social policies are justified by the system's evaluative standards, or principles. But how are those principles in turn justified?

On the one hand, rules of conduct for guiding action in the moral system, whether individual directives or social policies, are ultimately derived from certain core *values*. Principles for evaluating rules of conduct, on the other hand, are typically grounded in one of three systems or sources: religion, law, or (philosophical) ethics.

We next describe the core values in a society from which the rules of conduct are derived.

Core Values and Their Role in a Moral System

The term *value* comes from the Latin *valere*, which means having worth or being of worth. Values are objects of our desires or interests; examples include happiness, love, and freedom. Some philosophers suggest that the moral rules and principles comprising a society's moral system are ultimately derived from that society's framework of values.⁴

Philosophers often distinguish between two types of values, *intrinsic* and *instrumental*. Any value that serves some further end or good is called an instrumental value because it is tied to some external standard. Automobiles, computers, and money are examples of goods that have instrumental value. Values such as life and happiness, on the other hand, are *intrinsic* because they are valued for their own sake. Later in this chapter, we will see that utilitarians argue that happiness is an intrinsic value. And in Chapter 5, we will see that some ethicists believe personal privacy is a value that has both intrinsic and instrumental attributes.

Another approach to cataloguing values is to distinguish *core values*, some of which may or may not also be intrinsic values, from other kinds of values. James Moor (2004), for example, believes that life, happiness, and autonomy are core values because they are

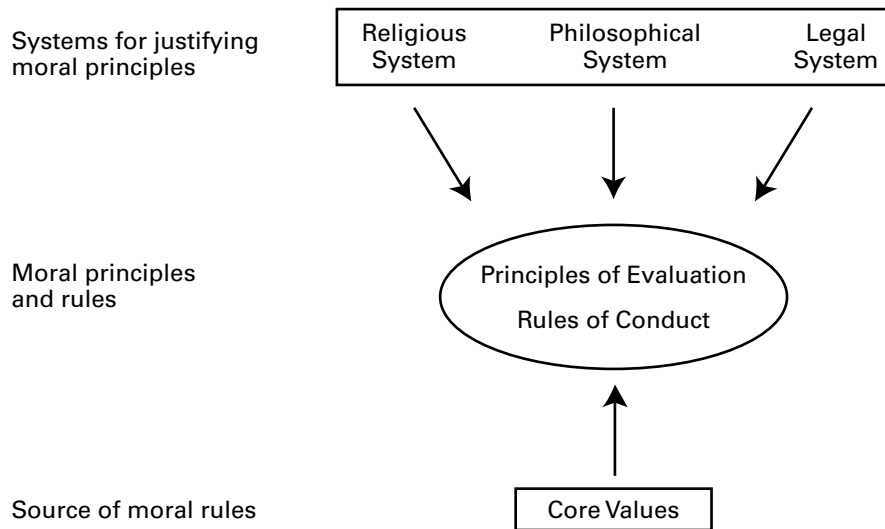


Figure 2.2 Components of a moral system.

basic to a society’s thriving and perhaps even to its survival. Autonomy, Moor argues, is essentially a cluster of values that includes ability, security, knowledge, freedom, opportunity, and resources. Although core values might be basic to a society’s flourishing, and possibly to that society’s survival, it does not follow that each core value is also a moral value.

Sometimes descriptions of morals and values suggest that morals are identical to values. Values, however, can be either moral or nonmoral, and moral values need to be distinguished from the broader set of nonmoral values. Consider again the roles that rationality and impartiality play in a moral system. Rationality informs us that it is in our interest to promote values consistent with our own survival, happiness, and flourishing as individuals. When used to further only our own self-interests, these values are not necessarily moral values. Once we bring in the notion of impartiality, however, we begin to take the moral point of view. When we frame the rules of conduct in a moral system, we articulate one or more core moral values, such as autonomy, fairness, and justice. For example, the rule of conduct “Treat people fairly” is derived from the moral value of impartiality. Figure 2.2 illustrates how the rules and principles that comprise a moral system are both derived from core values and justified on grounds that tend to be either religious, legal, or philosophical in nature.

Three Approaches for Grounding the Principles in a Moral System

We have seen how the rules of conduct in a moral system can be derived from a society’s core values. Now we will consider how the principles that are used to justify the rules of conduct are grounded. As we suggested in Section 2.1.2, the principles are grounded in one of three sources: religion, law, and philosophical ethics. We now consider how a particular moral principle can be justified from the vantage point of each scheme. As an illustration, we can use the rule of conduct “Do not steal,” since it underpins many cyberethics controversies involving software piracy and intellectual property. Virtually every moral system includes at least one rule that explicitly condemns stealing. But why,

exactly, is stealing morally wrong? This particular rule of conduct is evaluated against one or more principles such as “We should respect persons” or “We should not cause harm to others”; but how are these principles, in turn, justified? The answer depends on whether we take the religious, the legal, or the philosophical/ethical point of view.

Approach #1: Grounding Moral Principles in a Religious System Consider the following rationale for why stealing is morally wrong:

Stealing is wrong because it offends God or because it violates one of God’s Ten Commandments.

Here the “moral wrongness” in the act of stealing is grounded in religion; stealing, in the Judeo-Christian tradition, is explicitly forbidden by one of the Ten Commandments. From the point of view of these particular institutionalized religions, then, stealing is wrong because it offends God or because it violates the commands of a divine authority. Furthermore, Christians generally believe that those who steal will be punished in the next life even if they are not caught and punished for their sins in the present life.

One difficulty in applying this rationale in the United States is that American society is pluralistic. While the United States was once a relatively homogeneous culture with roots in the Judeo-Christian tradition, American culture has in recent years become increasingly heterogeneous. So people with different religious beliefs, or with no religious beliefs at all, can disagree with those whose moral beliefs are grounded solely on religious convictions that are Judeo-Christian based. Because of these differences, many argue that we need to ground the rules and principles of a moral system on criteria other than those provided by any particular organized religion. Some suggest that civil law can provide the foundation needed for a moral system to work.

Approach #2: Grounding Moral Principles in a Legal System An alternative rationale to the one proposed in the preceding section is as follows:

Stealing is wrong because it violates the law.

One advantage of using law instead of religion as the ground for determining why stealing is wrong is that it eliminates certain kinds of disputes between religious and nonreligious persons and groups. If stealing violates the law of a particular jurisdiction, then the act of stealing can be declared wrong independent of any religious beliefs or disbeliefs—Christian, Muslim, or even agnostic or atheist. And since legal enforcement of rules can be carried out independent of religious beliefs, there is a pragmatic advantage to grounding moral principles (and their corresponding rules) in law rather than in religion: those breaking a civil law can be punished, for example, by either a fine or imprisonment, or both.

But laws are not uniform across political boundaries: Laws vary from nation to nation and state to state within a given nation. In the United States, the unauthorized copying and distribution of proprietary software is explicitly illegal. However, in certain Asian countries, the practice of copying proprietary software is not considered criminal (or even if it is technically viewed as a crime, actual cases of piracy may not be criminally prosecuted). So there can be a diversity of legal systems just as there is a diversity of religious systems.

Perhaps a more serious flaw in using a legal approach is that history has shown that certain laws, although widely accepted, institutionalized, and practiced within a society, have nonetheless been morally wrong. For example, slavery was legally valid in the United States until 1865. And in South Africa, apartheid was legally valid until 1991. So if we attempt to ground moral principles in law, we are still faced with serious challenges. Also, we can ask whether it is possible, or even desirable, to institutionalize morality such that we require specific laws for every possible moral issue?

Approach #3: Grounding Moral Principles in a Philosophical System of Ethics A third way to approach the problem of how to ground moral systems is to say:

Stealing is wrong because it is wrong.

Notice what this statement implies. The moral rightness or wrongness of stealing is not grounded in any external authority, theological or legal. So regardless of whether God condemns stealing or whether stealing violates existing civil laws, stealing is held to be wrong in itself. On what grounds can such a claim be made? Many philosophers and ethicists argue that reason alone is sufficient to show that stealing is wrong—reason informs us that there is something either in the very act of stealing or in the consequences of the act that makes stealing morally wrong.

In the case of both religion and law, sanctions in the form of punishments can be applied to deter individuals from stealing. In the first case, punishment for immoral behavior is relegated to the afterlife. And in the second case, punishment can be meted out here and now. In the case of philosophical ethics, sanctions take the form of social disapprobation (disapproval) and, possibly, social ostracism, but there is no punishment in a formal sense.

According to the system of philosophical ethics, stealing is morally wrong by criteria that reason alone is sufficient to determine. Of course, we need to specify what these criteria are; we will do this in Sections 2.4–2.7, where we discuss four kinds of ethical theories.

The Method of Philosophical Ethics: Logical Argumentation and Ethical Theory

In Chapter 1, we briefly described the philosophical method and saw how it could be used to analyze cyberethics issues. We also saw that the method philosophers use to analyze moral issues is normative, in contrast to the descriptive method that is used by many social scientists. We saw that sociological and anthropological studies are descriptive because they describe or report how people in various cultures and groups behave with respect to the rules of a moral system. For example, a sociologist might report that people who live in nations along the Pacific Rim believe that it is morally permissible to make copies of proprietary software for personal use. However, it is one thing simply to report or describe what the members of a particular culture believe about a practice such as duplicating proprietary software, and it is something altogether different to say that people ought to be permitted to make copies of that proprietary material. When we inquire into moral issues from the latter perspective, we engage in a normative investigation.

We have seen that normative analyses of morality can involve religion and law as well as philosophy. We have also seen, however, that what separates philosophy from the other two perspectives of normative analysis is the methodology used to study the moral

issues. To approach these issues from the perspective of philosophical ethics is, in effect, to engage in a philosophical study of morality.

If you are taking a course in ethics for the first time, you might wonder what is meant by the phrase “philosophical study.” We have already described what is meant by a descriptive study, which is essentially a type of scientific study. Philosophical studies and scientific studies are similar in that they both require that a consistent methodological scheme be used to verify hypotheses and theories; and these verification schemes must satisfy the criteria of rationality and impartiality. But philosophical studies differ from scientific studies in one important respect: Whereas scientists typically conduct experiments in a laboratory to confirm or refute one or more hypotheses, philosophers do not have a physical laboratory to test ethical theories and claims. Instead, philosophers confirm or reject the plausibility of the evidence for a certain claim or thesis via the rules of logical argumentation (which we will examine in Chapter 3); these rules are both rational and impartial. Another important feature that distinguishes a philosophical study of morality from other kinds of normative investigation into morality is the use of ethical theory in the analysis and deliberation of the issues.

Ethicists vs. Moralists

We note that ethicists who study morality from the perspective of philosophical methodology, and who thus appeal to logical arguments to justify claims and positions involving morality, are very different from moralists. Moralists often claim to have all of the answers regarding moral questions and issues. Many moralists have been described as “preachy” and “judgmental.” And some moralists may have a particular moral agenda to advance. Ethicists, on the other hand, use the philosophical method in analyzing and attempting to resolve moral issues; they must remain open to different sides of a dispute, and their primary focus is on the study of morality and the application of moral theories. As such, they approach moral issues and controversies by way of standards that are both rational (based on logic) and impartial (open to others to verify). We also examine some of these important distinctions in our analysis of key differences between moral absolutism and moral objectivism, later in this chapter.

► 2.2 DISCUSSION STOPPERS AS ROADBLOCKS TO MORAL DISCOURSE

We have suggested that impartial and objective standards, such as those provided by ethical theory and the rules of logical argumentation, can be used in our analysis of moral issues. However, many people might be surprised that tests and standards of any kind can be applied to disputes about morality and moral issues. So before beginning our examination of the ethical theory, perhaps we should first acknowledge and try to address some concerns that many people frequently encounter when either they willingly engage in, or find themselves involuntarily drawn into, discussions involving moral issues. We will see why these concerns are often based on some conceptual confusions about the nature of morality itself.

Have you ever been engaged in a serious conversation about a moral issue when, all of a sudden, one party in the discussion interjects with a remark to the effect, “But who’s to say what is right or wrong anyway?” Or perhaps someone might interject, “Who are we

to impose our values and ideas on others?” Such clichés are just two examples of the kinds of simplistic or nonreflective questions that we are likely to hear in discussions involving moral issues. I call remarks of this type “discussion stoppers” because often they close down prematurely what otherwise might be a useful discussion. These stoppers can take many different forms, and some are more common than others, but we can analyze them in terms of four distinct questions:

1. People disagree about morality, so how can we reach an agreement on moral issues?
2. Who am I/who are we to judge others and to impose my/our values on them?
3. Isn't morality simply a private matter?
4. Isn't morality simply a matter that different cultures and groups should determine for themselves?

2.2.1 Discussion Stopper #1: People Disagree on Solutions to Moral Issues

Because different people often have different beliefs as to the correct answer to many moral questions, some infer that there is no hope of reaching any kind of agreement on answers to *any* moral question. And from this inference, some conclude that any meaningful discourse about morality is impossible. Three crucial points that people who draw these and similar inferences about morality fail to recognize, however, are as follows:

- I. Experts in other fields of study, such as science and mathematics, also disagree as to the correct answers to certain questions.
- II. There is common agreement as to answers to some moral questions.
- III. People do not always distinguish between disagreements about general principles and disagreements about factual matters in disputes involving morality.

We briefly examine each of these points.

Experts in Many Fields Disagree on Fundamental Issues

First, we should note that morality is not the only area in which intelligent people have disagreements. Scientists and mathematicians disagree among themselves about core issues in their disciplines, yet we do not dismiss the possibility of meaningful discourse in science and mathematics merely because there is some disagreement among experts in those fields. Consider also that computer scientists disagree among themselves whether open source code is better than proprietary code, whether Linux is a better operating system than Windows 7, or whether C++ is a better programming language than Java.

One example of how natural scientists can disagree among themselves is apparent in the classic and contemporary debate in physics regarding the nature of light. Some physicists argue that light is ultimately composed of particles, whereas others claim that light is essentially composed of waves. Because physicists can disagree with each other, should we conclude that physics itself must be a totally arbitrary enterprise? Or, alternatively, is it not possible that certain kinds of disagreements among scientists might indeed be healthy for science? The debate about the nature of light has actually contributed to moving the field of physics forward in ways that it otherwise might not

progress. In this sense, then, a certain level of disagreement and dispute among scientists is a positive and constructive function in the overall enterprise of scientific discovery. Similarly, why not assume that certain kinds of disagreements in ethics—that is, those that are based on points aimed at achieving constructive resolutions—actually contribute to progress in the field of ethics?

Also note that disagreement exists among contemporary mathematicians as to whether or not numbers are constructed (as opposed to having an independent existence). Because mathematicians disagree about the truth of certain claims pertaining to foundational issues in mathematics, does it follow that the field of mathematics itself is arbitrary? Does it also follow that we should give up any hope of eventually reaching an agreement about basic truths in mathematics? And should we dismiss as arbitrary the theories of mathematics as well as the theories of physics, simply because there is some level of disagreement among scholars in both academic fields? Would it be reasonable to do so? If not, then why should one dismiss ethics merely because there is some disagreement among ethicists and among ordinary persons as to the correct answers to some moral issues?

Note that certain conditions (parameters, rules, etc.) must be satisfied in order for a particular claim or a particular theory to qualify as acceptable in debates among scientists and among mathematicians. We will see that certain rules and parameters must also be satisfied in order for a particular claim or theory to qualify as acceptable in debates among ethicists. Just as there are claims and theories in physics and in mathematics that are not considered plausible by the scientific and mathematical communities, similarly, not every claim or theory involving morality is considered reasonable by ethicists. Like mathematicians and scientists, ethicists continue to disagree with one another; for example, they will likely continue to debate about which ethical theories should be applied in the case of cloning and genomic research. But like scientists and mathematicians, ethicists will continue to work within the constraints of certain acceptable rules and parameters in advancing their various theories.

Common Agreement on Some Moral Issues

We can now turn to our second point: People have demonstrated considerable agreement on answers to some moral questions, at least with respect to moral principles. We might be inclined to overlook the significant level of agreement regarding ethical principles, however, because, as Gert (2005, 2007) notes, we tend to associate moral issues with highly controversial concerns such as the death penalty, euthanasia, abortion, and cloning, all involving life and death decisions. We tend to forget that there are also many basic moral principles on which we do agree; for instance, nearly everyone believes that people should tell the truth, keep promises, respect their parents, and refrain from activities involving stealing and cheating. And most people agree that “Murder is wrong.” It would be prudent for us to pay closer attention to our beliefs regarding these core moral principles in order to find out why there is such agreement.

So if we agree on many basic moral principles, such as our commonly held beliefs that murder is wrong and stealing is wrong, then why do many people also believe that disputes about moral issues are impossible to resolve? Beliefs and assumptions regarding morality may be based on certain conceptual confusions, and one source of confusion may be our failure to distinguish between the alleged factual matters and the general principles that constitute moral issues. This brings us to our third point.

Disagreements about Principles vs. Disagreements about Facts

Richard De George (1999) has pointed out that in analyzing moral issues we need to be very careful in distinguishing our disagreements about moral principles from our disagreements about certain facts, or empirical data, associated with a particular moral issue. For example, in the current debate over intellectual property rights in cyberspace, the dispute is not so much about whether we should accept the moral principle that stealing is wrong, for parties on both sides of the debate would acknowledge that stealing is indeed morally wrong. What they disagree about is whether an activity that involves either the unauthorized copying of proprietary software or the unauthorized exchange of proprietary information over a computer network is itself a form of stealing. In other words, the debate is not about a moral principle, but rather has to do with certain empirical matters, or factual claims.

Recall our discussion of the original Napster controversy in Chapter 1. It might turn out that this particular controversy is not a moral dispute but rather a debate over factual claims. And once the factual questions are resolved, the Napster controversy might be understood as one that is, at bottom, nonmoral in nature. Being able to recognize these distinctions will help us to eliminate some of the confusion surrounding issues that initially are perceived to be moral but ultimately may turn out to be nonmoral, or descriptive.

2.2.2 Discussion Stopper #2: Who Am I to Judge Others?

People are often uncomfortable with the prospect of having to evaluate the moral beliefs and practices of others. We generally feel that it is appropriate to *describe* the different moral beliefs that others have but that it is inappropriate to make *judgments* about the moral beliefs held by others. This assumption is problematic at two levels: First, as a matter of descriptive fact, we constantly judge others in the sense that we make certain evaluations about them. And second, from a normative perspective, in certain cases we *should* make judgments (evaluations) about the beliefs and actions of others. We briefly examine both points.

Persons Making Judgments vs. Persons Being Judgmental

First, we need to make an important distinction between “making a judgment” about someone or something and “being a judgmental person.” Because someone makes a judgment, or evaluation, about X, it does not follow that he or she is also necessarily being a judgmental person. For example, a person can make the judgment “Linux is a better operating system than Vista” and yet not be a judgmental person. One can also judge that “Mary is a better computer programmer than Harry” without necessarily being judgmental about either Mary or Harry. Being judgmental is a behavioral trait is sometimes exhibited by those who are strongly opinionated or who tend to speak disparagingly of anyone who holds a position on some topic that is different from their own. “Judging” in the sense of evaluating something, however, does not require that the person making the judgment be a judgmental person.

We routinely judge, or evaluate, others. We judge others whenever we decide whom we will pursue as friends, as lovers, or as colleagues. Judging is an integral part of social interaction. Without judgment at this level, we would not be able to form close

friendships, which we distinguish from mere acquaintances. And it would be difficult for us to make meaningful decisions about where we wish to live, work, recreate, and so forth.

Judgments Involving Condemnations vs. Judgments Involving Evaluations

Why do we tend to be so uncomfortable with the notion of judging others? Part of our discomfort may have to do with how we currently understand the term “judge.” As we saw above, we need to be careful to separate the cognitive act of judging (i.e., making judgments about someone or something) from the behavioral trait of “being judgmental.” Consider the biblical injunction that instructs us to refrain from judging others in the sense of condemning them. In that sense of “judge” there would seem to be much wisdom in the biblical injunction.

However, there is also another sense of “judge” that means “evaluate,” which is something we are often required to do in our everyday lives. Consider some of the routine judgments, or evaluations, you make when deciding between competing options available to you in your day-to-day life. When you change jobs or purchase a house or an automobile, you make a judgment about which job, house, or automobile you believe is best for your purposes. When you chose the particular college or university that you are attending, you evaluated that particular institution relative to others.

There are also people employed in professions that require them to make judgments. For example, professional sporting associations employ referees and field judges who make decisions or judgments concerning controversial plays. Judges evaluate contest entries to determine which entries are better than others. Think, for example, about the judging that typically occurs in selecting the winning photographs in a camera club contest. Or consider that when a supervisor writes a performance review for an employee, she is making a judgment about the employee’s performance.

Are We Ever Required to Make Judgments about Others?

It could be argued that just because we happen to make judgments about others, it doesn’t necessarily follow that we ought to judge persons. However, there are certain occasions when we are not only justified in making judgments about others, but we are also morally obligated to do so. Consider, for instance, that in many societies an individual selects the person that he or she will marry, judging (evaluating) whether the person he or she is considering will be a suitable life-long partner in terms of plans, goals, aspirations, etc. In this case, failing to make such a judgment would be not only imprudent but also, arguably, immoral. It would be immoral because, in failing to make the appropriate judgments, one would not be granting his or her prospective spouse the kind of consideration that he or she deserves.

Next, consider an example involving child abuse. If you see an adult physically abusing a child in a public place by repeatedly kicking the child, can you not at least judge that the adult’s behavior is morally wrong even if you are uncomfortable with making a negative judgment about that particular adult?

Also consider a basic human-rights violation. If you witness members of a community being denied basic human rights, should you not judge that community’s practice as morally wrong? For example, if women in Afghanistan are denied education, medical treatment, and jobs solely on the grounds that they are women, is it wrong to make the

judgment that such practices, as well as the system that permits those practices, are immoral?

So it would seem that some serious confusions exist with respect to two distinct situations: (1) someone making a judgment about X, and (2) someone being a judgmental person. With that distinction in mind, we can avoid being judgmental and yet still make moral judgments when appropriate, and especially when we are obligated to do so.

2.2.3 Discussion Stopper #3: Morality Is Simply a Private Matter

Many people assume that morality is essentially personal in nature and must, therefore, be simply a private matter. Initially, such a view might seem reasonable, but it is actually both confused and problematic. In fact, “private morality” is essentially an oxymoron, or contradictory notion. For one thing, morality is a *public* phenomenon—recall our discussion of Gert’s account of morality as a “public system” in Section 2.1.1, where we saw that a moral system includes a set of public rules that apply to all of the members of that system. Thus morality cannot be reduced to something that is simply private or personal.

We have already seen that morality is a system of normative rules and standards whose content is studied by ethicists in the same way that mathematicians study the content of the field of mathematics. Would it make sense to speak of personal mathematics, personal chemistry, or personal biology? Such notions sound absurd because each discipline has a content area and a set of standards and criteria, all of which are open and available to all to examine. Since public rules make up the content of a moral system, which itself can be studied, we can reasonably ask how it would make sense to speak of private morality.

If morality were simply a private matter, then it would follow that a study of morality could be reduced to a series of descriptive reports about the personal preferences or personal tastes of individuals and groups. But is such an account of morality adequate? Are the moral choices that we make nothing more than mere personal choices? If you happen to prefer chocolate ice cream and I prefer vanilla, or if you prefer to own a laptop computer and I prefer to own a desktop computer, we will probably not choose to debate these preferences. You may have strong personal beliefs as to why chocolate ice cream is better than vanilla and why laptop computers are superior to desktop computers; however, you will most likely respect my preferences for vanilla ice cream and desktop computers, and, in turn, I will respect your preferences.

Do moral choices fit this same kind of model? Suppose you happen to believe that stealing is morally wrong, but I believe that stealing is okay (i.e., morally permissible). One day, I decide to steal your laptop computer. Do you have a right to complain? You would not, if morality is simply a private matter that reflects an individual’s personal choices. Your personal preference may be not to steal, whereas my personal preference is for stealing. If morality is grounded simply in terms of the preferences that individuals happen to have, then it would follow that stealing *is* morally permissible for me but *is not* for you. But why stop with stealing? What if I happen to believe that killing human beings is okay? So, you can probably see the dangerous implications for a system in which moral rules and standards are reducible to personal preferences and personal beliefs.

The view that morality is private and personal can quickly lead to a position that some ethicists describe as *moral subjectivism*. According to this position, what is morally

right or wrong can be determined by individuals themselves, so that morality would seem to be in the “eye of the beholder.” Moral subjectivism makes pointless any attempt to engage in meaningful ethical dialogue.

2.2.4 Discussion Stopper #4: Morality Is Simply a Matter for Individual Cultures to Decide

Some might assume that morality can best be understood not so much as a private or a personal matter but as something for individual cultures or specific groups to determine. According to this view, a moral system is dependent on, or relative to, a particular culture or group. Again, this view might initially seem quite reasonable; it is a position that many social scientists have found attractive. To understand some of the serious problems inherent in this position, it is useful to distinguish between *cultural relativism* and *moral relativism*.

Cultural Relativism

Cultures play a crucial role in the transmission of the values and principles that constitute a moral system. It is through culture that initial beliefs involving morality are transmitted to an individual. In this sense cultures provide their members with what ethicists often refer to as “customary morality,” or conventional morality, where one’s moral beliefs are typically nonreflective (or perhaps prereflective). For example, if asked whether you believe that acts such as pirating software or invading someone’s privacy are wrong, you might simply reply that both kinds of behavior are wrong because your society taught you that they are wrong. However, is it sufficient for one to believe that these actions are morally wrong merely *because* his or her culture says they are wrong? Imagine, for example, a culture in which the principle “Murder is wrong” is not transmitted to its members. Does it follow that murdering people would be morally permissible for the members of that culture?

The belief that morality is simply a matter for individual cultures to decide is widespread in our contemporary popular culture. This view is often referred to as *cultural relativism*, and at its base is the following assumption:

- A. Different cultures have different beliefs about what constitutes morally right and wrong behavior.

Note that this assumption is essentially descriptive in nature, because it makes no normative judgment about either the belief systems of cultures or the behavior of people in those cultures. Although it is generally accepted that different cultures have different conceptions about what is morally right and morally wrong behavior, this position has been challenged by some social scientists who argue that some of the reported differences between cultures have been greatly exaggerated. Other social scientists suggest that all cultures may possess some universal core moral values.⁵

However, let us assume that claim (A) is true and ask whether it logically implies (B).

- B. We should not morally evaluate the behavior of people in cultures other than our own (because different cultures have different belief systems about what constitutes morally right and wrong behavior).

Note that (B) is a different kind of claim than (A). Also note that to move from (A) to (B) is to move from cultural relativism to *moral relativism*.

Moral Relativism

What are the differences between the two forms of relativism? We saw that cultural relativism is essentially a descriptive thesis, merely reporting that people's moral beliefs vary from culture to culture. Moral relativism, on the contrary, is a normative thesis because it asserts that one *should not* make moral judgments about the behavior of people who live in cultures other than one's own. However, critics point out that if moral relativists are correct, then any kind of behavior can be morally acceptable—provided that such behavior is approved by the majority of people in a particular culture.

Critics also note that the moral relativist's reasoning is flawed. For example, they point out that sometimes it is appropriate for people to question certain kinds of behavioral practices, regardless of where those practices are carried out. Consider a specific case involving a practice in some cultures and tribes in West Africa, where a ritual of female circumcision is performed. Is it wrong for those living outside these cultures to question this practice from the perspective of morality or human rights? Although this practice has been a tradition for generations, some females living in tribes that still perform it on teenage girls have objected. Let us assume, however, that the majority of members of cultures that practice female circumcision approve it. Would it be inappropriate for those who lived outside of West Africa to question whether it is morally wrong to force some women to experience this ritual against their wishes? And if so, is it inappropriate (perhaps even morally wrong) to question the practice simply because the persons raising such questions are not members of the particular culture?

If we embrace that line of reasoning used by the moral relativist, does it follow that a culture can devise any moral scheme it wishes as long as the majority of its members approve it? If so, is moral relativism a plausible thesis? Perhaps the following scenario can help us to understand further the flawed reasoning in moral relativism.

▶ **SCENARIO 2–2:** The Perils of Moral Relativism

Two cultures, Culture A and Culture B, adjoin each other geographically. The members of Culture A are fairly peaceful people, tolerant of the diverse beliefs found in all other cultures. And they believe that all cultures should essentially mind their own business when it comes to matters involving morality. Those in Culture B, on the contrary, dislike and are hostile to those outside their culture. Culture B has recently developed a new computer system for delivering chemical weapons that it plans to use in military attacks on other cultures, including Culture A. Since Culture A subscribes to the view of moral relativism, and thus must respect the views of all cultures with regard to their systems of moral beliefs, can it condemn, in a logically consistent manner, Culture B's actions as immoral? ■

rBecause Culture A embraces moral relativism, it must be tolerant of all of Culture B's practices and actions, as it would in the case of all cultures. Furthermore, Culture A cannot condemn the actions of Culture B, since, in the relativist's view, moral judgments about Culture B can be made only by those who reside in that culture. So, Culture A cannot say that Culture B's actions are morally wrong.

Moral relativists can only say that Cultures A and B are different. They cannot say that one is better than another, or that the behavior in one is morally permissible while the other is morally impermissible. Consider that while the systems for treating Jews used by the Nazis and by the British in the 1940s were clearly different, moral relativists could not say, with any sense of logical consistency, that one system was morally superior to the other. In the same way, Culture B cannot be judged by Culture A to be engaging in morally wrong conduct even though Culture B wishes to destroy A and to kill all of its members. Perhaps you can see that there is a price to pay for being a moral relativist. Is that price worth paying?

Although moral relativism might initially seem attractive as an ethical position, we can now see why it is conceptually flawed. To debate moral issues, we need a conceptual and methodological framework that can provide us with impartial and objective criteria to guide us in our deliberations. Otherwise, ethical debate might quickly reduce to a shouting match in which those with the loudest voices or, perhaps worse yet, those with the “biggest sticks” win the day.

Moral Absolutism and Moral Objectivism

Why is moral relativism so attractive to so many people, despite its logical flaws? Pojman (2006) notes that many people tend to assume that if they reject moral relativism, they must automatically endorse some form of *moral absolutism*. But do they necessarily need to make an either/or choice here? Pojman and others believe that it is possible to hold a view called *ethical objectivism*, which is between the two extremes.⁶ Recall our earlier distinction between ethicists and moralists at the end of Section 2.2; the group that we identified there as moralists are similar to moral absolutists in that both believe they have all of the correct answers for every moral question. Whereas absolutists argue that there is only one uniquely correct answer to every moral question, moral relativists assume that there are no universally correct answers to any moral questions. Moral objectivists disagree with both positions; they disagree with absolutists by pointing out that there can be more than one acceptable answer to some moral questions, despite the fact that most cultures agree on the answers to many moral issues. For example, we saw that there is considerable agreement across cultures on principles such as “murder is morally wrong” and that “stealing is morally wrong.” However, objectivists also acknowledge that reasonable people can nonetheless disagree on what the correct answers are to some moral questions.

Objectivists also differ from relativists in at least one important respect. Relativists suggest that *any* answer to a moral question can be appropriate, as long as the majority in a culture hold that view. Objectivists such as Gert (2005, 2007) counter by arguing that even if there is no uniquely correct answer to every moral question, there are nonetheless many incorrect answers to some of these questions.⁷ To illustrate this point, consider an analogy involving a normative dispute that happens to be nonmoral in nature—viz., a debate about who was the greatest baseball player of all time. Reasonable people could disagree on the correct answer to this normative question. For example, some might argue that it was Babe Ruth or Hank Aaron; others could reasonably claim that it was Ty Cobb or Joe DiMaggio. All four answers are objectively plausible. But someone could not reasonably defend the claim that the best baseball player was Danny Ainge or Stan Papi, since those answers are clearly unacceptable (even if we, as individuals, happen to like these former baseball players). So, there are definitely some wrong answers to this normative question, and thus we cannot endorse the “anything goes” view of relativists in

defending a rational answer to the question concerning the greatest baseball player of all time. The rationale used in this scenario can be extended to the analysis of normative questions that are moral in nature.

We can now see how moral objectivism offers an alternative to the extreme views of moral relativism and moral absolutism. Unlike moral absolutism, objectivism allows for a plurality of plausible answers to some controversial moral questions, provided that certain rational criteria are satisfied. But unlike relativists, objectivists would not find every answer acceptable, because some answers would fall outside the criteria of (rationally defensible) moral behavior, in the same way that some answers fell outside the criteria for rationally acceptable answers to the normative question about the greatest baseball player. Because moral objectivism allows for the possibility that there may be more than one (rationally) acceptable answer to at least some moral questions, it is compatible with a view that some call “ethical pluralism” (Ess 2006). Although objectivism and pluralism do not entail moral relativism, they allow for multiple ethical theories—provided, of course, that those theories satisfy objective criteria. Because relativism fails to satisfy such criteria, however, it cannot be included in the list of “objective” ethical theories we will examine (such as utilitarianism, deontology, etc.) in the remaining sections of this chapter.

Fortunately, ethical theory can provide us with criteria for objectively analyzing moral issues so that we can avoid the problems of moral relativism without having to endorse moral absolutism. Before proceeding directly to our discussion of ethical theories, however, it would be useful to summarize some of the key points in our analysis of the four discussion stoppers. Table 2.2 summarizes these points.

TABLE 2.2 Summary of Logical Flaws in the Discussion Stoppers

Stopper #1	Stopper #2	Stopper #3	Stopper #4
<i>People disagree on solutions to moral issues.</i>	<i>Who am I to judge others?</i>	<i>Ethics is simply a private matter.</i>	<i>Morality is simply a matter for individual cultures to decide.</i>
1. Fails to recognize that experts in many areas disagree on key issues in their fields.	1. Fails to distinguish between the act of judging and being a judgmental person.	1. Fails to recognize that morality is essentially a public system.	1. Fails to distinguish between descriptive and normative claims about morality.
2. Fails to recognize that there are many moral issues on which people agree.	2. Fails to distinguish between judging as condemning and judging as evaluating.	2. Fails to note that personally based morality can cause major harm to others.	2. Assumes that people can never reach common agreement on some moral principles.
3. Fails to distinguish between disagreements about principles and disagreements about facts.	3. Fails to recognize that sometimes we are required to make judgments.	3. Confuses moral choices with individual or personal preferences.	3. Assumes that a system is moral because a majority in a culture decides it is moral.

► 2.3 WHY DO WE NEED ETHICAL THEORIES?

In our analysis of the four discussion stoppers, we saw some of the obstacles that we encounter when we debate moral issues. Fortunately, there are ethical theories that can guide us in our analysis of moral issues involving cybertechnology. But why do we need something as formal as ethical theory? An essential feature of theories in general is that they guide us in our investigations and analyses. Science uses theory to provide us with general principles and structures with which we can analyze our data. Ethical theory, like scientific theory, provides us with a framework for analyzing moral issues via a scheme that is internally coherent and consistent as well as comprehensive and systematic. To be coherent, a theory's individual elements must fit together to form a unified whole. To be consistent, a theory's component parts cannot contradict each other. To be comprehensive, a theory must be able to be applied broadly to a wide range of actions. And to be systematic, a theory cannot simply address individual symptoms peculiar to specific cases while ignoring general principles that would apply in similar cases.

Recall our brief analysis of the moral dilemma involving the runaway trolley (Scenario 2–1) in the opening section of this chapter. There we saw how easy it might be for a person to use two different, and seemingly inconsistent, forms of reasoning in resolving the dilemma, depending on whether that person was driving the trolley or merely observing it as a bystander on a bridge. Of course, we might be inclined to think that it is fine to flip-flop on moral decisions, since many people seem to do this much of the time. But philosophers and logicians in general, and ethicists in particular, point out many of the problems that can arise with inconsistent reasoning about moral issues.

Some critics, however, might be inclined to respond that philosophers and ethicists often dream up preposterous moral dilemmas, such as the trolley case, to complicate our decision-making process. Yet, the trolley scenario may not be as far-fetched as some critics might assume. Consider that classic dilemmas involving humans in general, and human drivers of vehicles in particular, will likely take on even more significance in the near future when human drivers of commercial vehicles are replaced by computer systems, which are typically referred to as “autonomous systems.” In fact, the transport systems connecting terminal buildings in some large airports are now operated by (“driverless”) autonomous systems. (In Chapter 12, we examine some specific challenges we will need to face as autonomous systems replace more and more humans who currently drive commercial vehicles.)

Next consider a slight variation or twist in Scenario 2–1. Imagine that a “driverless” trolley—i.e., a trolley being “driven” by an autonomous computer system—is in the same predicament as the one facing the human driver described in that scenario.⁸ If you were a software engineer or a member of the team developing the computer system designed to “drive” this trolley, what kind of “ethical-decision-making” instructions would you recommend be built into the autonomous system? Should the autonomous computer system be instructed (i.e., programmed) to reason in a way that it would likely reach a decision to “throw the switch” to save five humans who otherwise would die (as a result of the failed braking system), thus steering the trolley instead in a direction that will intentionally kill one human? In other words, should the “computerized driver” be embedded mainly (or perhaps even exclusively) with a programming code that would influence (what we earlier called) consequentialist- or utilitarian-like moral-decision making? Alternatively, should programming code that would support non-consequentialist decision-making

considerations also be built into this autonomous system. We postpone our analysis of these kinds of questions (involving “machine ethics”) until Chapter 12; for now, we focus on challenges that ordinary humans have in determining how to apply ethical theories in their deliberations.

Next imagine that as a result of an accident (involving a runaway trolley), five people are rushed to the hospital. Each patient, whose condition is “critical,” is in need of a vital human organ to live, and there is not sufficient time to get these organs from a transplant-donor bank located outside the hospital. Also, the hospital happens to be understaffed with surgeons at the time the accident victims are admitted to the emergency ward. So a medical physician (Dr. Smith) on duty at the hospital, who is administering a post-surgery physical exam to a patient in one room, is suddenly called into the emergency room. Dr. Smith determines that one patient needs a heart, and another a kidney; a third patient needs a liver; a fourth, a pancreas; and a fifth, a pair of lungs. Smith also determines that unless the victims receive the organ transplants immediately, each will die. Then it suddenly occurs to Dr. Smith that the hospital patient on whom he had been conducting the physical exam is in excellent health. If the healthy patient’s organs were removed and immediately given to each accident victim, all five would live. Of course, the healthy patient would die as a result. But the net effect would be that four more humans would live. What should Smith do in this case? What would you do if you were in the doctor’s shoes?

As you have probably determined at this point, it is helpful to have in place a systematic, comprehensive, coherent, and consistent set of principle or rules to guide us in our moral decisions. To that end, various kinds of ethical theories have been developed. We next examine four standard types of ethical theories: consequence-based, duty-based, contract-based, and character-based.

► 2.4 CONSEQUENCE-BASED ETHICAL THEORIES

Some have argued that the primary goal of a moral system is to produce desirable consequences or outcomes for its members. For these ethicists, the consequences (i.e., the ends achieved) of actions and policies provide the ultimate standard against which moral decisions must be evaluated. So if one must choose between two courses of action—that is, either “Act A” or “Act B”—the morally correct action will be the one that produces the most desirable outcome. Of course, we can further ask the question, “Whose outcome” (i.e., “the most desirable outcome for whom”)? Utilitarians argue that the outcome or consequences for the greatest number of individuals, or the majority, in a given society is paramount in moral deliberation. According to the utilitarian theory,

An individual act (X) or a social policy (Y) is morally permissible if the consequences that result from (X) or (Y) produce the greatest amount of good for the greatest number of persons affected by the act or policy.

Utilitarians stress the “social utility” or social usefulness of particular actions and policies by focusing on the consequences that result from those actions and policies. Jeremy Bentham (1748–1832), who was among the first philosophers to formulate utilitarian ethical theory in a systematic manner, defended this theory via two claims:

- I. Social utility is superior to alternative criteria for evaluating moral systems.
- II. Social utility can be measured by the amount of happiness produced.

According to (I), the moral value of actions and policies ought to be measured in terms of their social usefulness (rather than via abstract criteria such as individual rights or social justice). The more utility that specific actions and policies have, the more they can be defended as morally permissible actions and policies. In other words, if Policy Y encourages the development of a certain kind of computer software, which in turn would produce more jobs and higher incomes for those living in Community X, then Policy Y would be considered more socially useful and thus the morally correct policy. But how do we measure overall social utility? That is, which criterion can we use to determine the social usefulness of an act or a policy? The answer to this question can be found in (II), which has to do with happiness.

Bentham argued that nature has placed us under two masters, or sovereigns: pleasure and pain. We naturally desire to avoid pain and to seek pleasure or happiness. However, Bentham believed that it is not the maximization of individual pleasure or happiness that is important, but rather generating the greatest amount of happiness for society in general. Since it is assumed that all humans, as individuals, desire happiness, it would follow on utilitarian grounds that those actions and policies that generate the most happiness for the most people are most desirable. Of course, this reasoning assumes:

- a. All people desire happiness.
- b. Happiness is an intrinsic good that is desired for its own sake.

We can ask utilitarians what proof they have for either (a) or (b). John Stuart Mill (1806–1873) offered the following argument for (a):

The only possible proof showing that something is audible is that people actually hear it; the only possible proof that something is visible is that people actually see it; and the only possible proof that something is desirable is that people actually desire it.

From the fact that people desire happiness, Mill inferred that promoting happiness ought to be the criterion for justifying a moral system. Unlike other goods that humans desire as means to one or more ends, Mill argued that people desire happiness for its own sake. Thus, he concluded that happiness is an intrinsic good. (Recall our earlier discussion of intrinsic values in Section 2.1.2.)

You might consider applying Mill's line of reasoning to some of your own goals and desires. For example, if someone asked why you are taking a particular college course (such as a course in cyberethics), you might respond that you need to satisfy three credit hours of course work in your major field of study or in your general education requirements. If you were then asked why you need to satisfy those credit hours, you might respond that you would like to earn a college degree. If next someone asks you why you wish to graduate from college, you might reply that you wish to get a good-paying job. If you are then asked why you want a good-paying job, your response might be that you wish to purchase a home and that you would like to be able to save some money. If asked why again, you might reply that saving money would contribute to your long-term financial and emotional security. And if further asked why you want to be financially and emotionally secure, you might respond that ultimately you want to be happy. So, following this line of reasoning, utilitarians conclude that happiness is an intrinsic good—that is, something that is good in and of itself, for its own sake, and not merely a means to some further end or ends.

2.4.1 Act Utilitarianism

We noted above that utilitarians look at the expected outcomes or consequences of an act to determine whether or not that act is morally permissible. However, some critics point out that because utilitarianism tends to focus simply on the roles that individual acts and policies play in producing the overall social good (the greatest good for the greatest number), it is conceptually flawed. Consider a hypothetical scenario in which a new controversial policy is being debated.

► **SCENARIO 2-3:** A Controversial Policy in Newmerica

A policy is under consideration in a legislative body in the nation of Newmerica, where 1% of the population would be forced to work as slaves in a manufacturing facility to produce computer chips. Proponents of this policy argue that, if enacted into law, it would result in lower prices for electronic devices for consumers in Newmerica. They argue that it would also likely result in more overall happiness for the nation's citizens because the remaining 99% of the population, who are not enslaved, would be able to purchase electronic devices and other computer-based products at a much lower price. Hence, 99% of Newmerica's population benefit at the expense of the remaining 1%. This policy clearly seems consistent with the principle of producing the greatest good for the greatest number of Newmerica's population, but should it be enacted into law? ■

The above scenario illustrates a major flaw in at least one version of utilitarianism, viz., *act utilitarianism*. According to act utilitarians,

An act, X, is morally permissible if the consequences produced by doing X result in the greatest good for the greatest number of persons affected by Act X.

All things being equal, actions that produce the greatest good (happiness) for the greatest number of people seem desirable. However, policies and practices based solely on this principle can also have significant negative implications for those who are not in the majority (i.e., the greatest number). Consider the plight of the unfortunate few who are enslaved in the computer chip-processing plant in the above scenario. Because of the possibility that such bizarre cases could occur, some critics who embrace the goals of utilitarianism in general reject act utilitarianism.

Critics who reject the emphasis on the consequences of individual acts point out that in our day-to-day activities we tend not to deliberate on each individual action as if that action were unique. Rather, we are inclined to deliberate on the basis of certain principles or general rules that guide our behavior. For example, consider some principles that may guide your behavior as a consumer. Each time that you enter a computer store, do you ask yourself, "Shall I steal this particular software game in this particular store at this particular time?" Or have you already formulated certain general principles that guide your individual actions, such as: it is never morally permissible to steal? In the latter case, you are operating at the level of a rule or principle rather than deliberating at the level of individual actions.

2.4.2 Rule Utilitarianism

Some utilitarians argue that the consequences that result from following *rules* or principles, not the consequences of individual acts, ultimately matter in determining

whether or not a certain practice is morally permissible. This version of utilitarian theory, called *rule utilitarianism*, can be formulated in the following way:

An act, X, is morally permissible if the consequences of following the general *rule*, Y, of which act X is an instance, would bring about the greatest good for the greatest number.

Note that here we are looking at the consequences that result from following certain kinds of rules as opposed to consequences resulting from performing individual acts. Rule utilitarianism eliminates as morally permissible those cases in which 1% of the population is enslaved so that the majority (the remaining 99%) can prosper. Rule utilitarians believe that policies that permit the unjust exploitation of the minority by the majority will also likely have overall negative social consequences and thus will not be consistent with the principal criterion of utilitarian ethical theory.

How would a rule utilitarian reason in the case of the trolley accident involving five victims (described in the preceding section) each of whom needs an organ transplant to survive? For an (extreme) act utilitarian, the decision might be quite simple: remove the five organs from the one healthy patient (even though he will die) so that five humans who otherwise would die could now live. But would a rule utilitarian see this particular action as justifiable on rule-utilitarian grounds—i.e., could it form the basis for an acceptable policy (in general) for hospitals and medical facilities?

Imagine a society in which it is possible for a person to report to a medical center for a routine physical exam only to discover that his or her vital organs could be removed in order to save a greater number of people. Would anyone be willing to submit to a routine physical exam in such a society? Of course, a rule utilitarian could easily reject such a practice on the following grounds: Policies that can intentionally cause the death of an innocent individual ought not to be allowed, even if the net result of following such policies meant that more human lives would be saved. For one thing, such a policy would seem unfair to all who are adversely affected. But perhaps more importantly from a rule utilitarian's perspective, adopting such a policy would not result in the greatest good for society.

Rule utilitarianism would seem to be a more plausible ethical theory than act utilitarianism. However, some critics reject all versions of utilitarianism because they believe that no matter how this theory is expressed, utilitarianism is fundamentally flawed. These critics tend to attack one or both of the following aspects of utilitarian theory:

- I. Morality is basically tied to the production of happiness or pleasure.
- II. Morality can ultimately be decided by consequences (of either acts or policies).

Critics of utilitarianism argue that morality can be grounded neither in consequences nor in happiness. Hence, they argue that some alternative criterion or standard is needed.

► 2.5 DUTY-BASED ETHICAL THEORIES

Immanuel Kant (1724–1804) argued that morality must ultimately be grounded in the concept of duty, or obligations that humans have to one another, and never in the consequences of human actions. As such, morality has nothing to do with the promotion of happiness or the achievement of desirable consequences. Thus Kant rejects utilitarianism

in particular, and all consequentialist ethical theories in general. He points out that, in some instances, performing our duties may result in our being unhappy and may not necessarily lead to consequences that are considered desirable. Theories in which the notion of duty, or obligation, serves as the foundation for morality are called *deontological* theories because they derive their meaning from the Greek root *deon*, which means duty. How can a deontological theory avoid the problems that plague consequentialist theories such as utilitarianism? Kant provides two answers to this question, one based on our nature as rational creatures, and the other based on the notion that human beings are ends-in-themselves. We briefly consider each of Kant's arguments.

What does Kant mean when he says that humans have a rational nature? Kant argues that what separates us from other kinds of creatures, and what binds us morally, is our rational capacity. Unlike animals who may be motivated only by sensory pleasure, humans have the ability to reason and deliberate. So Kant reasons that if our primary nature were such that we merely seek happiness or pleasure, as utilitarians suggest, then we would not be distinguishable from other creatures in morally relevant ways. But because we have a rational capacity, we are able to reflect upon situations and make moral choices in a way that other kinds of (nonrational) creatures cannot. Kant argues that our rational nature reveals to us that we have certain duties or obligations to each other as "rational beings" in a moral community.

We can next examine Kant's second argument, which concerns the roles of human beings as ends-in-themselves. We have seen that in focusing on criteria involving the happiness of the majority, utilitarians allow, even if unintentionally, that the interests and well-being of some humans can be sacrificed for the ends of the greatest number. Kant argues that a genuinely moral system would never permit some humans to be treated simply as means to the ends of others. He also believes that if we are willing to use a standard based on consequences (such as social utility) to ground our moral system, then that system will ultimately fail to be a moral system. Kant argues that each individual, regardless of his or her wealth, intelligence, privilege, or circumstance, has the same moral worth. From this, Kant infers that each individual is an end in him- or herself and, therefore, should never be treated merely as a means to some end. Thus we have a duty to treat fellow humans as ends.

2.5.1 Rule Deontology

Is there a rule or principle that can be used in an objective and impartial way to determine the basis for our moral obligations? For Kant, there is such a standard or objective test, which can be formulated in a principle that he calls the *categorical imperative*. Kant's imperative has a number of variations, and we will briefly examine two of them. One variation of his imperative directs us to

Act always on that maxim or principle (or rule) that ensures that all individuals will be treated as ends-in-themselves and never merely as a means to an end.

Another variation of the categorical imperative can be expressed in the following way:

Act always on that maxim or principle (or rule) that can be universally binding, without exception, for all human beings.⁹

Kant believed that if everyone followed the categorical imperative, we would have a genuinely moral system. It would be a system based on two essential principles: universality and impartiality. In such a system, every individual would be treated fairly since the same rules would apply universally to all persons. And because Kant's imperative observes the principle of impartiality, it does not allow for one individual or group to be privileged or favored over another. In other words, if it is morally wrong for you to engage in a certain action, then it is also morally wrong for all persons like you—that is, all rational creatures (or moral agents)—to engage in that action. And if you are obligated to perform a certain action, then every moral agent is likewise obligated to perform that action. To illustrate Kant's points about the role that universal principles play in a moral system, consider the following scenario.

► **SCENARIO 2–4: Making an Exception for Oneself**

Bill, a student at Technical University, approaches his philosophy instructor, Professor Kanting, after class one day to turn in a paper that is past due. Professor Kanting informs Bill that since the paper is late, he is not sure that he will accept it. But Bill replies to Professor Kanting in a way that suggests that he is actually doing his professor a favor by turning in the paper late. Bill reasons that if he had turned in the paper when it was due, Professor Kanting would have been swamped with papers. Now, however, Kanting will be able to read Bill's paper in a much more leisurely manner, without having the stress of so many papers to grade at once. Professor Kanting then tells Bill that he appreciates his concern about his professor's well being, but he asks Bill to reflect a bit on his rationale in this incident. Specifically, Kanting asks Bill to imagine a case in which all of the students in his class, fearing that their professor would be overwhelmed with papers arriving at the same time, decided to turn their papers in one week late. ■

On deontological grounds, Bill can only make an exception for himself if everyone else (in this case, every other student in Bill's class) had the right to make exceptions for him- or herself as well. But if everyone did that, then what would happen to the very notion of following rules in a society? Kant believed that if everyone decided that he or she could make an exception for him- or herself whenever it was convenient to do so, we couldn't even have practices such as promise keeping and truth telling. For those practices to work, they must be universalizable (i.e., apply to all persons equally) and impartial. When we make exceptions for ourselves, we violate the principle of impartiality, and we treat others as means to our ends.

In Kant's deontological scheme, we do not consider the potential consequences of a certain action or of a certain rule to determine whether that act is morally permissible. Rather, the objective rule to be followed—that is, the litmus test for determining when an action will have moral worth—is whether the act complies with the categorical imperative.

For a deontologist such as Kant, enslaving humans would always be immoral, regardless of whether the practice of having slaves might result in greater social utility for the majority (e.g., being able to purchase consumer products at a lower price) than the practice of not allowing slavery. The practice of slavery is immoral, not because it might have negative social consequences in the long term, but because

- a. it allows some humans to be used only as a means to an end; and
- b. a practice such as slavery could not be consistently applied in an objective, impartial, and universally binding way.

Kant would ask, for example, whether we could consistently impose a universal maxim that would allow slavery. He believed that we could not consistently (in a logically coherent sense) formulate such a principle that would apply to all humans, unless we also were willing to be subject to slavery. If we allow for the practice that some individuals can be enslaved but not others, then we would be allowing for exceptions to the moral rule. We would also allow some individuals to be used merely as a means to the ends of others rather than having a system in which all humans are treated as ends-in-themselves.

Although Kant's version of deontological ethics avoids many of the difficulties of utilitarianism, it, too, has been criticized as an inadequate ethical theory. Critics point out, for example, that even if Kant's categorical imperative provides us with the ultimate test for determining when some particular course of action is our duty, it will not help us in cases where we have two or more conflicting duties. Consider that, in Kant's system, we have duties both to keep promises and tell the truth. Thus, acts such as telling a lie or breaking a promise can never be morally permissible. However, Kant's critics point out that sometimes we encounter situations in which we are required *either* to tell the truth and break a promise *or* to keep a promise and tell a lie. In these cases, we encounter genuine moral dilemmas. Kant's deontological theory does not provide us with a mechanism for resolving such conflicts.

2.5.2 Act Deontology

Although Kant's version of deontology has at least one significant flaw, some philosophers believe that a deontological account of morality is nonetheless the correct kind of ethical theory. They also believe that a deontological ethical theory can be formulated in a way that avoids the charges of Kant's critics. One attempt at reformulating this theory was made by David Ross (1930). Ross rejects utilitarianism for many of the same reasons that Kant does. However, Ross also believes that Kant's version of deontology is not fully adequate.

Ross argues that when two or more moral duties clash, we have to look at individual situations in order to determine which duty will override another. Like act utilitarians, then, Ross stresses the importance of analyzing individual situations to determine the morally appropriate course of action to take. Unlike utilitarians, however, Ross believes that we must not consider the consequences of those actions in deliberating over which course of action morally trumps, or outweighs, another. Like Kant, Ross believes that the notion of duty is the ultimate criterion for determining morality. But unlike Kant, Ross does not believe that blind adherence to certain maxims or rules can work in every case for determining which duties we must ultimately carry out.

Ross believes that we have certain *prima facie* (or self-evident) *duties*, which, all things being equal, we must follow. He provides a list of *prima facie* duties such as honesty, benevolence, justice, and so forth. For example, each of us has a *prima facie* duty not to lie and a *prima facie* duty to keep a promise. And if there are no conflicts in a given situation, then each *prima facie* duty is also what he calls an *actual duty*. But how are we to determine what our actual duty is in situations where two or more *prima facie* duties conflict with one another? Ross believes that our ability to determine what our actual duty will be in a particular situation is made possible through a process of "rational intuitionism" (similar to the one used in mathematics).¹⁰

We saw that for Kant, every *prima facie* duty is, in effect, an absolute duty because it applies to every human being without exception. We also saw that Kant's scheme does not provide a procedure for deciding what we should do when two or more duties conflict. However, Ross believes that we can determine what our overriding duty is in such situations by using a deliberative process that requires two steps:

- a. Reflect on the competing *prima facie* duties.
- b. Weigh the evidence at hand to determine which course of action would be required in a particular circumstance.

The following scenario illustrates how Ross's procedure can be carried out.

► **SCENARIO 2-5: A Dilemma Involving Conflicting Duties**

You promise to meet a classmate one evening at 7:00 in the college library to study together for a midterm exam for a computer science course you are taking. While driving in your car to the library, you receive a call on your cell phone informing you that your grandmother has been taken to the hospital and that you should go immediately to the hospital. You consider calling your classmate from your car, but you realize that you don't have his phone number. You also realize that you don't have time to try to reach your classmate by e-mail. What should you do in this case? ■

All things being equal, you have a moral obligation to keep your promise to your friend. You also have a moral obligation to visit your grandmother in the hospital. On both counts, Kant and Ross are in agreement. But what should we do when the two obligations conflict? For a rule deontologist like Kant, the answer is unclear as to what you should do in this scenario, since you have two absolute duties. For Ross, however, the following procedure for deliberation is used. You would have to weigh between the two *prima facie* duties in question to determine which will be your actual duty in this particular circumstance. In weighing between the two conflicting duties, your actual duty in this situation would be to visit your grandmother, which means, of course, that you would have to break your promise to your friend. However, in a different kind of situation involving a conflict of the same two duties, your actual duty might be to keep the promise made to your friend and not visit your grandmother in the hospital.

Notice that in cases of weighing between conflicting duties, Ross places the emphasis of deliberation on certain aspects of the particular situation or context, rather than on mere deliberation about the general rules themselves. Unlike utilitarians, however, Ross does not appeal to the consequences of either actions or rules in determining whether a particular course of action is morally acceptable. For one thing, Ross argues that he would have to be omniscient to know what consequences would result from his actions. So, like all deontologists, Ross rejects the criteria of consequences as a viable one for resolving ethical dilemmas.

One difficulty for Ross's position is that, as noted above, it uses a process called "rational intuitionism." Appealing to the intuitive process used in mathematics to justify certain basic mathematical concepts and axioms, Ross believes that the same process can be used in morality. However, his position on moral intuitionism is controversial and has not been widely accepted by contemporary ethicists. And since intuitionism is an important component in Ross's theory of act deontology, many ethicists who otherwise

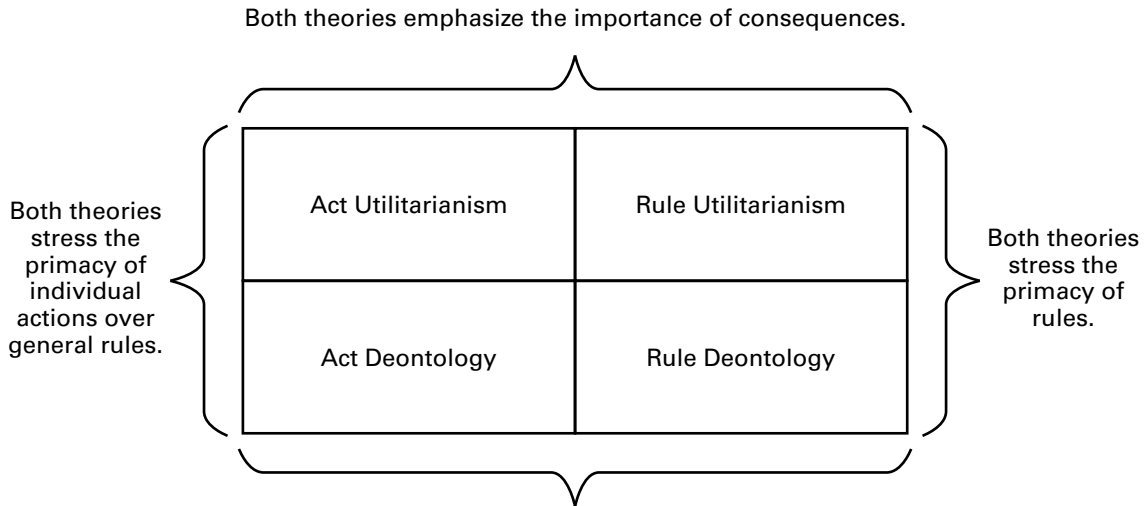


Figure 2.3 Acts vs. rules and consequences vs. duties.

might be inclined to adopt Ross's theory have been skeptical of it. Nevertheless, variations of that theory have been adopted by contemporary deontologists.

Figure 2.3 summarizes key features that differentiate act and rule utilitarianism and act and rule deontology.

► 2.6 CONTRACT-BASED ETHICAL THEORIES

During the past two centuries, consequence-based and duty-based ethical theories have tended to receive the most attention from philosophers and ethicists. However, other kinds of ethical theories, such as those that emphasize criteria involving social contracts and individual rights, have recently begun to receive some serious attention as well.

From the perspective of some social contract theories, a moral system comes into being by virtue of certain contractual agreements between individuals. One of the earliest formal versions of a contract-based ethical theory can be found in the writings of Thomas Hobbes (1588–1679). In his classic work *Leviathan*, Hobbes describes an original “pre-moral” state that he calls the “state of nature.” It is pre-moral because there are no moral (or legal) rules yet in existence. In this state, each individual is free to act in ways that satisfy his or her own natural desires. According to Hobbes, our natural (or physical) constitution is such that in the state of nature we act in ways that will enable us to satisfy our desires (or appetites) and to avoid what Hobbes calls our “aversions.” While there is a sense of freedom in this natural state, the condition of our day-to-day existence is hardly ideal. In this state, each person must continually fend for herself, and, as a result, each must also avoid the constant threats of others, who are inclined to pursue their own interests and desires.

Hobbes describes this state of nature as one in which life is “solitary, poor, nasty, brutish, and short.” Because we are rational creatures, and because we see that it would

be in our best interests to band together, Hobbes notes that we eventually establish a formal legal code. In doing this, Hobbes believes that we are willing to surrender some of our “absolute” freedoms to a sovereign. In return, we receive many benefits, including a system of rules and laws that are designed and enforced to protect individuals from being harmed by other members of the system.

One virtue of the social contract model of ethics is that it gives us a motivation for being moral. We see that it is in our individual self-interest to develop a moral system with rules. This type of motivation for establishing a moral system is conspicuously absent in both the utilitarian and deontological theories.¹¹ So a contract-based ethical theory might seem to have one advantage over them.

2.6.1 Some Criticisms of Contract-Based Theories

Some critics, such as Pojman (2006), point out that contract-based theories provide the foundation for only a minimalist morality. They are minimalist in the sense that we are obligated to behave morally only where an explicit or formal contract exists. So if I have no express contract with you, or if a country such as the United States has no explicit contract with a developing nation, there is no moral obligation for me to help you or for the United States to come to the aid of that developing nation. Of course, we can think of many situations involving morality where there are no express contracts or explicit laws describing our obligations to each other. Yet we also tend to believe that in at least some of these cases we are morally obligated to help others when it is in our power to do so.

Consider the case of Kitty Genovese who was murdered outside her apartment building in Queens, New York in 1964, as thirty-eight neighbors in her apartment building watched. During the incident, none of Genovese’s neighbors came to her rescue or called the police. When interviewed after the fact, some of her neighbors responded that they did nothing wrong.¹² In one sense, they were correct, since there was no explicit law requiring that they do anything at all. So technically, these neighbors were correct, at least from a legal perspective. But we can certainly ask whether her neighbors had a moral obligation to do something rather than simply be indifferent. It is in this sense, then, that social contract theory can be seen as being minimalist and legalistic, and not a robust theory of morality.

Another way to think about minimalist morality is to think of the difference between two principles: (a) doing no harm, and (b) doing good. A minimalist morality would insist merely that we do not harm others. As such, it does not require that we come to the aid of others. But is that an adequate view of morality? Should we accept such a moral system as complete? If you happen to see a child drowning in water that is four feet deep, and it is in your power to rescue the child, are you not morally obligated to do so? Are you under no moral obligation to assist simply because you may have no explicit legal contract requiring you to rescue that particular child?

According to a minimalist account of morality, you are not *required* to make any effort to save the child. All that is required is that you not actively harm the child (or anyone else). But some argue that a moral system demands much more of us than simply doing no harm. That is, it may also obligate us to do good when it is in our power to do so. According to the latter view of morality, then, if we could rescue the child without any significant inconvenience to ourselves, we would be morally obligated to do so (even if we have no explicit contract).

2.6.2 Rights-Based Contract Theories

Closely associated with social contract ethical theories are rights-based theories of morality. Some philosophers have argued that independent of whether individuals happen to have any legal rights, all humans have certain moral rights or natural rights. Philosophers such as Thomas Aquinas (1225–1274), as well as several of the Founders of the United States, believed that humans possess some natural rights. In the Declaration of Independence, for example, Thomas Jefferson asserted that all humans are entitled to life, liberty, and the pursuit of happiness because these rights are “inalienable” and “self-evident.”

Of course, it is one thing for philosophers and legal scholars to assert that humans are endowed with natural or moral rights; and it is something altogether different to ensure that such rights are guaranteed and protected by the state. Hence, the need for explicit legal rights identified in a governing charter or constitution. Legal rights are grounded in “positive law,” or civil law, whereas moral rights or natural rights are not. However, some argue that moral rights are derived from natural law; and because of this, they further argue that these rights exist independently of any legal rights that might happen to be granted to citizens of a certain nation via that nation’s system of positive laws.¹³

Philosophers and legal scholars often differentiate between two kinds of legal rights: *positive rights* and *negative rights*. Having a negative right to something simply means that one has the right not to be interfered with in carrying out the privileges associated with that right. For example, your right to vote and your right to own a computer are both negative rights. They are negative rights in the sense that as a holder of those rights, you have the right (and the expectation) not to be interfered with in exercising your right to go to polls to cast your vote in a particular election or your right to purchase a computer. However, as the holder of a negative right, you cannot demand (or even expect) that others must either physically transport you to the voting polls if you are unable to travel there on your own, or provide you with a computer if you cannot afford to purchase one.

Positive rights, it turns out, are very rare. And since those rights tend to be far more controversial than negative rights, philosophers and legal scholars have had a much more difficult time justifying them. In the United States, one’s right to receive an education (through the twelfth grade of high school) is a positive right. All American citizens are entitled to such an education; thus they must be provided with a free public education through the twelfth grade. An interesting question, for our purposes, is, what would happen in the event that our formal education process requires that each student own a computer and that he or she has access at home to the Internet? In that case, would students also have to be provided with a home computer and free Internet access? (We take up the question of universal access issues and the “digital divide” in Chapter 10.)

Some would argue that access to adequate health care should also be a positive right as well, because they believe health care is something that citizens have a right to be provided (even if they cannot afford to pay for it). In Canada as well as in many European countries, universal health care is viewed as a positive right. In the United States, however, this view is still being debated (as of July 2012). Although the Patient Protection and Affordable Care Act, also informally known as “Obamacare,” was enacted into law in March 2010, it has since come under severe criticism and serious challenges from opponents. Depending on the outcome of the fall 2012 presidential elections, this law

could be repealed, in which case health care in the United States would not be a positive right.

Discussion about the nature of rights can be both confusing and controversial. In the United States, many conservative political and religious leaders believe that in recent years far too much emphasis has been placed on individual rights. As a result, they believe that we have not paid enough attention to corresponding responsibilities that individuals also have by virtue of possessing those rights. However, we will not pursue that line of controversy here.

► 2.7 CHARACTER-BASED ETHICAL THEORIES

A fourth type of ethical theory that must be considered, especially in light of the recent attention it has received, is *virtue ethics* (also sometimes described as “character ethics”). This ethical theory ignores the special roles that consequences, duties, and social contracts play in moral systems, especially with respect to determining the appropriate standard for evaluating moral behavior. Rather, it focuses on criteria having to do with the character development of individuals and their acquisition of good character traits from the kinds of habits they develop. The fundamental principles of virtue ethics were introduced in the writings of Plato and Aristotle nearly 2,500 years ago. In more recent times, virtue ethics has gained respect among ethicists as a viable contemporary ethical theory, in part, through the influential work of Philippa Foot, Alasdair MacIntyre, and others.¹⁴

2.7.1 Being a Moral Person vs. Following Moral Rules

Aristotle believed that ethics was something not merely to be studied, but rather to be lived or practiced. In fact, Aristotle thought of ethics as a “practical science,” like politics. To become an ethical person, in Aristotle’s view, one is required to do more than simply memorize and deliberate on certain kinds of rules. What is also needed, Aristotle argued, is that people develop certain *virtues*. The Greek word for virtue is *arete*, which means excellence. Aristotle believed that to be a moral person, one had to acquire the right virtues (strengths or excellences). Through the proper training and acquisition of good habits and character traits, Aristotle believed that one could achieve moral virtues such as temperance and courage that are needed to “live well.”

Because virtue ethics focuses primarily on character development and moral education, it does not need to rely on a system of formal rules. Consider that both utilitarians and deontologists depend on having a system of rules when they ask a question such as, What should we do in such and such a case or situation? For utilitarians, the answer could be found by measuring the anticipated outcomes of following a general rule or principle. And for deontologists the answer can be determined by using a formal rule such as the categorical imperative as a principle for determining which duties you have. For contract theorists, questions involving moral obligation ultimately rest on the principle or rule, What is the nature of my contract, if any, in this particular situation? Virtue ethicists take a very different tack. Instead of asking, “What should I *do* in such and such a situation?” a virtue ethicist asks, *What kind of person should I be?* Hence, the emphasis on *being a moral person*, and not simply on understanding what moral rules are and how they apply

in certain situations. Whereas deontological and utilitarian theories are action-oriented and rule-oriented, virtue ethics is “agent-oriented” because it is centered on the moral development and character of the agent herself.

Virtue ethicists believe that a moral person is one who is necessarily disposed to do the right thing. They correctly point out that when we engage in routine acts in our daily lives, including many of our nonnormative actions, we do not deliberate by asking ourselves, What ought I to do in such and such a case? In our earlier criticism of act utilitarianism, we considered a situation in which an individual would be required to deliberate over whether or not to steal an item each time he or she entered a store. A virtue ethicist would point out that if that person had developed the right kind of moral character (through the acquisition of the “correct” moral habits), he or she would not be in a position that required such deliberation. That is, the moral person is already disposed not to steal items from stores (or from fellow human beings) because of the kinds of character traits that he or she has previously developed. And in the example involving the drowning child, considered in our criticism of contract-based ethical theory, a virtue ethicist would also likely point out that a moral person would not have to deliberate. Regardless of whether someone had an explicit legal contract to help rescue the child, the virtue ethicist would point out that a moral person is predisposed to attempt to rescue the child if it were in his or her power to do so.

2.7.2 Acquiring the “Correct” Habits

Consider the following illustration of a disposition to behave in a certain way. When you woke up this morning and began to prepare for your day’s events, did you ask yourself the question, Should I brush my teeth today? Most likely, this question never crossed your mind. Why not? The answer, of course, is that you have already developed certain habits such that you are disposed to brush your teeth in the morning without having to question it or even think about it. Of course, the act of brushing one’s teeth is not an act that has any moral significance. But it is the process of character formation, especially the development of moral habits, that is crucial to becoming a fully moral person, from the perspective of virtue ethics.

As noted above, Aristotle believed that ethics was something to be lived and practiced, not simply studied. Thus some philosophers and ethicists believe that to teach ethics, one must first be an ethical person. The teacher who instructs students on the virtues but who himself lacks them would be a poor model for aspiring students. James Moor (2002) suggests that virtue ethics instruction is the “first level” in teaching (computer) ethics. He believes that building habits of character such as kindness, truthfulness, honesty, trustworthiness, helpfulness, generosity, and justice are important prerequisites in preparing for the second level of instruction. Once students have mastered the virtues, they can then move to the second level where they learn the established rules of a moral system.

Some instructors have argued that their students are better able to relate to classroom examples that involve virtue ethics than to those illustrating other traditional theories. For this reason, Frances Grodzinsky (1999) has suggested that aspects of virtue ethics should be incorporated into the ethics training for computing professionals. Grodzinsky believes that aspiring computer professionals who wish to develop an appropriate level of sensitivity to ethical aspects of their profession often find the

principles of virtue ethics far more useful than the kinds of rigid rules required in ethical theories such as utilitarianism and deontology. She notes that action-guiding rules associated with utilitarian and deontological theories often tend to be perceived by students as too abstract and formal. On the contrary, however, many of those students are able to grasp what it means to develop certain character traits and thus become (or be) a certain kind of person.

It would seem that the re-emergence of virtue ethics, despite the fact that its origins can be traced back to classical Greece, has provided ethicists with some fresh insights. However, we should also note that virtue ethics is not without its critics. One of the chief drawbacks of taking virtue ethics as a complete theory of ethics is that it neither helps resolve conflicts that can arise among the competing virtues nor encourages examination of consequences. Some critics point out that a virtue- or character-based ethics would seem to have a better chance of taking hold in a society that is homogeneous rather than in one that is heterogeneous or pluralistic. The ancient Greek society could be considered fairly homogeneous in the sense that the world that Plato and Aristotle inhabited included a consensus as to what the ideal values, including the moral education of the young, were. In contemporary America, which is much more heterogeneous than classical Greek society, we have a diversity of views about which ideals and values are most important.

It is also worth pointing out that character-based ethical systems would most likely flourish in cultures where the emphasis placed on community life is stronger than that accorded to the role of individuals themselves. Beginning with the Enlightenment period in the West in the seventeenth and eighteenth centuries, considerable emphasis has been placed on the importance of individual autonomy and individual rights. As you might already have suspected, aspects of utilitarianism, deontological ethics, and contractualist ethics are strongly tied to the notions of individual rights and responsibilities. In the ancient Greek world of Aristotle's time, the notion of community was paramount. Thus virtue ethics faces certain challenges in contemporary Western society that it would not have had to endure in the classical Greek *polis*, or city-state.

► 2.8 INTEGRATING ASPECTS OF CLASSICAL ETHICAL THEORIES INTO A SINGLE COMPREHENSIVE THEORY

We have completed our examination of the four main types of ethical theories, and we have noted some of the strengths and weaknesses of each theory. Consequentialist theories such as utilitarianism are useful because they aim at promoting happiness and the social good. Yet, we also saw that utilitarians tend to ignore the importance of justice and fairness in their preoccupation with promoting social utility for the majority. Deontologists, on the contrary, stress the importance of obligation and respect for all persons, and thus emphasize the principles of fairness and justice. However, we saw that deontologists fail to pay sufficient attention to the promotion of happiness and the social good.

Contract theory seems useful in that it provides a motivation for being moral and it enables us to articulate which explicit moral obligations we have and do not have, both as individuals and as a society. However, the weakness of the social contract view is that it

TABLE 2.3 Four Types of Ethical Theory

Type of Theory	Advantages	Disadvantages
Consequence-based (utilitarian)	Stresses promotion of happiness and utility	Ignores concerns of justice for the minority population
Duty-based (deontology)	Stresses the role of duty and respect for persons	Underestimates the importance of happiness and social utility
Contract-based (rights)	Provides a motivation for morality	Offers only a minimal morality
Character-based (virtue)	Stresses character development and moral education	Depends on homogeneous community standards for morality

provides us with only a minimalist theory of morality. Virtue ethics stresses character development and the acquisition of good habits on the part of individuals, but its disadvantage is that it depends on homogeneous community standards for determining the correct virtues. Thus each theory has its weakness, despite its strengths. Table 2.3 summarizes the advantages and disadvantages of each of the four ethical theories we examined.

Because of problems with the four types of traditional ethical theories that we considered, some have advocated for alternative ethical theories including feminist ethics. Alison Adam (2008) has drawn from some of the insights of Carol Gilligan,¹⁵ as well as from other authors who have contributed to the literature on feminist ethics, in making her case for why at least some computer ethics issues would be better understood if they were analyzed from the perspective of feminist ethical theory. We examine Adam's arguments for a "gender-informed" computer ethics in Chapter 10, where we consider gender issues affecting cybertechnology.

Others have proposed ways in which elements of two or more traditional theories can be integrated into a single, more comprehensive framework. For example, Bernard Gert (2005, 2007) has integrated aspects of two theories by incorporating Kant's insights on the importance of impartiality with the claims of utilitarians about consequences, but he thinks that each theory, in itself, is inadequate. Gert has also shown how his moral system, which he calls "common morality," can be directly applied to issues involving computer ethics such as copying proprietary software.¹⁶ Recall our discussion of Gert's notion of the moral system and its corresponding "moral rules" in Section 2.1.1.

Influenced by the work of Gert and others, Moor (2004) has proposed a scheme that integrates aspects of utilitarian and deontological theories into a framework he calls "just consequentialism." We next examine some key aspects of this theory.

2.8.1 Moor's Just-Consequentialist Theory and Its Application to Cybertechnology

Moor believes that only an ethical approach that combines considerations of consequences of action with more traditional deontological considerations of duties, rights, and justice can provide us with a defensible ethical theory—viz., just consequentialism—that yields a useful framework for applied ethics. Moor begins by considering what kind of conduct we want ethics to regulate. He believes first and foremost everyone wants to be protected against suffering unnecessary harms. We don't want to be killed or suffer great

pain or have our freedom taken away. Human nature is such that people value the same kind of basic goods (life, happiness, abilities, security, knowledge, freedom, opportunities, and resources). The specifics of these may manifest somewhat differently in different cultures (some kinds of freedom may be more important in some cultures than others, for example), but the general set of goods, which Moor calls “core values” (see Section 2.1.2), is shared by all. Losing any of these goods counts as harm, and all of us want ethics to protect us from others causing us harm. This point is captured by the familiar ethical maxim “Do no harm,” described earlier. Stealing someone’s computer causes a loss of resources to that person, and lying about software bugs undermines the purchaser’s knowledge. Thus, it is not surprising that we regard stealing and lying as unethical activities in light of their harmful consequences.

Another desirable objective of ethics, according to Moor, is to support justice, rights, and duties. We want others to keep their promises and agreements, to obey the law, and to fulfill their duties in whatever roles they play. These specific obligations are generated within societies, and to the extent that they spring from just agreements, laws, and social situations, we justifiably expect others to fulfill their duties toward us. For example, we want a software engineer to produce reliable software. We believe it is her duty as a professional to develop effective and safe software and that we have a right to expect good quality when we buy it. Another familiar maxim of ethics is “Do your duty,” where “duty” here designates specific duties people acquire by their roles in society such as a signer of contract, a citizen, a parent, an employer, or an employee. Violating one’s just duty, such as knowingly designing defective software for later production and sales, in the absence of contravening considerations, is clearly unethical.

Moor believes that if all we had to do to be ethical were to do no harm and perform our duties, ethics would be challenging but at least easy to understand. But, as Moor argues, the ethical life is not nearly so simple. Often actions involve a mixture of goods and evils as well as conflicts among duties. Sometimes we need to make exceptions to our general policies for action. How do we decide what to do? His answer involves two steps: the deliberation stage and the selection stage. First, at the *deliberation stage*, we should consider the various possible policies for action from an impartial point of view. Impartial does not mean that everyone is treated the same but that the policy is regarded as a rule governing the situation without consideration of the particular individuals who happen to be involved. This is what Gert has in mind by his “blindfold of justice” (see Section 2.1.1) or what Rawls suggests with his “veil of ignorance.” This is a technique to establish the justice of a policy—it will not be just if one will not accept the policy as a general rule of conduct, not knowing who plays which roles in the situation.

For example, consider the cyberbullying scenario discussed in Chapter 1, in which Lori Drew (under the alias of Josh Evans) bullied Megan Meier to the point that eventually led to Meier’s suicide. Let us assume that Drew was obsessed with her victim and got significant gratification out of her deeds. If we consider a policy for justifying such an action impartially, we will clearly reject it. We will not endorse a policy of allowing someone to bully and harass us even if such bullies get significant pleasure from it. It is easy to reject such a policy as unjust and unethical when considered from an impartial point of view.

However, many policies will pass the impartiality test, and we will still need to consider whether we should adopt them. We need to move to the second step in the

decision-making process, the *selection stage*, and carefully weigh the good consequences and the bad consequences of the remaining policies. In this second step, it may be less of a choice between ethical vs. unethical policies than between better vs. worse policies. Although we may be able to at least partially rank policies, legitimate disagreements about the rankings often exist.

For instance, consider the controversial issues as to whether we should adjust or even have a policy of intellectual property protection. For many years in many places there were no laws protecting intellectual property. It is far from clear that this situation was unjust or even bad. A culture might maintain that sharing information and invention is more valuable to the society's members' welfare and the society's cohesiveness than trying to protect intellectual property. Witness the rationale given for the "open source movement" in software development. Critics of this movement, however, might maintain that having intellectual-property protection laws is important to protect creators and to produce innovative products for everyone's benefit.

According to Moor, it is important to keep in mind that although we may disagree about the merits of various policies and how to rank them, rational discussion of the relevant policies is very possible and highly desirable. People may overlook values embedded in a situation and may change their rankings once informed. People may not be fully aware of the consequences of various policies. Moor does not believe that complete agreement on controversial policies can or necessarily should be reached, as people may ultimately rank benefits and harms differently. Nevertheless, considerable consensus about some policies being better than others can often be generated. Moor points out that frequently much of the disagreement hinges on differences about the facts of the case than on value differences. (Recall our early analysis of differences involving "disagreements about principles" and "disagreements about facts" in Section 2.2.1, in our discussion of discussion stoppers in ethics.) It would radically change much of the debate about the need for protecting MP3 files, for example, if it could be demonstrated that, *as a matter of fact*, downloading MP3 files to preview them dramatically increases sales or if it could be demonstrated that, *as a matter of fact*, downloading MP3 files to preview them dramatically decreased the quality of music that was produced.

2.8.2 Key Elements in Moor's Just-Consequentialist Framework

Moor's ethical framework of just consequentialism can be summarized in terms of a strategy that includes the following steps:

1. *Deliberate* over various policies from an impartial point of view to determine whether they meet the criteria for being ethical policies. A policy is ethical, if it
 - a. does not cause any unnecessary harms to individuals and groups, and
 - b. supports individual rights, the fulfilling of duties, etc.
2. *Select* the best policy from the set of just policies arrived at in the deliberation stage by ranking ethical policies in terms of benefits and (justifiable) harms. In doing this, be sure to
 - a. weigh carefully between the good consequences and bad consequences in the ethical policies, and

- b. distinguish between disagreements about facts and disagreements about principles and values, when deciding which particular ethical policy should be adopted. (Knowledge about the facts surrounding a particular case should inform the decision-making process.)

As we noted in our discussion of virtue ethics in Section 2.7.2, Moor points out that developing the appropriate habits of character such as kindness, truthfulness, honesty, trustworthiness, helpfulness, generosity, and justice is an important prerequisite in moral behavior. So if one has not already developed the “correct” habits required for moral behavior, it may be difficult for an individual to successfully carry out the steps in Moor’s just-consequentialist model. In this sense, elements of virtue ethics or character-based ethics are also presupposed in Moor’s framework.

We apply the just-consequentialist framework, wherever appropriate, in suggesting policies in response to moral issues that arise from specific cyberethics issues examined in Chapters 4–12 of this textbook.

► 2.9 CHAPTER SUMMARY

In this chapter, we defined ethics as the study of morality. In elaborating on that definition, we drew some useful distinctions between morality (as a system of rules and principles) and ethics (as the study of that system). Acknowledging the distinction between normative and descriptive studies of morality, we saw that normative investigations into morality can be conducted from the perspectives of religion and law as well as from philosophy. We also noted that only philosophical ethics offers a method to analyze moral issues based exclusively on the application of ethical theory and logical argumentation. We briefly identified and analyzed some common “discussion stoppers” that are frequently invoked in ways that prematurely close down, even if unintentionally, the possibility of constructive ethical dialogue.

We also examined the roles that ethical theories ideally play in guiding us in our moral deliberations about cyberethics issues. We saw that consequence-based, duty-based, contract-based, and character-based theories each had certain strengths and weaknesses. Finally, we examined James Moor’s proposal for a framework that incorporates aspects of consequence-based and duty-based theories (and to some extent character-based theories) into one unified, comprehensive theory, called “just consequentialism.” We summarized Moor’s framework into a two-step process that we will use, wherever possible, in our analysis of the cyberethics issues examined in this textbook.

► REVIEW QUESTIONS

1. What is *ethics*, and how can it be distinguished from *morality*?
2. What is meant by a *moral system*?
3. What are some of the key differences between the “rules of conduct” and the “principles of evaluation” that comprise a moral system? Give an example of each.
4. Describe the key differences between rules of conduct that are individual “directives” and those that are “social policies.” Provide an example of each.

5. What does Bernard Gert mean when he describes morality in terms of a system that is both “public” and “informal”?
6. Describe how the ideals of “rationality” and “impartiality” function in Gert’s moral system.
7. What are *values*, and what are some of the key differences between moral values and nonmoral values? Provide some examples of “basic moral values” and “core nonmoral values.”
8. How do religion, law, and philosophy each provide different grounds for justifying a moral principle? How can each perspective be applied to the analysis of the moral principle “Stealing is wrong?”
9. What are the basic differences separating ethicists from moralists?
10. Identify and briefly summarize four different kinds of “discussion stoppers” in ethical discourse.
11. Why are these “discussion stoppers” problematic for the advancement of dialogue and debate about ethical issues?
12. What is moral relativism? How is it different from cultural relativism?
13. What is moral objectivism, and how is it different from moral absolutism?
14. What is ethical theory, and what important functions do ethical theories play in the analysis of moral issues?
15. What are the distinguishing features of consequence-based ethical theories?
16. Describe some of the key differences between act utilitarianism and rule utilitarianism.
17. Which features distinguish duty-based ethical theories from alternative types of theories?
18. Describe some of the main differences between act deontology and rule deontology.
19. What is meant by the expression “contract-based” ethical theories?
20. What features distinguish “character-based” (or “virtue-based”) ethical theories from alternative schemes of morality?

► DISCUSSION QUESTIONS

21. Why does Gert believe that the notion of “personal morality” is an oxymoron? For Gert, how is a moral system both similar to, and different from, a game? Apply Gert’s notion of a moral system to the analysis of a contemporary ethical issue affecting cybertechnology. Analyze that issue in terms of the four features that comprise a moral system for Gert.
22. How does James Moor’s “just-consequentialist” theory incorporate aspects of utilitarian and deontological theories into one comprehensive ethical framework? Describe the strategies used in the two different stages of Moor’s theory: the deliberation and the selection stage. Identify a contemporary moral issue affecting cybertechnology, and apply Moor’s just-consequentialist theory to it.

► ESSAY/PRESENTATION QUESTIONS

23. Recall the four types of “discussion stoppers” that we examined in this chapter. Is that collection of “stoppers” complete? Can you think of any additional discussion stoppers that might also block or shut down moral discourse? Why is it so easy to fall victim to one or more of those stoppers when discussing moral issues in general, as well as moral issues involving the use of cybertechnology in particular?
24. Are any of the four traditional ethical theories we examined—i.e., consequence-based, duty based, contract-based, and character-based—adequate to handle moral issues that arise as a result of cybertechnology? If not, is an alternative kind of ethical theory needed, as some have argued (e.g., Adam 2008)? Or can a comprehensive, integrated theory, such as the one proposed by James Moor (i.e., his theory of “just consequentialism”) be used successfully to resolve moral issues involving cybertechnology?

Scenarios for Analysis

1. In analyzing the following scenario, describe how an *act utilitarian*, a *rule utilitarian*, a *rule deontologist*, and an *act deontologist* would each reach a solution to this dilemma. Which solution seems most plausible? Finally, apply Moor's Just-Consequentialism framework in your analysis of this scenario.

You have just been appointed to the board of directors of XYZ.com. Unfortunately, the dot-com company has been experiencing some difficult financial times, resulting in revenue losses in three of the last four quarters. As you assume your new position, you discover that two proposals are on the table. Each proposal has been put forth as a means for dealing with XYZ's immediate financial problems. Proposal #1 recommends that all employees be retained, but that an immediate freeze on salary increases (raises) for all employees be imposed for the next six months. (Employees may even be asked to take a 5% cut in pay if things do not improve by the end of that period.) Proposal #2 recommends that wages not be frozen, but that 5% of the XYZ's work force be laid off. (One piece of reasoning behind this proposal is that taking more drastic measures will "protect" 95% of XYZ's workers and will send a message to Wall Street and local investors that XYZ is serious about improving its financial position and that it will soon be a stable company once again.) The board is evenly split, seven members favoring proposal #1 and seven favoring proposal #2. Yours will be the tie-breaking vote.

2. Analyze the dilemma in the following scenario from the vantage point of both utilitarian and

deontological ethical theories. In particular, how might Ross's theory of act-deontology apply?

The United States government, with the approval of the majority of Americans, has decided to round up all Arab-Americans and relocate them into internment camps. You have a friend who is an American citizen of Arab descent. She asks you to protect her from the authorities. You have known this person all of your life, and you are convinced that she is a loyal American. So you agree to hide her in the third floor of your house. Next, imagine that a United States federal agent knocks on your door and asks if you know the whereabouts of the person you are hiding. How would you respond to that agent?

You realize that you cannot both keep your promise to your friend and tell the truth to the federal agent. Initially, your gut reaction might suggest that the solution to your dilemma is really quite simple: a far greater good will be served by lying to the federal agent than by breaking your promise to your friend. However, to embrace the moral principle underlying that line of reasoning is to embrace a form of utilitarianism. And we have already seen some of the difficulties that can result from trying to be a consistent and thoroughgoing utilitarian. Furthermore, could you consistently universalize a moral principle that states: Whenever you must choose between telling the truth to authorities and breaking a promise to a friend, you should always keep your promise? Will that principle always work?

► ENDNOTES

1. This classic definition of ethics has been defended by many philosophers. See, for example, Paul W. Taylor's *Principles of Ethics: An Introduction* (Belmont CA: Wadsworth, 1980).
2. Analyses of moral dilemmas based on examples using the (now classic) "trolley problem" have proliferated since this "thought experiment" was introduced by philosopher Philippa Foot in 1967. For an interesting variation of this dilemma, see Wallach and Allen (2009).
3. Gert's "blindfold of justice" is similar in some ways to John Rawls' well-known "veil of ignorance," articulated in Rawls' class work *A Theory of Justice* (rev. ed. 1999). However, the two notions also differ in key respects.
4. See, for example, Pojman (2006).
5. For example, some critics point out that while there appear to be differences affecting moral beliefs at the surface level, a closer analysis will suggest ("deep") universal or core moral beliefs that lie under the surface.

6. Bernard Gert suggests that his ten “moral rules” are objective in nature. However, Gert does not use the label “objectivism” to describe his moral system.
7. Although Gert does not call himself a moral objectivist, I interpret his position to be compatible with the view I describe as moral objectivism.
8. Wallach and Allen (2009) also consider a variation of the “trolley case” in which the trolley’s driver has been replaced by a computerized system.
9. The variations of Kant’s categorical imperative expressed here closely follow the original.
10. For more detail on this strategy, see Ross (1930).
11. Pojman (2006) explains in more detail how this theory provides a motivation for being moral.
12. For the original account of this incident, see “Queens Woman is Stabbed to Death in Front of Home,” *New York Times*, March 14, 1964.
13. This is a basic distinction in Natural Law, a theory of ethics that we are not able to examine in detail in this chapter.
14. See, for example, see Foot’s *Theories of Ethics* (Oxford University Press, 1967) and MacIntyre’s *After Virtue* (Notre Dame IN: University of Notre Dame Press, 1981).
15. Gilligan’s classic book *In a Different Voice* (Cambridge MA: Harvard University Press, 1982) has influenced feminist ethics.
16. See Gert (2004).

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