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MORAL REASONING

It is useful to view moral reasoning at first in the context of argument. An **argument** is a group of statements, one of which (called the **conclusion**) is claimed to follow from the others (called the **premises**). Here's an example of an argument:

ARGUMENT 1

If a person is a mother, the person is a female.

Fran is a mother.

Therefore, Fran is a female.

The first two statements (the premises) of this argument happen to entail the third (the conclusion), which means that if I accept the first two as true, then I must accept the third as also true. Not to accept the conclusion while accepting the premises would result in a contradiction—holding two beliefs that cannot both be true at the same time. In other words, if I believe that all mothers are females and that Fran is a mother (the premises), then I cannot deny that Fran is a female (the conclusion) without contradicting myself. An argument like this one, whose premises logically entail its conclusion, is a **valid argument**.

An **invalid argument** is one whose premises do not entail its conclusion. In an invalid argument, I can accept the premises as true and reject the conclusion without any contradiction. Thus:

ARGUMENT 2

If a person is a mother, the person is a female.

Fran is a female.

Therefore, Fran is a mother.

The conclusion of this argument does not necessarily follow from the true premises. I can believe that every mother is a female and that Fran is a female but deny that Fran is a mother without contradicting myself.

One way to show this is by means of a **counterexample**, an example that is consistent with the premises but is inconsistent with the conclusion. Let's suppose Fran is a two-year-old, a premise that is perfectly consistent with the two stated premises. If she is, she can't possibly be a mother. Or let's suppose Fran is an adult female who happens to be childless, another premise that is perfectly consistent with the stated premises but obviously at odds with the conclusion. If an argument is valid (such as Argument 1), then no counterexamples are possible.

A valid argument can have untrue premises, as in the following:

ARGUMENT 3

If a person is a female, she must be a mother.

Fran is a female.

Therefore, Fran must be a mother.

Like Argument 1, this argument is valid. If I accept its premises as true, I must accept its conclusion as true; otherwise I will contradict myself. However, although Argument 3 is valid, it is unsound because one of its premises is false—namely, "If a person is a female,

she must be a mother." Realizing the patent absurdity of one of its premises, no sensible person would accept this argument's conclusion. But notice why the argument is unsound—not because the type of reasoning it involves is invalid but because one of the premises is false. **Sound arguments**, such as Argument 1, have true premises and valid reasoning. **Unsound arguments** have at least one false premise, as in Argument 3, or invalid reasoning, as in Argument 2, or both.

Now let's consider some **moral arguments**, which can be defined simply as arguments whose conclusions are moral judgments. Here are some examples that deal with affirmative action for women and minorities in the workplace:

ARGUMENT 4

If an action violates the law, it is morally wrong.

Affirmative action on behalf of women and minorities in personnel matters violates the law.

Therefore, affirmative action on behalf of women and minorities in personnel matters is morally wrong.

ARGUMENT 5

If an action violates the will of the majority, it is morally wrong.

Affirmative action on behalf of women and minorities in personnel matters violates the will of the majority.

Therefore, affirmative action on behalf of women and minorities in personnel matters is morally wrong.

ARGUMENT 6

If an action redresses past injuries that have disadvantaged a group, it is morally permissible.

Affirmative action on behalf of women and minorities in personnel matters redresses injuries that have disadvantaged these groups.

Therefore, affirmative action on behalf of women and minorities in personnel matters is morally permissible.

ARGUMENT 7

If an action is the only practical way to remedy a social problem, then it is morally permissible.

Affirmative action on behalf of women and minorities in personnel matters is the only practical way to remedy the social problem of unequal employment opportunity.

Therefore, affirmative action on behalf of women and minorities in personnel matters is morally permissible.

The first premise in each of these arguments is a moral standard, the second an alleged fact, and the conclusion a moral judgment. *Moral reasoning* or argument typically moves from a moral standard, through one or more factual judgments about some person, action, or policy related to that standard, to a moral judgment about that person, action, or policy. Good moral reasoning will frequently be more complicated than these examples. Often it will involve an appeal to more than one standard as well as to various appropriate factual claims, and its argumentative structure may be more elaborate. Still, these examples illustrate its most basic form.

DEFENSIBLE MORAL JUDGMENTS

Moral judgments should be supported by moral standards and relevant facts.

If a moral judgment or conclusion is defensible, then it must be supportable by a defensible moral standard, together with relevant facts. A moral standard supports a moral judgment if the standard, taken together with the relevant facts, logically entails the moral judgment and if the moral standard itself is an acceptable standard. If someone argues that affirmative action for minorities and women is right (or wrong) but cannot produce a supporting principle when asked, then the person's position is considerably weakened. And if the person does not see any need to support the judgment by appealing to a moral standard, then he or she simply does not understand how moral concepts are used or is using moral words like "right" or "wrong" differently from the way they are commonly used.

Keeping this in mind—that moral judgments must be supportable by moral standards and facts—will aid your understanding of moral discourse, which can be highly complex and sophisticated. It will also sharpen your own critical faculties and improve your moral reasoning and ability to formulate relevant moral arguments.

PATTERNS OF DEFENSE AND CHALLENGE

In assessing arguments, one must be careful to clarify the meanings of their key terms and phrases. Often premises can be understood in more than one way, and this ambiguity may lead people to accept (or reject) arguments that they shouldn't. For example, "affirmative action" seems to mean different things to different people (see Chapter 11 on job discrimination). Before we can profitably assess Arguments 4 through 7, we have to agree on how we understand "affirmative action." Similarly, Argument 5 relies on the idea of "violating the will of the majority," but this notion has to be clarified before we can evaluate either the moral principle that it is wrong to violate the will of the majority or the factual claim that affirmative action does violate the majority's will.

Assuming that the arguments are logically valid in their form (as Arguments 4 through 7 are) and that their terms have been clarified and possible ambiguities eliminated, then we must turn our attention to assessing the premises of the arguments. Should we accept or reject their premises? Remember that if an argument is valid and you accept the premises, you must accept the conclusion.

Let's look at some further aspects of this assessment process:

1. **Evaluating the factual claims.** If the parties to an ethical discussion are willing to accept the moral standard (or standards) in question, then they can concentrate on the factual claims. Thus, for example, in Argument 4 they will focus on whether affirmative action on behalf of women and minorities is in fact illegal. In Argument 7 they will need to determine whether affirmative action is really the only practical way to remedy the social problem of unequal employment opportunity. Analogous questions can be asked about the factual claims of Arguments 5 and 6. Answering them in the affirmative would require considerable supporting data.
2. **Challenging the moral standard.** Moral disagreements do not always turn on factual issues. The moral standard on which a given moral argument relies may be controversial. One party might challenge the standard, contending that it is implausible or that we should not accept it. The critic might do this in several different ways—for example, by showing that there are exceptions to the standard, that the standard leads to unacceptable consequences, or that it is inconsistent with the arguer's other moral beliefs.

SUMMARY

Moral reasoning and argument typically appeal both to moral standards and to relevant facts. Moral judgments should be entailed by the relevant moral standards and the facts, and they should not contradict our other beliefs. Both standards and facts must be assessed when moral arguments are being evaluated.

In the following dialogue, for example, Lynn is attacking Sam's advocacy of the standard "If an action redresses past injuries that have disadvantaged a group, it is morally permissible":

Lynn: What would you think of affirmative action for Jews in the workplace?

Sam: I'd be against it.

Lynn: What about Catholics?

Sam: No.

Lynn: People of Irish extraction?

Sam: They should be treated the same as anybody else.

Lynn: But each of these groups and more I could mention were victimized in the past by unfair discrimination and probably in some cases continue to be.

Sam: So?

Lynn: So the standard you're defending leads to a judgment you reject: namely, that Jews, Catholics, and Irish should be compensated by affirmative action for having been disadvantaged. How do you account for this inconsistency?

At this point, Sam, or any rational person in a similar position, has three alternatives: abandon or modify the standard, alter his moral judgment, or show how women and minorities fit the original principle even though the other groups do not.

3. **Defending the moral standard.** When the standard is criticized, then its advocate must defend it. Often this requires invoking an even more general principle. A defender of Argument 6, for example, might uphold the redress principle by appealing to some more general conception of social justice. Or defenders might try to show how the standard in question entails other moral judgments that both the critic and the defender accept, thereby enhancing the plausibility of the standard.

   In the following exchange, Tina is defending the standard of Argument 5: "If an action violates the will of the majority, it is morally wrong":

Tina: Okay, do you think the government should impose a national religion on all Americans?

Jake: Of course not.

Tina: What about requiring people to register their handguns?

Jake: I'm all for it.

Tina: And using kids in pornography?

Jake: There rightly are laws against it.

Tina: But the principle you're objecting to—that an action violating the will of the majority is wrong—supports your moral stance on all these issues.

Of course, Tina's argument is by no means a conclusive defense for her moral standard. Other moral standards could just as easily entail the judgments she cites, as Jake is quick to point out:

Jake: Now wait a minute. I oppose a state religion on constitutional grounds, not because it violates majority will. As for gun control, I'm for it because I think it will reduce violent crimes. And using kids in pornography is wrong because it exploits and endangers children.

Although Tina's strategy for defending the standard about majority rule proved inconclusive, it does illustrate a common and often persuasive way of arguing for a moral principle.

4. **Revising and modifying the argument.** Arguments 4 through 7 are only illustrations, and all the moral principles they mention are very simple—too simple to accept without qualification. (The principle that it is immoral to break the law in all circumstances, for example, is implausible. Nazi Germany furnishes an obvious counterexample to it.) But once the standard has been effectively challenged, the defender of the argument, rather than abandoning the argument altogether, might try to reformulate it. For instance, the defender might replace the original, contested premise with a better and more plausible one that still supports the conclusion. For example, Premise 1 of Argument 4 might be replaced by: "If an action violates a law that is democratically decided and that is not morally unjust, then the action is immoral." Or the defender might revise the conclusion of his or her argument, perhaps by restricting its scope. A more modest, less sweeping conclusion will often be easier to defend.

   In this way, the discussion continues, the arguments on both sides of an issue improve, and we make progress in the analysis and resolution of ethical issues. In general, in philosophy we study logic and criticize arguments not to be able to score quick debating points but rather to be able to think more clearly and deeply about moral and other problems. Our goal as moral philosophers is not to "win" arguments but to arrive at the truth—or, put less grandly, to find the most reasonable answers to various ethical questions.

SUMMARY
Philosophical discussion generally involves the revision and modification of arguments; in this way progress is made in the analysis and resolution of moral and other issues.

REQUIREMENTS FOR MORAL JUDGMENTS

Moral discussion and the analysis of ethical issues can take different, often complicated, paths. Nevertheless, the preceding discussion implies that moral judgments should be (1) logical, (2) based on facts, and (3) based on sound or defensible moral principles. A moral judgment that is weak on any of these grounds is open to criticism.

Moral Judgments Should Be Logical

Our moral judgments should follow logically from their premises.

To say that moral judgments should be logical implies several things. *First*, as indicated in the discussion of moral reasoning, our moral judgments should follow logically from their premises. The connection between (1) the standard, (2) the conduct or policy, and (3) the moral judgment should be such that 1 and 2 logically entail 3. Our goal is to be able to support our moral judgments with reasons and evidence, rather than basing them solely on emotion, sentiment, or social or personal preference.

Our moral judgments should be logically compatible with our other beliefs.

Second, our moral judgments should be logically compatible with our other moral and nonmoral beliefs. We must avoid inconsistency. Almost all philosophers agree that if we make a moral judgment—for example, that it was wrong of Smith to alter the figures she gave to the outside auditors—then we must be willing to make the same judgment in any similar set of circumstances—that is, if our friend Brown, our spouse, or our father had altered the figures. In particular, we cannot make an exception for ourselves, judging something permissible for us to do while condemning others for doing the very same thing.

Moral Judgments Should Be Based on Facts

Adequate moral judgments cannot be made in a vacuum. We must gather as much relevant information as possible before making them. For example, an intelligent assessment of the morality of insider trading would require an understanding of, among other things, the different circumstances in which it can occur and the effects it has on the market and on other traders. The information supporting a moral judgment, the facts, should be relevant—that is, the information should actually relate to the judgment;

it should be complete or inclusive of all significant data; and it should, of course, be accurate or true.

Moral Judgments Should Be Based on Acceptable Moral Principles

SUMMARY

Moral judgments should be logical and based on facts and acceptable moral principles. Conformity with our considered moral beliefs is an important consideration in evaluating moral principles.

We know that moral judgments are based on moral standards. At the highest level of moral reasoning, these standards embody and express very general moral principles. Reliable moral judgments must be based on sound moral principles—principles that are unambiguous and can withstand close scrutiny and rational criticism. What, precisely, makes a moral principle sound or acceptable is one of the most difficult questions that the study of ethics raises and is beyond the scope of this book. But one criterion is worth mentioning, namely, consistency with our **considered moral beliefs**.

These beliefs contrast with our gut responses, with beliefs based on ignorance or prejudice, and with beliefs we just happen to hold without having thought them through. As philosophy professor Tom Regan explains, our considered beliefs are those moral beliefs "we hold *after* we have made a conscientious effort . . . to think about our beliefs coolly, rationally, impartially, with conceptual clarity, and with as much relevant information as we can reasonably acquire."[21] We have grounds to doubt a moral principle when it clashes with such beliefs. Conversely, conformity with our considered moral beliefs is good reason for regarding it as provisionally established.

This does not imply that conformity with our considered beliefs is the sole or even basic test of a moral principle, any more than conformity with well-established beliefs is the exclusive or even fundamental test of a scientific hypothesis. (Copernicus's heliocentric hypothesis, for example, did not conform with what passed in the medieval world as a well-considered belief, the Ptolemaic view that the earth was the center of the universe.) But conformity with our considered beliefs seemingly must play some part in evaluating the many alternative moral principles that are explored in the next chapter.

STUDY CORNER

KEY TERMS AND CONCEPTS

administrative regulations
argument
business
business ethics
businesspeople
bystander apathy
common law
conclusion
conscience
considered moral beliefs
constitutional law
counterexample
diffusion of responsibility
divine command theory
ethical relativism
ethics
etiquette
groupthink
invalid argument
moral arguments
moral standards
morality in the broad sense
morality in the narrow sense
organizational norms
paradox of hedonism
premises
professional codes of ethics
self-interest
sound arguments
statutes
unsound arguments
valid argument

POINTS TO REVIEW

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- what King's violation of the law shows (p. 7)
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FOR FURTHER REFLECTION

1. To what extent do our moral ideas reflect the society around us, and to what extent are we free to think for ourselves about moral matters?
2. Describe a situation in which you felt pressured to act against your moral principles or where you felt torn between conflicting moral values, rules, or principles. What did you do?
3. How do you explain the fact that in the business world basically good people sometimes act immorally?

CASE 1.1

Made in the U.S.A.— Dumped in Brazil, Africa, Iraq . . .

WHEN IT COMES TO THE SAFETY OF YOUNG children, fire is a parent's nightmare. Just the thought of their young ones trapped in their cribs or beds by a raging nocturnal blaze is enough to make most mothers and fathers take every precaution to ensure their children's safety. Little wonder that when fire-retardant children's pajamas first hit the market, they proved an overnight success. Within a few short years more than 200 million pairs were sold, and the sales of millions more were all but guaranteed. For their manufacturers, the future could not have been brighter. Then, like a bolt from the blue, came word that the pajamas were killers. The U.S. Consumer Product Safety Commission (CPSC) moved quickly to ban their sale and recall millions of pairs. Reason: The pajamas contained the flame-retardant chemical Tris (2,3-dibromoprophyl), which had been found to cause kidney cancer in children.

Because of its toxicity, the sleepwear couldn't even be thrown away, let alone sold. Indeed, the CPSC left no doubt about how the pajamas were to be disposed of—buried or burned or used as industrial wiping cloths. Whereas just months earlier the manufacturers of the Tris-impregnated pajamas couldn't fill orders fast enough, suddenly they were worrying about how to get rid of the millions of pairs now sitting in warehouses.

Soon, however, ads began appearing in the classified pages of *Women's Wear Daily*. "Tris-Tris-Tris . . . We will buy any fabric containing Tris," read one. Another said, "Tris—we will purchase any large quantities of garments containing Tris." The ads had been placed by exporters, who began buying up the pajamas, usually at 10 to 30 percent of the normal wholesale price. Their intent was clear: to dump* the carcinogenic pajamas on overseas markets.[22]

Tris is not the only example of dumping. There were the 450,000 baby pacifiers, of the type known to have caused choking deaths, that were exported for sale overseas, and the 400 Iraqis who died and the 5,000 who were hospitalized after eating wheat and barley treated with a U.S.-banned organic mercury fungicide. Winstrol, a synthetic male hormone that had been found to stunt the growth of American children, was made available in Brazil as an appetite stimulant for children. DowElanco sold its weed killer Galant in Costa Rica, although the Environmental Protection Agency (EPA) forbade its sale to U.S. farmers because Galant may cause cancer. After the U.S. Food and Drug Administration (FDA) banned the painkiller dipyrone because it can cause a fatal blood disorder, Winthrop Products continued to sell dipyrone in Mexico City.

Manufacturers that dump products abroad clearly are motivated by profit, or at least by the hope of avoiding financial losses resulting from having to withdraw a product from the U.S. market. For government and health agencies that cooperate in the exporting of dangerous products, sometimes the motives are more complex.

For example, when researchers documented the dangers of the Dalkon Shield intrauterine device—among the adverse reactions were pelvic inflammation, blood poisoning, tubal pregnancies, and uterine perforations—its manufacturer, A. H.

* *Dumping* is a term apparently coined by *Mother Jones* magazine to refer to the practice of exporting to other countries products that have been banned or declared hazardous in the United States.

Robins Co., began losing its domestic market. As a result, the company worked out a deal with the Office of Population within the U.S. Agency for International Development (AID), whereby AID bought thousands of the devices at a reduced price for use in population-control programs in forty-two countries.

The agencies involved say their motives are humanitarian. Because the death rate in childbirth is relatively high in third-world countries, almost any birth-control device is safer than pregnancy. Analogous arguments are used to defend the export of pesticides and other products judged too dangerous for use in the United States: Foreign countries should be free to decide for themselves whether the benefits of those products are worth their risks. In line with this, some third-world government officials insist that denying their countries access to these products is tantamount to violating their countries' national sovereignty.

This reasoning has found a sympathetic ear in Washington, for it turns up in the "notification" system that regulates the export of banned or dangerous products overseas. Based on the principles of national sovereignty, self-determination, and free trade, the notification system requires that foreign governments be notified whenever a product is banned, deregulated, suspended, or canceled by a U.S. regulatory agency. The State Department, which implements the system, has a policy statement on the subject that reads in part: "No country should establish itself as the arbiter of others' health and safety standards. Individual governments are generally in the best position to establish standards of public health and safety."

Critics of the system claim that notifying foreign health officials is virtually useless. For one thing, governments in poor countries can rarely establish health standards or even control imports into their countries. Indeed, most of the third-world countries where banned or dangerous products are dumped lack regulatory agencies, adequate testing facilities, and well-staffed customs departments.

Then there's the problem of getting the word out about hazardous products. In theory, when a government agency such as the EPA or the FDA finds a product hazardous, it is supposed to inform the State Department, which is to notify health officials

Andrew McConnell/Panos

Another hazard dumped in third-world countries is what has become known as e-waste: toxic electronic products and parts.

in other nations. But agencies often fail to inform the State Department of the product they have banned or found harmful, and when it is notified, its communiqués typically go no further than U.S. embassies abroad. When foreign officials are notified by U.S. embassies, they sometimes find the communiqués vague or ambiguous or too technical to understand.

But even if communication procedures were improved or the export of dangerous products forbidden, there are ways that companies can circumvent these threats to their profits—for example, by simply changing the name of the product or by exporting the individual ingredients of a product to a plant in a foreign country. Once there, the ingredients can be reassembled and the product dumped. The United States does prohibit its pharmaceutical companies from exporting drugs banned in this country, but sidestepping the law is not difficult. "Unless the package bursts open on the dock," one drug company executive observes, "you have no chance of being caught."

Unfortunately for us, in the case of pesticides, the effects of overseas dumping are now coming home. In the United States, the EPA bans all crop uses of DDT and dieldrin, which kill fish, cause tumors in animals, and build up in the fatty tissue of humans. It also bans heptachlor, chlordane, leptophos, endrin, and many other pesticides, including 2,4,5-T (which contains the deadly poison dioxin, the active ingredient in Agent Orange, the notorious defoliant used in Vietnam) because they are dangerous to human beings. No law, however, prohibits the sale of DDT and these other U.S.-banned pesticides overseas, where thanks to corporate dumping they are routinely used in agriculture. In one three-month period, for example, U.S. chemical companies exported 3.9 million pounds of banned and withdrawn pesticides. The FDA now estimates, through spot checks, that 10 percent of our imported food is contaminated with residues of banned pesticides. And the FDA's most commonly used testing procedure does not even check for 70 percent of the pesticides known to cause cancer. With the doubling of exports of Mexican produce to the United States since the signing of the North American Free Trade Agreement (NAFTA), the problem of pesticide-laced food has only grown worse.[23]

Update

In 2013 researchers purchased 42 different types of foam furniture for children, including the popular Mickey Mouse couch, and found that all but four of them contained the toxic flame retardants that were banned years ago from children's pajamas—flame retardants that contain chemicals linked, not just to cancer, but also to diminished IQs and other problems. Although the chemical industry defends flame retardants as necessary to safeguard children, it turns out that they do not actually prevent fires. If you set a cushion on fire, it will burn right up.[24]

DISCUSSION QUESTIONS

1. Complete the following statements by filling in the blanks with either "moral" or "nonmoral" (e.g., factual, scientific, legal):
   a. Whether or not dumping should be permitted is a _____ question.
   b. "Are dangerous products of any use in the third world?" is a _____ question.
   c. "Is it proper for the U.S. government to sponsor the export of dangerous products overseas?" is a _____ question.
   d. Whether or not the notification system works as its supporters claim it works is a _____ question.
   e. "Is it legal to dump this product overseas?" is a _____ question.
2. Explain what dumping is, giving some examples. Does dumping raise any moral issues? What are they? What would an ethical relativist say about dumping?
3. Speculate on why dumpers dump. Do you think they believe that what they are doing is morally permissible? How would you look at the situation if you were one of the manufacturers of Tris-impregnated pajamas?
4. If no law is broken, is there anything wrong with dumping? If so, when is it wrong and why? Do any moral considerations support dumping products overseas when this violates U.S. law?
5. What moral difference, if any, does it make who is dumping, why they are doing it, where they are doing it, or what the product is?
6. Critically assess the present notification system. Is it the right approach, or is it fundamentally flawed?
7. Putting aside the question of legality, what moral arguments can be given *for* and *against* dumping? What is your position on dumping, and what principles and values do you base it on? Should we have laws prohibiting more types of dumping?