

ETHICS

THEORY AND PRACTICE

SEVENTH EDITION

JACQUES P. THIROUX

Seventh Edition

Ethics

Theory and Practice

Jacques P. Thiroux

Professor Emeritus

Bakersfield College

California State University, Bakersfield



Upper Saddle River, New Jersey 07458

Library of Congress Cataloging-in-Publication Data

THIROUX, JACQUES P.

Ethics : theory and practice / JACQUES THIROUX. -- 7th ed.

p. cm.

Includes bibliographical references and index.

ISBN 0-13-031408-0

1. Ethics. 2. Ethical problems. I. Title.

BJ1012.T47 2001

170--dc21 00-055793

VP, Editorial Director: *Charlyce Jones Owen*

Acquisitions Editor: *Ross Miller*

Editorial Assistant: *Carla Worner*

Editorial/Production Supervision: *Edie Riker*

Prepress and Manufacturing Buyer: *Tricia Kenny*

Director of Marketing: *Don Allmon*

Cover Director: *Jayne Conte*

Cover Designer: *Bruce Kenselaar*

This book was set in 10/12 Palatino by East End Publishing Services, Inc.
and was printed and bound by RR Donnelley & Sons Company.
The cover was printed by Phoenix Color Corp.



© 2001, 1998, 1995 by Prentice-Hall, Inc.

A Division of Pearson Education

Upper Saddle River, New Jersey 07458

All rights reserved. No part of this book may be
reproduced, in any form or by any means,
without permission in writing from the publisher.

Printed in the United States of America

10 9 8 7 6 5 4 3 2 1

ISBN 0-13-031408-0

Prentice-Hall International (UK) Limited, *London*

Prentice-Hall of Australia Pty. Limited, *Sydney*

Prentice-Hall Canada Inc., *Toronto*

Prentice-Hall Hispanoamericana, S.A., *Mexico*

Prentice-Hall of India Private Limited, *New Delhi*

Prentice-Hall of Japan, Inc., *Tokyo*

Pearson Education Asia Pte. Ltd., *Singapore*

Editora Prentice-Hall do Brasil, Ltda., *Rio de Janeiro*

To My Wife, Emily Thiroux, the Ultimate Renaissance Woman

Preface

First of all I want to thank all of the students and professors for having enough faith in me and my book to find it useful and usable. The book has been in print now for 22 years! Quite a feat for any text, much less one on ethics. I am very proud and grateful to all of you for making it so. It has even been “bootlegged” by the People’s Republic of China and was translated into Chinese in 1981.

I have tried to make the book more relevant, more all-inclusive, and more up-to-date each time I have revised it. This has not always been easy. For example following Supreme Court decisions on an issue, the increasing violence and terrorism in the world today, and problems with mass media coverage of people and events have made updating necessary and at times difficult in this edition.

In addition to updating abortion, physician-assisted death, and other issues, I have decided to change the chapter on Business Ethics to Business and Media Ethics, including moral questions of media coverage such as in the cases of Princess Diana, Clinton-Lewinsky, John F. Kennedy, Jr., the crash of TWA Flight 800, and other events.

I hope this book continues to be useful, and I welcome any suggestions, which may be sent to Prentice Hall.

Special thanks to Jennifer Ackerman, Edie Riker, Ross Miller, and all of the people at Prentice Hall who have helped with this revision. As we approach the 2000 presidential election, ethics continues to be one of our most important endeavors. We must continue debating the issues and using the best ethical reasoning we can bring to the difficult problems of the twenty-first century.

*Jacques P. Thiroux
Professor Emeritus, Bakersfield College,
California State University, Bakersfield*

Contents

	<i>Preface</i>	xi
Chapter 1	<i>What Is Morality?</i>	1
	Objectives	1
	What Is Philosophy and Ethics' Relationship to It?	2
	Key Terms	2
	Approaches to the Study of Morality	6
	Morality and Its Applications	8
	Where Does Morality Come From?	13
	Customary or Traditional and Reflective Morality	17
	Morality, Law, and Religion	18
	Why Should Human Beings Be Moral?	24
	Chapter Summary	28
	Exercises for Review	31
	Discussion Questions	32
	Notes	33
	Supplementary Reading	33
Chapter 2	<i>Consequentialist (Teleological) Theories of Morality</i>	35
	Objectives	35
	Psychological Egoism	36
	Ethical Egoism	38

	Utilitarianism	43
	Difficulty with Consequentialist Theories in General	48
	Chapter Summary	49
	Exercises for Review	51
	Discussion Questions	52
	Notes	53
	Supplementary Reading	53
Chapter 3	<i>Nonconsequentialist (Deontological) Theories of Morality and Virtue Ethics</i>	55
	Objectives	55
	Act Nonconsequentialist Theories	56
	Rule Nonconsequentialist Theories	59
	General Criticisms of Nonconsequentialist Theories	66
	Virtue Ethics	68
	Conclusions	74
	Chapter Summary	74
	Exercises for Review	78
	Discussion Questions	79
	Notes	81
	Supplementary Reading	81
Chapter 4	<i>Absolutism versus Relativism</i>	83
	Objectives	83
	The Meanings of <i>Absolute</i>	84
	The Meanings of <i>Relative</i>	85
	Cultural Relativism and Cultural Absolutism	85
	Propositions and Truth	87
	Conclusion	94
	Chapter Summary	96
	Exercises for Review	97
	Discussion Questions	98
	Notes	99
	Supplementary Reading	99
Chapter 5	<i>Freedom versus Determinism</i>	101
	Objectives	101
	The Meaning of <i>Determinism</i>	102
	Types and Theories of Determinism	102
	Fatalism and Hard and Soft Determinism	108
	Indeterminism	110

Criticisms of Hard Determinism and Arguments for Freedom	111
Conclusion: Soft Determinism	114
Chapter Summary	115
Exercises for Review	118
Discussion Questions	118
Notes	119
Supplementary Reading	119

Chapter 6 *Reward and Punishment* 121

Objectives	121
Definition of Key Terms	122
Reward and Punishment in Relationship to Justice	122
Elements of Justice	123
Reward	124
Theories of How to Reward	130
Punishment	131
Theories of Punishment	133
Is a Synthesis Possible?	143
Chapter Summary	145
Exercises for Review	150
Discussion Questions	150
Notes	151
Supplementary Reading	151

Chapter 7 *Setting Up a Moral System: Basic Assumptions and Basic Principles* 153

Objectives	153
Conflicting General Moral Issues	154
Basic Assumptions	155
Basic Principles, Individual Freedom, and Their Justification	160
Priority of the Basic Principles	170
A General Way of Determining Priority— Two Categories	170
How the System of Humanitarian Ethics Works	174
Conclusion	175
Chapter Summary	177
Exercises for Review	178
Discussion Questions	179
Note	179
Supplementary Reading	179

Chapter 8	<i>The Taking of Human Life</i>	181
	Objectives	181
	The Taking of Human Life	182
	Suicide	182
	Cases for Study and Discussion	185
	Defense of the Innocent (the Self Included)	186
	Cases for Study and Discussion	187
	War	188
	Terrorism	191
	Cases for Study and Discussion	192
	Capital Punishment	193
	Cases for Study and Discussion	198
	Chapter Summary	199
	Exercises for Review	202
	Views of Major Ethical Theories on the Taking of Human Life	203
	Suicide	203
	Defense of the Innocent	205
	War and Terrorism	206
	Capital Punishment	208
	Reader Reactions	210
	Notes	210
	Supplementary Reading	210
 Chapter 9	 <i>Allowing Someone to Die, Mercy Death, and Mercy Killing</i>	 213
	Objectives	213
	Definition of Terms	214
	Current Legal Status of Mercy Death and Mercy Killing	215
	Allowing Someone to Die	217
	Cases for Study and Discussion	245
	Mercy Death	247
	Cases for Study and Discussion	255
	Mercy Killing	256
	Cases for Study and Discussion	259
	Chapter Summary	261
	Exercises for Review	265
	Views of the Major Ethical Theories on Allowing Someone to Die, Mercy Death, and Mercy Killing	266
	Notes	266
	Supplementary Reading	267

Chapter 10	<i>Abortion</i>	269
	Objectives	269
	Introduction to the Abortion Issue	270
	When Does Human Life Begin?	273
	Arguments Against Abortion	275
	Arguments for Abortion	279
	The More Moderate Positions on Abortion	283
	Cases for Study and Discussion	287
	Chapter Summary	288
	Exercises for Review	291
	Views of the Major Ethical Theories on Abortion	292
	Notes	292
	Supplementary Reading	293
 Chapter 11	 <i>Lying, Cheating, Breaking Promises, and Stealing</i>	 295
	Objectives	295
	Introduction	296
	Definitions of Key Terms	296
	Nonconsequentialist and Consequentialist Views	297
	Lying	299
	Cases for Study and Discussion	306
	Cheating	307
	Cases for Study and Discussion	310
	Breaking Promises	311
	Cases for Study and Discussion	316
	Stealing	317
	Cases for Study and Discussion	321
	Chapter Summary	322
	Exercises for Review	325
	Views of the Major Ethical Theories on Lying, Cheating, Breaking Promises, and Stealing	326
	Notes	326
	Supplementary Reading	327
 Chapter 12	 <i>Morality, Marriage, and Human Sexuality</i>	 329
	Objectives	329
	Major Aspects of Human Sexuality	330
	The Meaning and Purposes of Human Sexuality	330
	Premarital Sex	335
	Sex in Marriage-Type Relationships (Including Nonlegal)	333
	Masturbation	346

Pornography 347
Prostitution 349
Sexual Perversion or “Unnatural” Sexual Activity 350
Cases for Study and Discussion 351
Chapter Summary 352
Exercises for Review 358
Views of the Major Ethical Theories on Morality,
Human Sexuality, and Marriage 359
Notes 359
Supplementary Reading 359

Chapter 13 *Bioethics—Ethical Issues in Medicine* 362

- Objectives 362
- Introduction and Definition of Terms 363
- Health Care Professionals and Patients and Their Families—
Rights and Obligations 363
- Truth Telling and Informed Consent 368
- Confidentiality 373
- Guilt and Innocence in Treating Patients 374
- Ethical Issues in Medicine 375
- Cases for Study and Discussion 380
- Chapter Summary 382
- Exercises for Review 389
- Views of the Major Ethical Theories on
Bioethical Issues 390
- Notes 390
- Supplementary Reading 391

Chapter 14 *Business and Media Ethics* 394

- Objectives 394
- Introduction 395
- Rights and Obligations in Business 395
- Two Ways of Approaching Rights and Obligations in Business 396
- The Moderate Position 398
- Justice, Truth Telling, and Honesty in Business 399
- Ethical Issues in Business 400
- Sexual Harassment 406
- Media Ethics 409
- Cases for Study and Discussion 413
- Chapter Summary 417

Appendix 3: <i>Applying Humanitarian Ethics to the Moral Problems of Abortion</i>	476
Appendix 4: <i>Applying Humanitarian Ethics to the Moral Problems of Lying, Cheating, Breaking Promises, and Stealing</i>	487
Appendix 5: <i>Applying Humanitarian Ethics to the Moral Problems of Human Sexuality</i>	496
Appendix 6: <i>Applying Humanitarian Ethics to Moral Problems in Medicine (Bioethics)</i>	502
Appendix 7: <i>Applying Humanitarian Ethics to Moral Problems in Business (Business and Media Ethics)</i>	550
Appendix 8: <i>Applying Humanitarian Ethics to Environmental Ethics</i>	517
 Glossary	 522
 Index	 533

Chapter 1

What Is Morality?

Objectives

After you have read this chapter, you should be able to

1. Define *philosophy* and explain the relationship of ethics to it.
2. Define key terms concerning ethics or morality.
3. Explain the various approaches to the study of morality.
4. Understand what morality is and how it differs from aesthetics, nonmoral behavior, and manners.
5. Understand to whom morality applies.
6. Have some idea of where morality comes from.
7. Distinguish between morality and the law.
8. Distinguish between morality and religion.
9. Understand why human beings should be moral.

What Is Philosophy and Ethics' Relationship to It?

Philosophy literally means love of wisdom, the Greek words *philia* meaning love or friendship, and *sophia* meaning wisdom. Philosophy is concerned basically with three areas: *epistemology* (the study of knowledge), *metaphysics* (the study of the nature of reality), and *ethics* (the study of morality), which will be our major concern in this book.

Epistemology deals with the following questions: What is knowledge? What are truth and falsity, and to what do they apply? What is required for someone to actually *know* something? What is the nature of perception, and how reliable is it? What are logic and logical reasoning, and how can human beings attain them? What's the difference between knowledge and belief? Is there anything such as "certain knowledge"? From time to time throughout this book, epistemological questions will be discussed, especially in Chapter 4, which deals with absolutes and truth.

Metaphysics is the study of the nature of reality, asking the questions: What exists in reality and what is the nature of what exists? Specifically, such questions as the following are asked: Is there really cause and effect in reality, and if so, how does it work? What is the nature of the physical world, and is there anything other than the physical, such as the mental or spiritual? What is the nature of human beings? Is there freedom in reality or is everything predetermined? Here again, we will deal with some of these questions throughout the book, but especially in Chapter 4—are there any absolutes or is everything really relative?—and Chapter 5, is there any such thing as freedom, or are all things in reality predetermined?

Ethics, our main concern, deals with what is right or wrong in human behavior and conduct. It asks such questions as what constitutes any person or action being good, bad, right, or wrong, and how do we know (epistemology)? What part does self-interest or the interests of others play in the making of moral decisions and judgments? What theories of conduct are valid or invalid, and why? Should we use principles or rules or laws, or should we let each situation decide our morality? Are killing, lying, cheating, stealing, and sexual acts right or wrong, and why or why not?

As you can see, these three areas are related and at times overlap, but each one is worthy of concentrated study in itself. The major concern in this book, as its title suggests, is ethics, and before going any further, it is important to define some key terms used in any discussion of ethics or morality.

Key Terms

Ethical, Moral, Unethical, Immoral

In ordinary language, we frequently use the words *ethical* and *moral* (and *unethical* and *immoral*) interchangeably; that is, we speak of the ethical or moral person or act. On the other hand, we speak of codes of ethics, but only infrequently do we mention codes of morality. Some reserve the terms *moral* and *immoral* only for the realm of sexuality and use the words *ethical* and *unethical* when discussing how the business and professional communities should behave toward their members or toward the public. More commonly,

however, we use none of these words as often as we use the terms *good*, *bad*, *right*, and *wrong*. What do all of these words mean, and what are the relationships among them?

Ethics comes from the Greek *ethos*, meaning character. *Morality* comes from the Latin *moralis*, meaning customs or manners. Ethics, then, seems to pertain to the individual character of a person or persons, whereas morality seems to point to the relationships between human beings. Nevertheless, in ordinary language, whether we call a person ethical or moral, or an act unethical or immoral, doesn't really make any difference. In philosophy, however, the term *ethics* also is used to refer to a specific area of study: the area of morality, which concentrates on human conduct and human values.

When we speak of people as being moral or ethical, we usually mean that they are good people, and when we speak of them as being immoral or unethical, we mean that they are bad people. When we refer to certain human actions as being moral, ethical, immoral, and unethical, we mean that they are right or wrong. The simplicity of these definitions, however, ends here, for how do we define a right or wrong action or a good or bad person? What are the human standards by which such decisions can be made? These are the more difficult questions that make up the greater part of the study of morality, and they will be discussed in more detail in later chapters. The important thing to remember here is that *moral*, *ethical*, *immoral*, and *unethical*, essentially mean *good*, *right*, *bad*, and *wrong*, often depending upon whether one is referring to people themselves or to their actions.

Characteristics of Good, Bad, Right, Wrong, Happiness, or Pleasure. It seems to be an empirical fact that whatever human beings consider to be good involves happiness and pleasure in some way, and whatever they consider to be bad involves unhappiness and pain in some way. This view of what is good has traditionally been called "hedonism." As long as the widest range of interpretation is given to these words (from simple sensual pleasures to intellectual or spiritual pleasures and from sensual pain to deep emotional unhappiness), then it is difficult to deny that whatever is good involves at least some pleasure or happiness, and whatever is bad involves some pain or unhappiness.

One element involved in the achievement of happiness is the necessity of taking the long- rather than the short-range view. People may undergo some pain or unhappiness in order to attain some pleasure or happiness in the long run. For example, we will put up with the pain of having our teeth drilled in order to keep our teeth and gums healthy so that we may enjoy eating and the general good health that results from having teeth that are well maintained. Similarly, people may do very difficult and even painful work for two days in order to earn money that will bring them pleasure and happiness for a week or two.

Furthermore, the term *good* should be defined in the context of human experience and human relationships rather than in an abstract sense only. For example, knowledge and power in themselves are not good unless a human being derives some satisfaction from them or unless they contribute in some way to moral and meaningful human relationships. They are otherwise nonmoral.

What about actions that will bring someone some good but will cause pain to another, such as those of a sadist who gains pleasure from violently mistreating another human being? Our original statement was that everything that is good will bring some

person satisfaction, pleasure, or happiness of some kind, but this statement does not necessarily work in the reverse—that everything that brings someone satisfaction is necessarily good. There certainly are “malicious pleasures.”

Excellence. William Frankena states that whatever is good will also probably involve “some kind or degree of excellence.”¹ He goes on to say that “what is bad in itself is so because of the presence of either pain or unhappiness or of some kind of defect or lack of excellence.”² Excellence is an important addition to pleasure or satisfaction in that it makes “experiences or activities better or worse than they would otherwise be.”³ For example, the enjoyment or satisfaction gained from hearing a concert, seeing a fine movie, or reading a good book is due, to a great extent, to the excellence of the creators and presenters of these events (composers, performers, directors, actors, writers). Another and perhaps more profound example of the importance of excellence is that if one gains satisfaction or pleasure from witnessing a well-conducted court case and from seeing and hearing the judge and the lawyers perform their duties well, that satisfaction will be deepened if the judge and the lawyers are also excellent people; that is, if they are kind, fair, and compassionate human beings in addition to being clever and able.

Whatever is good, then, will probably contain some pleasure, happiness, and excellence, whereas whatever is bad will probably contain their opposites: pain, unhappiness, and lack of excellence. I am only stating that there will probably be *some* of these elements present. For example, a good person performing a right action might not be particularly happy and might even find what he or she is doing painful; nonetheless, the recipients of the right action might be made happy by it and the right action also might involve excellence.

Harmony and Creativity. There are two other attributes of “good” and “right” that may add to our definition; they are harmony and creativity on the “good” side and discord, or disharmony, and lack of creativity on the “bad” side. If an action is creative or can aid human beings in becoming creative and, at the same time, help to bring about a harmonious integration of as many human beings as possible, then we can say it is a right action. If an action has the opposite effect, then we can say that it is a wrong action.

For example, if a person or a group of people can end a war between two nations and create an honorable and lasting peace, then a right or good action has been performed. It can allow members of both nations to be creative rather than destructive and can create harmony between both sides and within each nation. On the other hand, causing or starting a war between two nations will have just the opposite effect. Lester A. Kirkendall stresses these points and also adds to what I stated earlier about the necessity of placing the emphasis on what is good or excellent in human experience and relationships:

Whenever a decision or a choice is to be made concerning behavior, the moral decision will be the one which works toward the creation of trust, confidence, and integrity in relationships. It should increase the capacity of individuals to cooperate, and enhance the sense of self-respect in the individual. Acts which