

The cover features a dark, textured background with several thick, diagonal orange stripes that intersect to form a series of 'X' shapes. The stripes have a slightly distressed or weathered appearance. The title and author information are printed in a clean, white, sans-serif font at the bottom of the cover.

Contemporary Moral Issues

Second Edition

edited by Harry K. Girvetz

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HARRY K. GIRVETZ

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Preface

This book deals with some of the major moral issues of our time. To call them issues is to say that they are not yet resolved, at any rate not among thoughtful and responsible men of good will; or, if they are resolved, the manner of resolution is not one that has decisively affected practice. Admittedly the determination of good will, wisdom, and responsibility involves judgments of value and might be said, therefore, to reflect personal bias. But, quite apart from the quality of the readings and the competence and distinction of their authors, I have employed a principle of selection that should commend itself to reasonable readers of every persuasion. I have chosen authors who might be presumed to encounter dissent without branding it as evidence of malice or stupidity—authors who, in short, claim no monopoly of wisdom and virtue. Presumably these are people who could engage in debate without denouncing each other as knaves or fools.

I have employed another related principle of selection, although obviously with no pretense to infallibility in its application. The authors are, it will be evident, committed people. But they have not, in my judgment, subordinated the pursuit of truth to defense of their commitments; their loyalties, however strong and even passionate, have not blinded them to alternatives.

Such, in addition to evidence of scholarship, are the requirements by which great universities recruit their faculties. The upshot of adherence to such principles is the exclusion of bigots and blind partisans. Their utterances too are of interest, for they often have an impact on history and afford interesting evidence of the extremes to which men may be led by their passions

and prejudices, but our concern here is a different one—namely, better understanding of some of the still unsettled moral problems of our day. This is not a project to which fanatics can make a significant contribution. However, such a view does not imply endorsement of what has been called the “ultramiddle”; to reject blind partisanship is not to praise moral timidity or apathy.

The selections in this volume are not concerned with the problems that would occupy a theoretical treatise on ethics. Such a study, although it would do well to deal with specific moral problems and issues, would by necessity go beyond them to an analysis of the concepts of right and good and ought, of moral law and conscience, concepts that most moral controversy takes for granted—as it does the relevance and demonstrability of judgments of moral value. How judgments of value are demonstrated (if indeed they can be demonstrated at all), and the sense in which they may therefore be regarded as meaningful, is a cause of much difference of opinion among professional philosophers. But this is not a question that will concern us here beyond one important comment. Behind the assertions of the writers included in these pages is the assumption that there exists a difference between good and evil that is more than a simple affirmation of preference. The point to moral discourse—unless those who partake of it are in quest of emotional catharsis—is to persuade. Quite obviously, if nothing but preferences were involved, all efforts to persuade would founder on the retort that there is no disputing about tastes.

Persuasion is often and most simply accomplished by calling attention to facts concerning the antecedents and consequences of a course of action, or to its consistency or inconsistency with accepted values or standards. One may point out, for example, that the repeal of capital punishment has or has not been followed by an increase of the crimes previously punishable by death, that loyalty oaths have or have not been helpful in exposing Communists or that such oaths are or are not consistent with heretofore accepted standards concerning test oaths. One may cite evidence to indicate the discrepancy between precept and practice in sex conduct, or refer to what psychologists have told us about the causes and consequences of the state of mind that required loincloths to be painted over Michelangelo's nudes in the Sistine Chapel. In all such cases persuasion is accomplished and agreement effected within the framework of a common set of values.

Often, however, the facts do not prevail, and considerations of consistency become hopelessly obscured. When this happens one may conclude that the conflict lies deeper and involves values themselves. It is here, in disputes over standards of value, that our differences are crucial. Can such differences be reconciled?

The question here raised concerns moral suasion in the true sense. When the President of the United States and the president of United States

Steel clashed bitterly, in 1962, over the respective responsibilities of business management and government concerning the price of steel, they were not merely differing over matters of fact—although many facts were, of course, relevant and in need of clarification. One may assume that they had different notions concerning what *ought* to be the prevailing conduct in our society, a basic difference over values that no amount of appeal to verbally identical principles like “the common welfare” or “the public good” can conceal.

The city of Coventry recently completed a cathedral to replace the great Gothic church destroyed by Germany’s *Luftwaffe* on the night of November 14, 1940. However, during the years following the war the city council of Coventry refused a building permit for a new cathedral, arguing that there was a prior need for schools, houses, and clinics. The council was overruled, it so happened, by the British Minister of Works, who wrote: “Can we be sure that a cathedral would be so useless? We have never had a greater need for an act of faith.” The difference, although perhaps not as acrimonious as the dispute between President Kennedy and the steel industry, surely reflects competing sets of values.

“Hippies,” as they have taught us to know them, reject middle-class values. Work, discipline, ambition are scorned, as are their fruits in money, status, and power. Often the offspring of middle-class parents, they think of their parents as chained to a treadmill and of themselves as having repudiated what William James once called the “bitch-goddess, Success.” Others think of them as shiftless and slovenly free-loaders seeking escape from responsibility in drugs and antic affectations. The difference between our self-styled “flower-children” and their critics hardly arises from disputes about questions of fact; it is a deep divergence over ideals and standards.

If such differences are to be reconciled and moral suasion is indeed to occur, an *act of will* must take place. This is something more than the act of perception or act of thought required of those who differ because of obscured facts or inconsistent reasoning from accepted moral premises. People must be *willing* (in the double sense of that word) to suspend their prevailing standards of value in order to entertain an alternative—an alternative not envisaged when they first formulated their standards. In the ensuing reevaluation they may reaffirm or revise their heretofore accepted values, but one thing is certain: such values will have new meaning to them by virtue of having been thus tested. Moreover, in this way they may find enhancement that would otherwise have been denied them had they resisted such reappraisal.

What precise circumstances occasion such reevaluations and what occurs as we reappraise our prevailing standards of value are complex questions that must be left to more technical discussions. But this much is clear: bigots and fanatics will not submit their position to reexamination.

Neither, for other reasons, will members of preliterate or authoritarian societies, where the individual is so submerged in the group or so submissive that he would not think of challenging the prevailing mores. Re-appraisal is possible only for free men conscious of themselves as agents capable of guiding their own development—capable, that is, of an exercise of free will in what is perhaps the only meaningful sense of that term. Such a capacity is not an original endowment, but an achievement laboriously won over the long centuries during which a relatively few men have emancipated themselves from tyranny, whether of law and custom or of their own unrestrained impulses and appetites.

The issues discussed in this volume are arranged into six groupings, although other ways of relating them might be equally appropriate. With each grouping are brief introductory comments, which suggest the main problems in that area and indicate the rationale for that particular grouping. The groupings are subdivided into topics, and accompanying each topic is a brief formulation of the issue. With each selection are comments concerning the author's background. For the most part I have made an attempt to represent important differences in point of view and to emphasize the contributions of living Americans.

I would like to acknowledge the able assistance of Dr. Vernon Nash whose semi-retirement has brought to our community a rare spirit who combines moral fervor with good humor—thereby enabling us to deplore our follies and at the same time smile at them. In addition, I have been helped by my wife, by Sharon McKenna, secretary to the Department of Philosophy, and by the unfailing cooperation of Dr. Leonard Freedman, University of California Extension, Los Angeles, editor of the series to which this volume is a contribution.

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Part One

Security and Its Moral Implications

Security of person and property is the first concern of a well-ordered society. Few passages in the literature of political philosophy are more remembered than Thomas Hobbes' observation in the *Leviathan* that in the "war of all against all," there can be "no culture of the earth, no navigation . . . no commodious building . . . no knowledge of the face of the earth . . . no arts; no letters; no society . . ." In Hobbes' famous phrase, life in such circumstances is "solitary, poor, nasty, brutish, and short."

Hobbes lived during a period of prolonged civil strife, and his first concern was with internal order. Today, our first concern is with world order. In such times security takes on new meaning, and nations take special precautions to protect themselves. As a consequence, new moral issues come to the fore—or old issues appear in a new context. In our day the quest for national security is complicated by the threat, posed for the first time, of total destruction from nuclear warfare and by the effect on future generations of the slow contamination of the atmosphere from nuclear testing.

The complications are not only technological; they are also ideological, stemming from the peculiar circumstance that in our present world crisis the division is not primarily between "haves" and "have nots," but between competing ways of ordering the whole scheme of social relationships. The difference could therefore take on a religious character, which is a dangerous possibility because religious wars, as we know from bitter experience, evoke a fanaticism that is heedless of consequences. Fortunately, zealous ideologues rarely achieve high office. Statesmen and politicians are not generally given to religious fervor. They shun holy crusades; and, if the price of the objectives they normally pursue is too high, they content themselves with less—in the present case with coexistence.

The ideological implications of the international crisis, whether these are central or peripheral, bring the problem of defending ourselves from an external threat a great deal closer to the issue of internal security

than it would otherwise be. Ideologies are notoriously scornful of national boundaries. Our differences with the Soviet Union have therefore greatly increased concern about Communism at home.

A nation's internal security requires that it protect itself from disloyalty. Such disloyalty may manifest itself in revolutionary activities culminating in efforts to overthrow the government or, where a foreign foe is involved, in sabotage and espionage. Efforts to achieve internal security inevitably come into conflict with individual rights and liberties. The conflict of values thereby generated has sorely tried our national conscience since the loyalty program was first initiated by President Truman in 1947.

Often the conflict appears to be more than a difference over questions of fact. Is there really a danger of revolution in this country requiring that we take special precautions? Is Communism an authentic revolutionary movement or a conspiracy? In either case does the Communist movement undermine and menace our institutions? Is a given device (for example, loyalty oaths) or a given legal measure (say the McCarran Act or the Smith Act) effective in combating Communism? Here, as usual, one may safely assume that where such questions of fact do not get resolved, differences concerning the facts conceal a more basic difference over values. Spokesmen for the radical right find that Communists inside our country pose an imminent threat even more to be feared than the threat of the Soviet Union. Others would say that this is a preposterous exaggeration. Clearly, more than a difference over questions of fact is involved in this disagreement. The so-called naked facts rarely (in fact) present themselves without raiment; we sometimes forget that they come with a thick cloak of interpretation heavily colored by our interests and values.

Readers of the selections that follow should look for unexpressed or tacit disagreements over values as well as for avowed differences. Often the unavowed difference is the more important one. Thus, the question is rarely raised: is revolution ever morally justifiable, and, if so, under what conditions? How far does "loyalty" require that we go in obeying the law of the state? Are we, in fact, obligated to obey a law that we are convinced is morally wrong? How shall we view a draftee's refusal to fight in a war that outrages his conscience?

The classical answers to such questions were given by Socrates in the *Apology* and by Sophocles in his *Antigone*—by Socrates, who warned an Athenian jury that he would not stop teaching philosophy and then, as the *Crito* reports, faced the consequences by refusing to escape prison and the death to which the jury condemned him; by Antigone, who refused to obey the law of Creon when it decreed that the body of her brother lie unburied. Refusal to obey the law, it has been said, leads to anarchy. But exclusive stress on obedience enabled the men in charge of the Third Reich's extermination camps to plead that they were conforming to the law which decreed that they obey their superiors: "Ein Befehl ist ein Befehl!" What shall our answer be?

There are other points at which the quest for security raises profound moral issues. We must secure ourselves against thieves, murderers, and the like—against those, that is, who would do violence

to us as individuals. Here no political or ideological issues are at stake. Even so, the problems are often similar.

The police are responsible for protecting us from criminals. How far ought they to be allowed to go in ignoring individual rights and invading privacy (for example, with wire-tapping) as they go about the difficult business of detecting crime and catching the culprit? How ought the criminal to be dealt with once he is caught? The crime rate is mounting with alarming rapidity. What can we do to curb crime without flouting accepted moral imperatives? Shall we inflict severer penalties? Many now clamor that we must deal more harshly with the culprit who traffics in narcotics. Shall we say, with the Queen of Hearts, "Off with his head!"? Or is there a more humane and effective way?

Above all, should crime *ever* be punishable by death? Professor Jacques Barzun prefers the term "judicial homicide" to "capital punishment," since the latter designation implies a reason—namely, punishment—to which some who favor the death penalty do not subscribe. In any event, since respect for the sanctity of human life provides the moral basis of our society, the issues raised by the use of the death penalty are fundamental and have therefore occasioned some of our most ex-cruciating moral perplexities.

Such are the diverse and manifold problems raised by the quest for security. Needless to say, they have inspired comparably diverse and manifold solutions.

National Security in the Nuclear Age: Three Moral Appraisals

The quest for national security in a nuclear age poses some ancient moral problems as well as a number of radically new ones. Is the position of the pacifist morally justifiable? It often manifests itself nowadays in a slogan that seems more like an appeal to expediency than the invocation of a high moral principle: "Better red than dead!" And it calls for unilateral disarmament if necessary. Is this craven capitulation to the forces of evil, or, as some have argued, is the position supported by moral insights that the critics ignore?

The position of the pacifist does not preclude him from making moral comparisons and from allying himself with one or the other of the parties to the conflict; he simply affirms the futility of armed conflict and opposes the use of force under any circumstances. On the other hand, neutralism, at least in one of its major manifestations, is the view that good and evil in what we call the Cold War are too evenly distributed to justify taking sides. Whether Americans like it or not, morally perceptive men defend such a position. Indeed, the sheer massiveness of neutralist sentiment in the world not only puzzles and disturbs Americans, it presents a potential threat to the bonds that tie us to our allies. Unlike doctrinaire pacifism, which finds few converts and will not be debated in these pages, neutralism is a significant force in the world. Hence, no matter how indignant we may feel, we must examine the neutralist's position. Since there are hardly any influential American neutralists, it has been necessary to find a spokesman from abroad.

At the other extreme are those who challenge our present commitment to a policy of coexistence. Is coexistence morally de-

fensible, or shall we, with Senator Goldwater and the far right, answer the title of his book *Why Not Victory?* with a resounding affirmative? Ironically, the Kremlin, also apparently committed to a policy of coexistence, encounters strikingly similar criticism from its far left—in this instance the Chinese Communists. One may well marvel at the curious trick of circumstances (not to mention the hazards of moral discourse) that has made schismatics of Mao Tse-tung and Barry Goldwater and has them raising the same moral questions. In the selections that follow, three distinguished men—a theologian, a diplomat, and a business executive—provide answers to some of these questions.

NO ANGELS OF DARKNESS AND LIGHT

Karl Barth

To many Americans there could be no more disconcerting exponent of the neutralist view than Karl Barth. He is Protestantism's most eminent continental theologian. He has been called "the master theologian of our age" and "the colossus from Basel." President James McCord of Princeton Theological Seminary has said that "he bestrides the theological world like a colossus," and theologian Hans Frei of Yale has called him a "Christ-intoxicated man." Although, as a professor in Germany, he led the fight against Hitlerism, he has refused to take sides against the Russians, even to avoiding open condemnation of the Russian brutalities in Hungary. His advice to us has been to surrender our nuclear weapons—unilaterally if need be. Even so, Time magazine dedicated its 1962 Easter issue to him, commenting that in this century "no man has been a stronger witness to the continuing significance of Christ's death and Christ's return than the world's ranking Protestant theologian, Swiss-born Karl Barth." Most Americans may not like what Karl Barth says, but they should read him. This need not preclude us from reflecting that if he were to direct similar animadversions at the USSR the Soviets would drown them in vituperation—and from wondering why this has not tempered his impeachment.

. . . The East-West question has accompanied and shadowed us all since the end of World War II. On this question I cannot agree with the great majority of those around me. Not that I have any inclination toward Eastern communism, in view of the face it presents to the world. I decidedly prefer not to live within its sphere and do not wish anyone else to be forced to do so. But I do not comprehend how either politics or Christianity require or even permit such a disinclination to lead to the conclusions which the West has drawn with increasing sharpness in the past 15 years. I regard anticommunism as a matter of principle an evil even greater than communism itself. Can one overlook the fact that communism is the unwelcomed yet—in all its belligerence—natural result of Western developments? Has not its total, inhuman compulsion which we complain of so much haunted from remotest times in another form our avowedly free Western societies and states? And was it then something suddenly new and worthy of special horror when communism presented itself as a doctrine of salvation blessing all men and nations and therefore one to be spread over the whole world? Are there not other systems of this kind and tendency? Further, could we really intend to help the peoples governed by communism and the world threatened by it, or even one individual among those suffering under its effects, by proclaiming and seeking to practice toward it a relationship exclusively that of enemies? Have we forgotten that what is at stake in this “absolute enemy” relationship, to which every brave man in the West is now obligated and for which he would give his all, is a typical invention of (and a heritage from) our defunct dictators—and that only the “Hitler in us” can be an anticommunist on principle?

Who in the West has even once taken the trouble to think through from the Eastern and particularly from the Russian standpoint the painful situation which has arisen since 1945? Were we not rather happy, and with good reason, over the Soviet contribution to the conquest of the National Socialist danger? Was it not the leaders of the West who toward the end of the war conceded and guaranteed the Soviet Union a determining influence in eastern Europe? Taking into consideration all that had happened since 1914, was the undoubtedly exaggerated need for security by which the Soviet Union tried to fortify itself and to hold the things offered it so completely incomprehensible? With what right did we begin after 1945 to speak forthwith of a necessary “roll back”? When the communists on their part took measures against such a roll back, was it inevitable to view this as an offensive military threat to the rest of the world?

Did we give the Eastern partner any choice? Did we not provoke him by erecting a massive Western defense alliance, by encircling him with artillery, by establishing the German Federal Republic—which seemed to him like a clenched fist pushed under his nose—and by rearming this republic and equipping it with nuclear missiles? Did we not challenge our former partner to corresponding countermeasures of power display and

thus in no small measure strengthen him in his peculiar malice? Did the West finally know no better counsel than to put its trust in its infamous A- and H-bombs? And did it not serve the West right to have to realize that the other side had not remained idle in regard to such weapons? Was there no better diplomacy for the West than the one which now maneuvers the world into what seems a blind alley?

Moreover, what kind of Western philosophy and political ethics—and unfortunately even theology—was it whose wisdom consisted of recasting the Eastern collective man into an angel of darkness and the Western “organization man” into an angel of light? And then with the help of such metaphysics and mythology (the fact of an Eastern counterpart is no excuse!) bestowing on the absurd “cold war” struggle its needed higher consecration? Were we so unsure of the goodness of the Western cause and of the power of resistance of Western man that we could bring ourselves to admit only senselessly unequal alternatives—freedom and the dignity of man as against mutual atomic annihilation—then venture to pass off just this latter alternative as a work of true Christian love?

To the madness (I cannot call it anything else) outlined above I have been unable to accommodate myself in any way in all these years. I think that out of fear of fire we are irresponsibly playing with fire. I think that the West, which should know better, must seek and find a better approach to the necessary confrontation with the power and ideology of the communist East. Possibilities of a worthily, circumspectly and firmly guided policy of coexistence and neutrality were more than once offered to the West in past years. More honor would have accrued to the name of the “free world” had it taken up these possibilities; also, more useful and more promising results would have been achieved than those which stand before us today. In particular I think that the Western press and literature instead of meeting the inhuman with inhumanity should have put to the test the vaunted humanity of the West by quietly observing and understanding Eastern individuals and relationships in their dialectical reality. And I think above all that the Christian churches should have considered it their commission to influence by superior witness to the peace and hope of the kingdom of God both public opinion and the leaders who are politically responsible. The churches have injured the cause of the gospel by the manner, to a great extent thoughtless, in which they have identified the gospel (in this Rome is no better than Geneva and Geneva no better than Rome!) with the badly planned and ineptly guided cause of the West. The cause of the gospel cannot from the human perspective be healed for a long time by even the best ecumenical and missionary efforts. The churches have provided Eastern godlessness with new arguments difficult to overcome instead of refuting it by practical action. . . .