

Moral Reasoning in Applied Ethics

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5 *Note: This essay presupposes that you are familiar with philosophical argumentation, as discussed in "What Is Philosophy?", as well as the criteria for NETs and moral principles, as discussed in class.*

10 **T**he aim of moral reasoning is to discover moral truths. Morality is the rightness, wrongness or neutrality of actions, persons, events, etc. For example, we might say that a mass murderer is an evil person, or that a hurricane that killed many people was a bad thing, or that a particular action of saving a person's life was morally right. Here, we'll focus on the morality of actions, with the understanding that much of what we say about actions will apply to persons, events, etc.

Moral reasoning in applied ethics is a two-step procedure:

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- First, you formulate a moral principle.
 - Second, you apply that principle to the issue at hand.

A moral principle, for our purposes here, is a rule which categorizes some, but not all, actions as morally right, wrong and/or neutral. Next, we'll look at each of these steps in some detail.

20 **1. Formulating Moral Principles**

By and large, people are pretty good at making mundane, everyday moral judgments. For example, most people recognize that sitting in a chair (in ordinary circumstances) is not morally wrong, that cheating in an athletic event is wrong, and so on. Often, people formulate rules of thumb (moral principles) to explain what makes an action right or wrong. For example, many people would agree that it is wrong to kill people, that it is right to take good care of your own children, etc. When we do this, it is to make it easier to make accurate moral judgments about new or difficult moral issues.

30 But it can be very difficult to come up with a correct rule of thumb. We can see this by looking at an example. Take one common rule of thumb: ***R1: It is always wrong to kill people.***

35 If we think about what this rule means, and also think about the sorts of examples to which we would want to apply it, we can discover examples for which the rule does not hold true. For instance, suppose a criminal is running from the police. When the police catch up, the criminal turns around and points a gun at the police. It seems that in this situation the police would be morally

permitted to kill the criminal, if they have to, to protect their own lives. So we can see that **R1** is false, for it incorrectly categorizes acts of justified killing in self-defense as morally wrong when they aren't.

5 If our rule is going to be correct, we will have to modify it in some way. One possible modification would be this: **R2: *It is sometimes wrong to kill people.***

R2 is presumably true, but it is also useless because it gives us no indication as to when killing people is wrong. So when we try to apply it to some example to see whether a particular killing was wrong, it will not give us an answer. In addition to being true, we want a moral rule to be useful.

10 Another way to modify **R1** is this: **R3: *It is always wrong to kill an innocent person.***

This handles the case of the running criminal, and it avoids the pitfall of **R2** by being less vague. But in a certain sense, it misses the point of the example of the running criminal, for there are other instances of self-defense which involve
15 innocent persons. An essential element of a person's being morally guilty is that they knowingly intend to do something wrong. But suppose a person who is mentally ill attacks you with a gun. The person may be so out of touch with reality, through no fault of their own, that they are not morally responsible for what they do. For example, perhaps the mentally ill person is hallucinating and
20 believes that you are Satan and that only by killing you can he prevent everyone in the world from going to hell. Such a person does not knowingly intend to do anything wrong - in fact, they intend to do the right thing. Yet it seems that it would not be wrong to kill such a person in self-defense even though they are morally innocent. So even **R3** is incorrect.

25 In order to come up with a correct rule, we'll have to take into account all the sorts of cases in which killing is permitted and those in which it isn't, and then make sure that our principle properly accounts for those cases. For example, if we conclude that killing in self-defense, in just wars, and in capital punishment is morally permitted, we will need to modify our rule to account for these sorts of
30 cases. You can now get a sense of what formulating a correct moral principle involves: you begin with an issue (e.g., killing) and a wide variety of examples and situations in which that issue arises. You then attempt to formulate a moral principle that is both correct and useful for resolving the issue in question. You test the moral principle using the criteria for evaluating moral principles discussed
35 in class (i.e., the principle of negative evidence, consistency, simplicity, non-arbitrariness and correctness). Thus, the problem with **R1** was that it violated the principle of negative evidence. If you are successful, your moral principle will be useful for determining whether particular actions or types of actions are morally right, wrong or neutral.

40 **2. Applying Moral Principles**

There are two main strategies for applying moral principles to determine the morality of a particular action or type of action: the deductive strategy and the argument by analogy. Before discussing the two strategies, it might be helpful to

clarify the distinction between actions and types of actions. An action occurs at a particular time and place, and can only occur once. For example, your brushing your teeth this morning at 9:00am is one action. Your brushing your teeth yesterday at 9:00am is another action. A type of action is a whole set of actual and/or possible actions, where the members of the set are identified by some characteristic they have in common. For example, one type of action is brushing teeth. Any action that involves brushing teeth, regardless of who is doing it or when it is done, is an action of the type. Note that actions need not have already occurred to be of the type. Thus, the possible action of my brushing my teeth tomorrow morning is still an example of an action of the type "brushing teeth". This distinction between particular actions and types of actions plays an essential role in the deductive strategy for applying moral principles.

a. The Deductive Strategy

In the deductive strategy, the moral rightness, wrongness or neutrality of an action is deduced from a moral principle. All arguments utilizing the deductive strategy have the following structure:

- PI* {moral principle}
- P2* {claim that the action or type of action at issue is correctly described by the moral principle in *PI*}
- C* {judgment about the morality of the action or type of action at issue}

For example, consider the following argument which, we can suppose, is presented by someone who wants to prove that Nazi genocide was morally wrong, or wants to understand exactly why it is wrong:

- PI*: Any act of racial genocide is morally wrong.
- P2*: The Nazi extermination of racial minorities during WW II was an act of racial genocide.
- C*: The Nazi extermination of racial minorities during WW II was morally wrong.

PI of the argument about Nazi extermination contains a moral principle which classifies a type of action (racial genocide) as morally wrong. *P2* claims that the Nazi extermination is a kind of racial genocide. The conclusion that the Nazi extermination is morally wrong is then validly drawn from the premises. Given that the premises are true (which is obvious), the conclusion has been proven to be true. We also arrive at what is at least a partial explanation of why the Nazi extermination was morally wrong: one thing that made it wrong was that it amounted to racial genocide.

A key characteristic of successful use of the deductive strategy is that the moral principles appealed to are more general than (i.e., apply to a wider range of actions than) the particular action or type of action for which the principle is to be a moral guide. The reason for this generality is that without it, the moral principle will be useless as a guide to the morality of actions. For example, suppose someone offers us the following argument:

PI: This particular action A of killing a person is morally permitted.

C: Any action of killing a person is morally permitted.

The problem with this argument is that it is invalid. We can see this as follows:

5 Let's suppose that **PI** is true. Perhaps action **A** was a morally permitted act of killing a person in self-defense. It obviously won't follow from that that just any action of killing a person is morally permitted.

10 A moral principle of generality equal to that of the action or type of action that we are trying to draw a conclusion about is no better.¹ For example, suppose someone offers us the following argument:

PI: This particular action [or type of action] A of killing a person is morally wrong.

C: This particular action [or type of action] A of killing a person is morally wrong.

15 No one should be persuaded by this argument, for it offers no reason at all to believe that its conclusion is true. It simply assumes what it is supposed to prove, a fallacy philosophers call 'begging the question'.

20 The deductive strategy can only be successful when the moral principle in **PI** is more general than the action or type of action about which the conclusion is drawn. For example, we can go from a moral principle about a type of action to a conclusion about a particular action, as follows:

PI: Any action of euthanasia is morally right.

P2: The killing of Fred was an act of euthanasia.

C: The killing of Fred was morally right.

25 We can also from a moral principle about a type of action to a conclusion about a less general type of action, as follows:

PI: Any action of euthanasia is morally right.

P2: Third-trimester abortions of seriously genetically deformed fetuses are a kind of euthanasia.

30 **C:** Third-trimester abortions of seriously genetically deformed fetuses are morally right.

Aside from whether the above two arguments are sound, the point is that moral principles must be more general than the cases to which they are applied if the argument is to have any hope of being plausible.

35 We evaluate an argument using the deductive strategy by testing to see whether it is sound. First, we make sure the argument is valid. Next, we make sure that the moral principle appealed to in **PI** is correct by seeing whether it violates any of our criteria for moral principles. Finally, we check to see whether the second premise, which often contains an empirical claim, is true. If all the
40 premises are true and the argument is valid, then we know that the argument is sound, and its conclusion true.

A few potential points of confusion: first, it is rare to see an argument set out exactly as I have done above. Often, arguments appear in ordinary English

without identified premises and conclusion. In some cases, e.g., where it is not clear whether the argument is correct, it is helpful to try to lay out the argument in premise/conclusion form in order to better understand and evaluate it. Second, it doesn't matter which order the premises are in - the argument is still the same argument. Finally, even where arguments are laid out in premise/conclusion form, e.g., in papers written by professional philosophers, there may be multiple moral principles or what we have been lumping together in the **P2**s may be spread out over several premises. But even in these arguments, the fundamentals of understanding and evaluating arguments are still the same.

10 ***b. The Argument by Analogy Strategy***

Another common strategy for showing that a moral claim is true involves use of a kind of inductive argument called an argument by analogy. Arguments by analogy involve comparing two things or types of things, observing that they are similar in relevant ways, and then concluding that the second thing or type of thing will be similar to the first in additional, as yet unobserved ways. This method of reasoning is common in certain sorts of scientific research, especially in medical research done on animals. For example:

P1: Rat lungs are fairly similar to human lungs.

20 **P2:** If rats breathe in a certain amount of carbon monoxide they will develop emphysema.

C: Carbon monoxide will probably cause emphysema in humans too.

In the first premise, it's noted that two things (rat lungs and human lungs) are similar in important ways. In **P2**, it's claimed that rat lungs have an additional feature, namely that they tend to develop emphysema when exposed to a sufficient amount of carbon monoxide. It is concluded that humans will be similar to rats in a yet unobserved way: carbon monoxide will likely cause emphysema in humans. Since the argument is inductive, the conclusion is at best probable given the premises.

30 In moral reasoning, arguments by analogy are used to assimilate an unclear case to a clear case. For example:

P1: Killing in self-defense is morally permitted.

P2: Capital punishment is much like a society killing someone in self-defense.

C: Probably, capital punishment is morally permitted.

35 In **P1**, we start with a fairly obvious moral principle: that killing in self-defense is morally permitted (Note that it is important that we are talking about genuine acts of self-defense, not simply acts claimed to be acts of self-defense. Calling an act an act of self-defense doesn't make it an act of self-defense any more than calling a penguin a tree makes it a tree.) In **P2**, it is claimed that capital punishment is sufficiently similar to a society acting in self-defense. To be plausible, the arguer would have to explain why this is the case, but we don't need to enter into that here. The important point is that a controversial issue (capital punishment) is being claimed to be sufficiently similar to an uncontroversial issue

(killing in self-defense). Finally, it is inferred inductively that capital punishment is probably also morally permitted.

5 Unlike deductive and other kinds of inductive arguments, there doesn't appear to be a cut and dried way of evaluating arguments by analogy. With validity, for example, you can (and people have) program a computer which will tell you for any deductive argument whether it is valid as reliably as a calculator computes addition. Similarly for certain kinds of inductive arguments which involve taking a random sample of a population, as in an opinion poll. It is possible to calculate mathematically how representative the sample is of the population. But this is not
10 the case with arguments by analogy.

However, it is possible to evaluate arguments by analogy in an objective way, and arguments which meet the criteria will be strong enough to provide us with moral knowledge, just as they provide us with useful scientific knowledge. The standard criteria for evaluating arguments by analogy which most often arise in
15 moral reasoning include the following:

1. The two things which are said to be analogous must be relevantly similar.
2. The two things which are said to be analogous must not be relevantly dissimilar.
- 20 3. All else being equal, the greater the number of similarities, the stronger the argument.
4. The more modest the conclusion is with regard to the premises, the stronger the conclusion.

Let me illustrate how these criteria get applied. Suppose we are wondering
25 whether only creatures with a human genetic code can have moral rights. Someone who wants to show that non-human creatures can have moral rights might argue as follows:

- P1:* Ordinary, living adult humans have moral rights.
P2: Klingons, if they were alive, would be very similar to humans in that
30 they would have similar intellectual and emotional capacities.
C: Probably, Klingons, too, could have moral rights.

The two things said to be analogous are ordinary living adult humans and an ordinary living adult Klingons. Klingons and humans would be similar in a number of respects which seem relevant to having moral rights. In particular, they
35 would have very similar intellectual and emotional capacities, and intellectual and emotional capacities seem essential to a thing's having moral rights. For instance, one reason we don't take rocks and chairs to have moral rights is that they lack any intellectual or emotional capacities. Second, there don't seem to be relevant dissimilarities between Klingons and humans. This is not to say that there are no
40 dissimilarities at all. Certainly, humans and Klingons would be dissimilar in many respects: they would have different temperaments, wear different clothes, have different customs, look different, etc. But if we look over this list of dissimilarities, none of them seem relevant to whether Klingons, if they existed, could have moral rights. Certainly, differences in looks, customs, etc., are not
45 sufficient to deny someone moral rights. Another dissimilarity is that humans

exist whereas Klingons do not. But, again, this dissimilarity is not relevant to whether Klingons, if they existed, could have moral rights, and that is what is at issue here. Regarding the third criterion, it is difficult to see what other similarities would strengthen the argument. Additional similarities would have to be relevant to whether the creatures in question can have moral rights, and beyond intellectual and emotional similarities, it's not clear what those similarities might be. Finally, the conclusion is appropriately modest, that is, it is not overstated given the similarities pointed out. Thus, if there isn't anything we have overlooked, we can conclude that the argument by analogy we have constructed is a strong one, and it tells us that a creature need not have a human genetic code in order to have moral rights.

3. Some Common Fallacies

Fallacies are kinds of errors in reasoning. They are most common when people get overly emotional about an issue. The thing about fallacies is that in the heat of the moment they can seem persuasive, but they are errors in reasoning and they do not reliably lead to the truth. So you want to be on the lookout for them when considering moral arguments. Below are some of the fallacies that seem to occur most often when people discuss moral issues.

a. Ad hominem fallacy

An ad hominem fallacy is an argument that is directed at the person defending the argument rather than the argument itself, and thus fails to address what is at issue. There are a number of different kinds of ad hominem arguments, but we don't need to distinguish among them here. We can get an idea of how ad hominem fallacies occur with the following examples:

(Example 3a1) "That's what abortion is - killing innocent humans for money. Abortionists are government licensed hit men." - *Charley Reese, The Daily Iberian, Nov. 20, 1998.*

In *Example 3a1*, Reese resorts to name-calling, rather than seriously addressing the question of whether abortion is morally permitted, when he claims that abortionist's are "government-licensed hit men." Thus, Reese commits an ad hominem fallacy. *Example 3a2* is more subtle:

(Example 3a2) "University of Virginia professor [Charlotte] Patterson, considered a leading researcher in the field, says she has reviewed 22 studies involving offspring of gays ranging from toddlers to adults. She found none convincing [sic] that the children had suffered or were more than normally inclined to be gay. [...] Conservatives discredit Patterson by pointing out that she is an acknowledged lesbian, with a presumed ideological interest in the subject she studies." - *Time, Sept. 20, 1993, p. 71.*

Simply because someone is a lesbian does not mean that they will not be objective or professional when reporting the results of studies of homosexuals,

any more than someone's being heterosexual means that they will not be objective or professional when reporting the results of studies of heterosexuals. To claim otherwise would be to claim that no one could ever be objective when reporting a study involving sexual orientation. This argument is an ad hominem fallacy because it merely points out that Patterson may have an incentive to incorrectly report the studies she cites - it doesn't raise any issue with regard to whether her results were in fact mistaken. People have incentives to do all sorts of things that they would never actually do. For example, if someone cuts you off in traffic, you may have an incentive to shoot them (the incentive being to discharge your anger), but that doesn't mean you'll actually shoot them. It is very different to claim that someone has a motive to do something. Motives, as defined by Webster's, are something that causes a person to act. So if Patterson had a motive to lie, in Webster's sense of the term, that means she had an incentive to lie that she acted on, and this would discredit her results.

(Example 3a3) "Who is Sam Brownbeck, and why is he saying all those terrible things about rock lyrics? On Nov. 6, Brownbeck, an ambitious Kansas Republican ... convened a hearing billed as "An Example of Violent Music Lyrics on Youth Behavior and Well Being ..." Brownbeck's subcommittee, which supervises schools and streets in D.C., has much more important work to do, but the senator, who will run again in 1998, is clearly searching for an issue to give him national prominence." - *Rolling Stone Magazine*

Here, the attack is not directed so much at Brownbeck's personal traits as it is against his plans to run for senator. But again, the fact that Brownbeck is planning a run for senator and might have an incentive to push this issue never touches on the real issue: whether there is a problem with rock lyrics.

(Example 3a4) Jack: You should stop smoking - it's bad for you.
Jill: Look who's talking! You smoke three packs a day!

Jack's reasoning is perfectly good, while Jill commits the fallacy. Jack is being hypocritical, but that does not mean that what he says is false. Pointing out that someone is being hypocritical often seems like a persuasive refutation of what they've said, but regardless of whether Jack is a hypocrite, what he is saying is obviously true.

(Example 3a5) Representative Gutierrez of Illinois, arguing in Congress on July 11, 1996, replying to Republicans arguing in favor of the "Defense of Marriage Act", a bill stipulating that 'marriage' be defined as being between a man and a woman only, excluding homosexual marriages: "I now realize that my friends on the other side of the aisle aren't the least bit serious when they talk about how important it is for the federal government not to interfere in the lives of our people. I understand that they are just kidding - just teasing us - when they stress the importance of taking power out of Washington and giving it to local officials. And now I know that their biggest joke of all is that old line about family values - all that talk about encouraging people to care about and be committed to each other."

This example is more subtle, but again, what Gutierrez is doing is accusing his opponents of being hypocritical, rather than addressing the issues of hand. Thus, he commits an ad hominem fallacy.

b. Fallacy of False Cause

5 As with the ad hominem fallacy, there are really several different kinds of false cause fallacy. But we won't catalogue them all here. The basic problem with every false cause fallacy is that it confuses a correlation with a cause. Two events are correlated if whenever one occurs, the other occurs. Two events are causally related if one event's occurring is sufficient to make the other event occur. For
10 instance, there is an increase in the number of brides in June, as well as an increase in the number of flies in June. But it hardly follows that the one is the cause of the other! The two events are correlated, but not causally related.

(Example 3b1) Utah passed a strict gun-control law, and crime there decreased. Therefore, gun-control laws decrease crime.

15 This is a false cause fallacy because we don't have enough information to conclude that the gun-control law caused the decrease in crime. Lots of things, including the state of the economy, the nature of the illicit drug trade, the weather (hot weather tends to result in an increase in crimes, and unusually cold weather tends to decrease them), and dozens of other factors influence the rate of crime.
20 Until all of these factors are taken into account, we can't be sure whether the gun-control law caused the decrease in crime. Similar sorts of arguments are made for and against the death penalty, and they involve the same fallacy.

(Example 3b2) "An FBI study of thirty-five serial killers revealed that twenty-nine were attracted to pornography and incorporated it into their sexual activity, which included rape and serial murder." - *from an anti-pornography ad*
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The suggestion is that pornography causes serial killers to rape and kill. But the argument is not sufficient to establish that pornography causes rape or murder. It's likely that serial rapist/murderers are obsessed with sexual acts to begin with,
30 and it is their obsession that leads to both use of pornography and killing.

(Example 3b3) "In its origins [AIDS] was entirely a disease of sodomites... That the first case was diagnosed a little over a decade after the so-called "Gay Rights" and "Gay Pride" movement gained momentum and force can hardly be coincidental." - *Harry Jaffa, Professor Emeritus of Political Philosophy at Claremont McKenna College*
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The suggestion is that since AIDS appeared in the U.S. after the Gay Pride movement, the Gay Pride movement caused AIDS. However, we know that AIDS is not caused by political demonstrations but by the HIV virus. Moreover, we know that AIDS first became an epidemic in Africa where it infected primarily
40 heterosexuals, not homosexuals.

c. Straw Man Fallacy

A straw man fallacy occurs when (1) the arguer misrepresents their opponents view, (2) shows that the misrepresentation is mistaken, and then (3) concludes that their opponents view is mistaken. Here are some examples:

5 ***(Example 3c1)*** What I object to most about those people who oppose capital punishment is that they believe that the lives of convicted murderers are more important than the lives of the police and prison guards who protect us. But, obviously, since the lives of those who protect us are of the greatest value, no one should oppose capital punishment.

10 In ***Example 3c1*** the opponent's view is that capital punishment is wrong. This view is then misrepresented as being the view that the lives of convicted murderers are more important than the lives of the police and prison guards. The remaining two elements of the fallacy are explicitly stated in the example. Sometimes, however, some of the elements of the straw man are implicit, as in
15 Example 2:

(Example 3c2) Consider the following claim by Rush Limbaugh:

20 "I'm a very controversial figure to the animal rights movement. They no doubt view me with some measure of hostility because I am constantly challenging their fundamental premise that animals are superior to human beings."

If this is followed with the argument that animals are not superior to human beings, and thus the animal rights movement is misguided, then we have an example of a straw man fallacy. The straw man is the misrepresentation of animal rights activists as holding the view that animals are superior to human beings:
25 virtually no animal rights activists hold this view.

(Example 3c3) "Advocates of legalized abortion predicted it would solve our social problems. Instead, this destruction of one-fourth of a generation has left a more violent society in its wake: Child abuse has exploded, from 167,000 estimated cases in 1973 to 2.4 million in 1989, according to the
30 National Center of Child Abuse and Neglect - a 1,400% increase. Teen suicide, among non-aborted and thus presumably "wanted" children, has doubled. Violent crime has more than doubled." - *"The Post Abortion Report"*, published by Fresno/Madera Right to Life

The first sentence is a straw man. Did advocates of legalized abortion ever
35 claim it would solve problems of violent crime, etc.? Insofar as the passage suggests that abortion is the cause of these various social problems, we have a false cause fallacy.

d. Appeal to Ignorance

The fallacy of appeal to ignorance occurs when someone uses an opponent's
40 inability to disprove a claim as evidence of that claim's being true or false (or, acceptable or unacceptable). For instance, consider the following:

(Example 3d1) You haven't been able to prove beyond any reasonable doubt that there is no God. Therefore, it is still reasonable for me to believe in God.

5 However, whether it's reasonable to believe something depends on the reasons one has in its favor, not whether others have reasons against it.

e. Appeal To Emotion

Appeals to emotion occur when someone tries to manipulate another person's emotions (e.g., sympathy, pity, anger, fear, etc.) in order to get them to accept or reject an argument or view. Here are some examples:

10 *(Example 3e1)* Statement made by Carol Everett, a former abortion provider and now an opponent of abortion, explaining why she now opposes abortion: "Then we had a death. A 32-year-old woman hemorrhaged to death as a result of a cervical laceration. I finally realized, we weren't helping women - we were destroying them." - *from an ad published by the National Right to Life*

15 Here, Everett appeals to the reader's sympathy rather than to their reason.

(Example 3e2) "If you have never been born again, eternal separation from God in the Lake of Fire awaits you. If you are born again, then being with the Lord in heaven forever is your destiny. Which do you choose?" - *from "Have You Been Born Again", a pamphlet handed out on the Fresno State University campus, Fall 1997*

20 In *Example 3e2*, the authors appeal to your fear of the Lake of Fire to get you to accept their religious beliefs.

f. Slippery Slope

25 The slippery slope fallacy occurs when someone claims that an apparently harmless action is likely to result in a chain reaction of events (the "slippery slope") leading up to a harmful consequence, when, in fact, the chain reaction of events is very unlikely to occur.

30 *(Example 3f1)* "A person apparently hopelessly ill may be allowed to take his own life. Then he may be permitted to deputize others to do it for him should he no longer be able to act. The judgment of others then becomes the ruling factor. Already at this point euthanasia is not personal and voluntary, for others are acting on behalf of the patient as they see fit. This may well incline them to act on behalf of other patients who have not authorized them to exercise their judgment. It is only a short step, then, from voluntary euthanasia (self-inflicted or authorized), to directed euthanasia administered to a patient who has given no authorization, to involuntary euthanasia conducted as a part of a social policy." - *J. Gay Williams, "The Wrongfulness of Euthanasia"*

But it's unlikely that permitting euthanasia in a restricted set of cases is likely to result in mass unjust killings, especially in contemporary American society.

(Example 3f2) "I think that the use of marijuana as a medical treatment shouldn't even be considered. If we make drugs legal in a few cases, then we might eventually have to completely legalize them - which is even crazier than Proposition 215. If we want to help people out by letting them do illegal things, then let's just get rid of all our laws." - letter to editor of *Newsweek*, November 11, 1996.

Again, it's unlikely that drugs will be completely legalized, or that we'll get rid of all our laws, as a result of allowing marijuana to be prescribed in a limited range of cases.

(Example 3f3) Representative Largent of Oklahoma, arguing in Congress on July 11, 1996 in favor of the "Defense of Marriage Act", a bill stipulating that 'marriage' be defined as being between a man and a woman only, excluding homosexual marriages: "There is ... a radical element, a homosexual agenda that wants to redefine what marriage is. They want to say that a marriage not only is one man and one woman but it is two men or it is two women. What logical reason is there to keep us from stopping expansion of that definition to include three people or an adult and a child, or any other odd combination that we want to have? ... and it does not even have to be limited to human beings by the way. I mean it could be anything. ... There is no reason why we cannot just completely erase whatever boundaries that currently exist on the definition of marriage and say it is a free-for-all, anything goes."

Another slippery slope. Permitting homosexuals to legally marry is unlikely to result in, e.g., laws permitting an adult to marry a sheep, etc.

g. Fallacy of Equivocation

An ambiguous expression is a word or phrase that has more than one distinct meaning in the context in which it is used. For instance, if I say "I went to the bank", given the context, it may be unclear whether I went to First National or the shore of the Mississippi. A fallacy of equivocation occurs when the persuasive force of an argument depends on the shifting meaning of an ambiguous expression. Here are some examples:

(Example 3g1)

P1: There are laws of nature.

P2: Laws must be made by a lawgiver.

C: Therefore, a cosmic lawgiver (God) exists.

Here, the ambiguous expression is 'laws'. On the one hand, there are laws which form part of a legal system, and these laws require a lawgiver (a person or group of persons with the authority to create and establish government laws). On the other hand, we have what we call laws of nature, which are simply observed regularities in the way the universe operates. The latter, however, obviously need

not be the results of a legislative body. Other examples of the fallacy, however, are more subtle:

5 *(Example 3g2)* Representative Largent of Oklahoma, arguing in Congress on July 11, 1996 in favor of the "Defense of Marriage Act", a bill stipulating that 'marriage' be between a man and a woman only, excluding homosexual marriages: "Let me just say first of all that this is not about equal rights. We have equal rights. Homosexuals have the same rights as I do. They have the ability to marry right now, today. However, when they get married, they must marry a person of the opposite sex, the same as me."

10 Here, the ambiguity occurs in the phrase 'equal rights'. The equal rights those who advocate homosexual marriages have in mind is the right to legally marry someone to whom you wish to make a public and life-long commitment. The "equal rights" Largent speaks of is the right to legally marry someone of the opposite gender. But guaranteeing the latter right is obviously not the same thing as guaranteeing the former right.

15 *(Example 3g3)* "The pro-abortion-rights people, of course, say a baby is not a human until it is born. What do they think it is? A vegetable or a fruit? It just shows where our society is headed when we no longer have value for human life." -- letter to the editor, Columbus Dispatch, March 10, 1996.

20 The ambiguous word here is 'human'. The pro-abortion-rights people say that a baby is not human in the sense that it lacks a right to life, i.e., they define the word 'human' in this context as meaning "having a right to life". The author of the passage then switches from that definition of 'human' to the definition of 'human' in the sense of having a human genetic code. It's in this sense that it is obvious that a human baby is not a vegetable or a fruit. But having a human genetic code is not the same thing as having a right to life. Corpses, for instance, have a human genetic code, but they hardly have a right to life!

30 ***h. Appeal to popularity***

The appeal to popularity occurs when people infer that something is good or true because it is popular.

(Example 3h1) It's OK to cheat if everybody else does.

35 But merely because something is popular doesn't make it right, as we saw when discussing ethical relativism.

i. Appeal to tradition

40 In appeals to tradition someone argues that something is good or correct because it is traditional. The problem is that merely because something is traditional is no reason to believe that it is good or right. For instance, slavery was at one time traditional in many cultures, but that's obviously not sufficient to make it right.

(*Example 3i1*) "I believe that same-sex couples should be entitled to the legal rights that married couples enjoy.... But, my friend, that is as far as I want to go. I define marriage as a union between a man and a woman. Before you gay-rights folks land on me with both feet, I would like to remind you that I have been supportive of your movement for many years, have withstood a great deal of criticism in the process and have risked the wrath of some editors and publishers. I cannot support same-sex marriage, however, because it flies in the face of cultural and traditional family life as we have known it for centuries. And that's where I must draw the line. Sorry." - *Ann Landers, The Columbus Dispatch, July 21, 1996.*

Here, Ann Landers makes an explicit appeal to tradition to support her view that same-sex marriages should not be permitted. She also commits the fallacy of appeal to emotion by trying to garner sympathy for herself and the risks she has taken supporting homosexual causes in the past in order to deflect criticism of her view that same-sex marriages should not be permitted.

There are many different kinds of fallacies that people make, but the above nine types of fallacy seem to be the most common ones we make when discussing ethical issues. It's helpful to review a list of fallacies like this on a regular basis, because we all, at one time or another, tend to invoke or fall for these fallacies. But it's important to keep in mind that, as fallacies these arguments are hopelessly flawed and prove nothing about the issues which they purport to address.

4. The Point Of Moral Reasoning

What is the point of moral reasoning? Well, we can think of moral reasoning as a tool and, like any tool, there are lots of ways it can be used. One thing it can be used for is discovering truths. People who use moral reasoning to try to discover truths begin with a certain view about morality. One component of that view is that there are moral truths to begin with. A second component is that moral truths, like truths about math or physics, can be discovered by careful reasoning and, in some cases, in part by observing the way things are in the world.

Note that using moral reasoning to discover moral truths is different from using moral reasoning to persuade others that their moral claims are correct. Someone can try to discover a moral truth simply for the sake of satisfying their own curiosity or contributing to scholarship in the field without trying to convince everyone that they are correct. This is the same sort of thing a biologist trying to understand the genetic code of an obscure snail might be trying to do. The biologist isn't trying to persuade the world at large about snails; rather the goal is to contribute to the scholarship of biology and/or satisfy his or her own curiosity.

Moral philosophers try to influence public opinion on moral issues about as frequently as biologists try to influence public opinion, which is to say, not very often. Many professionals feel that moral philosophers, biologists and such are failing to fulfill a professional responsibility when they don't do a good job of informing the public about the results of their research. For instance, some biologists have criticized their own profession for failing to adequately inform the

public that research has established that the evolution of species is a fact accepted by virtually all competent professionals in the field, with the result that, for example, 47% of adult Americans polled in 1993 favored creationism over evolution.² Aside from whether the critics are right, the point is that the vast majority of what professional philosophers do has nothing to do with trying to change the views of the public at large.

It is possible to try to use moral reasoning to persuade the public at large, but such argumentation is unlikely to be effective. One reason for this is that moral reasoning is aimed at proving or disproving claims, and claims are things which are believed. But a person's beliefs, the social psychologists tell us, have little to do with their behavior. Some studies have found that a person's expressed beliefs are likely to account for less than 10% of their behavior. Rather, our behavior is far more influenced by emotions and social pressures, many of which we are not even aware.

Of course, many people, especially those who are well educated, do at least make an attempt to believe according to reason. But even they are highly vulnerable to various social pressures and emotions. When we are influenced by these pressures and emotions, we often respond to reasoned argumentation by trying to avoid the issue or change the subject, by nodding and agreeing with a claim we think is false in order to avoid conflict, by appealing to clichés (e.g., "Everyone has a right to their own opinion"), or even by getting angry. We all, on one occasion or another, convince ourselves that these kinds of defense mechanisms are justified and correct, rather than realizing that what we have done is simply ignored the issues in question.

In short, moral reasoning will not change the world. At best, it will persuade a few persons who either don't have a strong emotional investment in the issue in question, or who can keep their reasoning and emotional lives sufficiently separated to recognize the merits of a good argument. This may seem like a very small thing to achieve, but if those whose opinions you can change are those whose opinions you deeply respect, the results can be quite rewarding.

Endnotes:

1 We're setting aside here cases in which the action or type of action is identified in one way in P1 and another way in C, and it is being claimed that the (apparently) two actions or types of action are really one and the same. Here, the realization that what were thought to be two actions or types of action are really one may be new and useful to us. Such an argument need not involve begging the question.

2 According to a Gallup poll, reported in The Las Vegas Review Journal, July 26, 1998, p. 22A.