

Mar 20, 1999 BIG

Is the principle (A) "Make any choice you want as long as it does not interfere with anyone else's choices?" sufficient for ethical behavior? One problem, of course, is that every choice we make places limits on the choices other people can make; so we need other principles to tell us which limits are valid and which are not. But there is a deeper problem.

By making (A) the sole principle, or at least the highest governing principle, the principle that gives meaning to the subordinate principles, we are implicitly taking away any reason for respecting the entity that makes the choice, taking away any special value belonging to the entity making the choice. For example, if the entity making the choice is a child of God or has an immortal soul and will live forever, the entity has a special value that deserves our respect before it makes any choices. But making (A) the regulatory principle implicitly takes away that value. Why?

Consider, for example, the common view that sex is ok as long as it is consensual, a matter of choice, for both parties. Can we expect pedophiles, rapists and others to control their behavior when all other forms of sex are permitted? That is, can we expect pedophiles and rapists to submit to choice as the regulatory principle and recognize that choice, not the unrestricted satisfaction of their sexual desires, is the important value to honor?

By permitting any kind of sex as long as it is consensual, we have implicitly taken away the value of the entities making choices that is the real ground of morality. We have taken away their value as ends-in-themselves. For if they are ends-in-themselves, then sex should not be used in a way inconsistent with the value of making persons. Since sex can be used in that way, persons are not that for the sake of which everything else exists, and so the entities making choices need not be treated as ends-in-themselves.

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We say, in effect, that choice is the highest value. We at least imply that choice is the highest value. Can the highest ethical principle be do anything you want as long as you do not interfere with other's pursuit of their ends? But every choice we make affects other's pursuit of their ends either by commission or omission. By choosing to type notes right now, I am preventing myself from working at a soup kitchen, from political activism, from praying, etc.

And in actual fact, for which there is abundant empirical evidence, asking people to respect the choices of others does not work if people do not at the same time value the existence of the entity to whom those choices belong. Examples abound of the failure to get people to respect the choices of others if we give them no reason, or if we take away any reason or obligation, to value the existence of those to whom the choices belong. If the existence of the entity is not an existence of an end-in-itself, why should we make respect for that entity's choices the highest value? The fact that we are equal with that entity, even though neither she nor we are ends-in-se? The failure of equality as a moral absolute (see Gewirth) shows that our faculties of reason and desire orient us to metaphysical absolutes.

Examples of choice not being respected: date rape, rape, sexual harassment, child abuse, involuntary euthanasia, no help for gays who want to change, support for involuntary birth control and abortion in China. Prostitution is allegedly victimless, but does the John respect the prostitute as a person? No, even though he justifies his action by saying what she did was voluntary.

A morality of equality based on enlightened self-interest, I'll scratch your back if you scratch mine, may work out by accident the majority of the time. But a mere majority of the time is not enough. Tell that to the person who is a victim of child abuse because we gave the abuser no more important ethical value than respect the choices of others.

August 26, 1997

Does society need a highest secular value? If so, we need it as something to guide our choices. Can we say that the only value we need is to choose anything you want as long as you do not interfere with someone else's choices? Then we might consider choice itself the highest value. But it can't be. Choice is a means to whatever is the end of the choice. So it gets its value from its end. So if no end imposes itself prior to choice, there is no highest value, that is, it is not the case that choice is the highest value, because there is no highest value.

And the fact of the matter is that we must always be interfering with other people's choices. So we need values other than choice to guide our choices.

Abortion, choice, human life, value of human life, April 22, 1997 BIG

The opponent says that the sexual revolution did not cause is to change or estimation of the value of human life, only our definition of when human life begins. Whenever it begins, it has the same place in our values as it did before the sexual revolution, but now we put the point at which it begins somewhere else.

But we have definitely reduced that value of that which we called human life at the time of the sexual revolution. At that time everyone said human life began at conception. By moving the date forward, we reduce the value of that which was then called human life.

But more importantly, what criterion do we use to decide when human life begins? In practice, we use the criterion of which answer to the question will maximally expand my sexual freedom. So in practice my sexual pleasure is a more important result of my sexuality than human life, because, in practice, I decide when to bestow the value of human life on something on the basis of what is most convenient for my pursuit of sexual pleasure. So that pursuit is in practice more important than human life.

The proof that this is what we (ordinary people, not philosophers) do in practice is that almost everybody allows themselves to permit abortions up to birth. This unanimity is not the result of any common ethical reflection, beyond that of recognizing that once the baby is born, it is impossible to cover up the fact that we are putting more value on sexual pleasure than on human life. Pleasure is a more important result of sex than human life to the point that we define human life by whether or not it interferes with our pursuit of pleasure, by whether or not it is an anti-means to that end.

Instead of calling it the pursuit of sexual pleasure, we call it sexual freedom. But is it really "freedom" if it leads us to kill. Are we not really slaves to our sexual desires if we let them justify killing?

April 12, 1997

We're not reducing the value of human life; we're just redefining when human life begins. But what value are you seeking to accomplish by means of the redefinition? The value of the truth. The truth about what? The truth about when human life begins. But you have just made that a matter of definition.

Really we are seeking truth. The truth we are seeking is when does this organism become my moral equal; or when does its life become of equal moral value to mine? That is what we mean by "life," when we ask when human life begins. Likewise, that is what we mean by "person," i.e., we mean when does this organism achieve the mature features we associate with moral value when we say things like "A person is an end, not just a means; or a person should not be treated just like an object in my universe but as something having its own universe just as much as I do. Etc.

So the end we are seeking is the truth about the question when does this organism acquire the kind of features that give it the moral value we who have already achieved the state of seeking that end have?

But is human life, so defined, the highest value? Won't there be some other value that measures the value of a living organism. If the status of human life is not already known, won't we have to appeal to some other value to determine when human life exists. We will have conflicting answers to the question when human life begins. Presumably, the answers will have different values according to whether they help us achieve the end we are seeking in this decision or do not help us achieve that end. What is that end?

It might for instance be the end of maximizing the choices that those who have already achieved the proximate ability to choose have. But if that is our end, have we not already decided that fetuses are not equal to us. Is not the question already settled?

And is there any way to avoid having the question already settled? Won't we always necessarily beg the question by already putting ourself ahead of the fetus. (Some would say this is begging the question; others would say this is a necessary truth because, necessarily, our asking the question shows that we are already ahead of the fetus.) For we are judging the value of its future achievements, the future achievements we will be preventing it from ever having, by our ends not its.

We are already saying that the value of the ends we will achieve in answering this question are more important than the ends we would prevent it from ever attaining. For we are making the decision in view of attaining future ends.

It will be replied that what gives us the right to make this decision is not the achievement of some future end, but the fact that we have already achieved ends that put us above the fetus in value. And no doubt a 15-year old has more value, by some standards, than a 5-year old, because it has more humanity in the sense of more specifically human achievement and perfection. But do we measure the value of the 5-year olds achievements relative to that organism's relation to ends or to ours?

The answer will be that we measure the value of the 5-year olds achievements relative to its achievement, not of future ends, but of ends that, though present, are still called for by the underlying structure of its nature. But, the abortionist says, we do this because at some point we said, this collection of features gives this organism a moral value equal to my own. And there is not escaping that question. We all have to call it as we see it.

Yes, but the very nature of choice and of the values at stake in choice show that there is only one consistent answer to that question, only one answer that can preserve the very existence of moral values, that does not contradict the existence of moral values: There exist a moral equal if and only if there exists an organism oriented to the future achievement of ends of the same kind that give value to my choice, that give my choice whatever value it has.

What if it is said that just as we cannot avoid asking that question and calling the answer as we see it, we cannot avoid the fact that we are seeking an end of our own in doings so, the fact that it will be some end of our own that gives the answer whatever value it is that justified seeking that answer?

But consider this situation. We land on another planet where there are edible life forms. We run out of food. We want to know whether it is moral to kill any of these life forms and eat them, as we would plants and animals on earth, or there are any that it would be immoral to kill unless they were attacking us. How do we decide? We ask whether any of these life forms are rational in the way that we are. Our goal, the goal we are seeking that gives our decision whatever value it has, is knowledge of an objective truth, are they rational or are they not. Why is this our goal? Because we think it will

settle the question of whether any life form is of equal value to us in a moral sense. In other words, we have the further end of knowing whether any life form there has equal value to us in a moral sense, and we think that the former question will give us an *objective* answer to that question, will be a means to an objective answer to that question.

In seeking this goal, are we measuring the value of it by relation to our personal ends. Yes, in an important way we are. Knowledge of the truth happens to be an end we are seeking at that time. But does seeking that truth in anyway reduce the value of the other entity's features to being means to our ends as opposed to its ends? Aren't we rather asking the ends to which that being is oriented are of the same kind as the ends for sake of which I am asking this question and give its question that value it has for me? And is not knowledge of this truth knowledge that, in seeking ends of my own as I cannot avoid doing, if I interfere with its ends, I am treating something whose ends are of equal value to mine as if they were not of equal value to mine?

In other words the ends of of being who can relate to other beings on the basis of awareness of what those beings are, can be to treat those beings in accordance with that knowledge. In fact, among its ends must be the end of treating those beings in accordance with that knowledge, the end of giving its achievement of its end a status in my evaluations equal to that of my own. I can have the end of giving its relation to its ends a status in my evaluations equal to my own relation to my ends; and as a rational being, I must have that end.

For not only do I know what things are (in some sense animals to that) but I can be aware that I know what things are, and I can be self-reflectively aware that I would be lying to myself if I judged that it was reasonable to believe the opposite of certain statements. Animals cannot do that. Animals can know certain features of things, but not the features that determine whether some other thing has ends of the same kind that give value to my decisions.

Back to the planet. We cannot avoid asking our question. And we cannot avoid the fact that any further answer has to be consistent with the answer to whether that entity is an organism oriented to ends of the same kind that give my asking and answering this question value. Does the makeup of that organism, do the features it possesses, make it an entity oriented to the same kind of ends. Is a 15-year old such an entity? Yes. So is a five-year old. Is a zygote? That can only be answered by the facts that biology tells us about that organism: is it actively oriented to making itself into the kind of mature being we are?

When we ask it that way, twinning is the only problem remaining. And cloning has eliminated that as a problem. And is the zygote oriented to the same kind of ends we would achieve by saying that the zygote is not "intrinsically oriented to ends?"

We all have to call it as we see it. Yes, but do we all have to accept the criteria that we do accept for calling it one way or another. That is, in accepting different criteria for calling it one way or another, are we not adopting different ends on the basis of which to make the judgement. Or, are we not adopting different to our ends, because we see that different means will get us to different ends?

In other words, we cannot avoid choosing criteria as means to some end. So we cannot avoid the fact that any end we choose must be consistent with the end of knowing whether the makeup of the organism makes it an organism oriented to the same kind of ends we seek in choosing our criteria.

We must ask, is this entity an organism oriented to human ends as the most fundamental level. What do I mean by most fundamental level. The being is composed of water, oxygen, carbon, nitrogen, etc. None of these causal systems has a specific relation to human ends. The most fundamental level means the first level at which there can be a specific relation to human ends: the genetic level.

If there is a specific relation to human ends at that level, what is the value of the being if its development frustrates it from attaining its ends? It is still of equal value to us.

August 26, 1997

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And the fact of the matter is that we must always be interfering with other people's choices. So we need values other than choice to guide our choices.

Assisted suicide means that graduation from medical school gives people a license to kill "in appropriate circumstances." So it says that there are circumstances where it is appropriate to kill. The opponent will say: Yes, but the only such circumstance is when the patient chooses it. So we think we can make doctors respect patient's choices as a higher secular value than human life.

But it turns out that in fact doctors do not respect patient's choices. So can choice realistically be a sacrosanct value when the life of the one making the choice is not a sacrosanct value? Can the choice of a PERSON be sacrosanct when life isn't?

Choice is just an expression of a prior orientation to ends and prior potentialities for achieving future states. These prior orientations determine the value of the choice on the part of the agent, that is, what prior orientations a being has determines the value of the choice the being makes for herself and for others who must decide whether to respect her choice. If that agent's life does not have value on the more basic level, her choice does not have value.

And what principles could we possibly appeal to *decide* that choice is a higher value than life? If choice is the highest value, there could be no such principles, for assisted suicide or for any other choice under the sun.

As an example of a possible principle, consider Kant's view that persons are ends-in-themselves and not means to anything else. Does not this view imply that the meaning of human life is not that of a means to physical comfort! In any case, whatever principle could be appealed to must make what human beings are prior to making choices more important than any particular choice they make. So what human life is prior to our making choices must be more important than choice.

And we do not respect that prior importance if we think we can make doctor's respect a patient's wishes as the only appropriate circumstance for killing.

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Human choice is not an end in itself. It exists to fulfill the orientation to ends embodied in human life. Assisted suicide assumes that the choice of suicide is morally good. It also teaches us to put choice above the goals of choice. Choice can only concern means. So choice can never be more important than life. If choice were more important than life, it would be more important than the orientation to ends that precede and give value to choice.