Your first assignment, reflecting on the nature of moral judgment

We discover problems in Bioethics when our moral judgment tells us that some practice in the life sciences, or even the prospect of some future practice, is morally wrong, or is at least morally problematic. Societies sometimes work their Bioethical problems out legally, through litigation or legislation. But those problems almost always start outside the law, in the realm of human moral judgment. For that reason, we’ll understand the legal resolution of problems in Bioethics better if we understand the moral judgments behind those problems. This means understanding at least something about the very nature of moral judgment.

So even though this is not a class in ethics or moral theory, moral judgment will be the topic of your first written assignment, and will be the topic of our second class discussion, on Tuesday, August 25th. For that class (and in this paper), I want you to reflect on the nature of moral judgment. To the extent you can, try to articulate your own theory of human moral judgments. If that theory allows for genuine, but mistaken, moral judgments, try to explain when a moral judgment is a valid one, when it is invalid, and through what process we can intelligently distinguish a valid from an invalid one.

If this assignment makes you hyperventilate, let me reassure you. These are large questions that moral theorists themselves answer in different, sometimes conflicting, ways. However, I do not expect academic sophistication in moral theory on your part. I just want you to make a careful effort to understand something that we do every day when we react to things around us as being right or wrong. We all do this, and probably do it more than we know. Let me draw an analogy here to the upper-class elective I teach in Style & Composition; we can write more clearly if we understand some aspects of written language. And we do not need formal training in linguistics to understand those aspects of language. Similarly, no formal training in moral theory is necessary to become more knowledgeable about the moral judgments underlying problems in bioethics.

If this assignment still makes you hyperventilate, feel free approach it in a simpler way, by trying to answer other more specific questions about moral judgment. Let me list several, without meaning to keep you from thinking of useful questions of your own. You might want to keep in mind some particular case as you do this. Suppose you think that late-term abortions are emotionally difficult, but not morally wrong. Or, even more specifically, suppose you think that late-term abortions are a matter of an individual woman’s right to the autonomous control over processes that happen inside her own body, and that the state therefore should not be permitted to control her decision. (Some of you have already made a different moral judgment as you read those two sentences; clearly you should try to be mindful of a judgment you would make. Later in the exercise you might want to compare your moral judgments to conflicting judgments made by others.)
1. When you make that moral judgment are you doing what you’re all learning to do when you make legal judgments? How does that judgment compare to, and contrast with, legal judgments?

2. Here’s a related question: is that moral judgment one that you base on principle? If so, does it arise through a principled mental process? Or does it arise more intuitively? If it’s more a matter of intuition or feeling, what role does principle or reason then play in moral judgment? And if that moral judgment is more a matter of intuition or feeling than of principle, can we ever then improve the feelings and intuitions that give rise to moral judgment?

3. On a much more general level, how are the law and morality different? Despite their differences, are they related to one another?

4. Does your moral judgment about a woman’s right to terminate a pregnancy – or your judgment about the baby’s right to live, if that’s the judgment you make – arise because of your own moral values? What are moral values? Are they like principles (moral principles)? How are they like or unlike principles? Do moral values differ from other values? (Or are all values essentially moral values?)

5. If your moral judgment about a woman’s or a baby’s right in these cases rests on any religious grounds, have you any claim to use that judgment to regulate the behavior of others who do not hold those religious grounds to be valid or authoritative?

6. More generally, when, if ever, would it be legitimate for you to impose your moral judgment on others? Does that depend not only on the source of that judgment (in religion or in secular values), but also (or instead) on the type of imposition (through legal sanctions, for example, as opposed to purely social sanctions)?

Perhaps these questions will help you draw larger conclusions about the nature of moral judgment, and will allow you to begin formulating your own informed idea of what is involved in moral judgment. Perhaps not. Even if you don’t formulate for yourself any comprehensive idea of human moral judgment, it will be enough if you have tried to define for yourself anything useful about the nature of moral judgment. With any luck, our class discussions later will have further developed these things, and perhaps later they will grow into a mature theory of moral judgment.

We will spend our second class discussing these things, and you must then write a paper. My hope is that you will come to that class with intelligent thoughts about the topic, and will perhaps refine or develop those thoughts after our class discussion. If we are ever to resolve our moral differences, we must hope that discussions with others can improve our moral judgments, perhaps even reverse or change them. And I expect to call on every one of you during that discussion.

Your paper will be due at the beginning of class six days later. I have no particular length in mind, but I imagine that for most of you, two to four pages, double-spaced, will be enough. Please give the paper a title that captures the main point you wish to make about moral judgment. Every page should have a header or footer with page numbers, and with your student identification number. These are due by class time on Monday, August 31st, 2015. Please use your student identification number, not your name. I’m going to ask you to submit one
paper copy and one electronic copy of the paper, and I will compile them and distribute them to you all. All semester, I’ll want both a paper copy and a digital copy of all your work. These papers will be graded in the way I describe at the end of the syllabus (page 18).