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Acquainting Yourself with Ethics *A Tour of the Ethics Hall of Fame*

They honestly consider they are doing the right thing.

E.W. Elkington, 1907, on New Guinea Cannibals

Or are you a clear thinker examining what is good and useful for society and spending your life in building what is useful and destroying what is harmful?

Kahlil Gibran, *Mirrors of the Soul*

Good laws lead to the making of better ones; bad laws bring about worse. As soon as any man says of the affairs of the State, "What does it matter to me?" the State may be given up for lost.

Rousseau

The present moral crisis is due among other things to the demand for a moral code which is intellectually respectable.

R. Niebuhr

What You Will Learn from This Chapter

To understand the foundation of ethics, you should learn the virtue of knowledge and reasoning, the sources of intellect, the nature of truth, the nature of reality, the nature of morality, the nature of goodness, the relationship between actions and consequences, determinism and intentionalism, and the image of the ethical person.

You will also learn the reasoning process, Plato's divided line, the definition of morality and ethics, the grammar of goodness, the principle of *summum bonum*, and the utilitarianism measure.

Key Terms and Definitions

Reasoning is a pure method of thinking by which proper conclusions are reached through abstract thought processes.

The Divided Line is Plato's theory of knowledge. It characterizes four levels of knowledge. The lowest of these is *conjecture* and *imagination*, because they are based on impressions or suppositions; the next is *belief*, because it is constructed on the basis of faith, images, or superstition; the third is *scientific knowledge*, because it is supported by empirical evidence, experimentation, or mathematical equations; and the highest level is *reasoning*.

Theory of Realism is Aristotle's explanation of reality. It includes three concepts: *rationality*, the ability to use abstract reasoning; *potentiality* and *actuality*, the "capacity to become" and the "state of being"; and the *golden mean*, the middle point between two extreme qualities.

Ethics is a philosophy that examines the principles of right and wrong, good and bad.

Morality is the practice of applying ethical principles on a regular basis.

Intrinsic Goods are objects, actions, or qualities that are valuable in themselves.

Non-intrinsic Goods are objects, actions, or qualities that are good only for developing or serving an intrinsic good.

Summum Bonum is the principle of the highest good that cannot be subordinated to any other.

$E = PJ^2$ is the guiding formula for making moral judgment. E (the ethical decision) equals P (the principle) times J (the justification of the situation).

Utilitarianism is the theory that identifies ethical actions as those that maximize happiness and minimize pain.

Determinism is the theory that all thoughts, attitudes, and actions result from external forces that are beyond human control. They are fixed causal laws that control all events as well as the consequences that follow.

Intentionalism is the theory that all rational beings possess an innate freedom of will and must be held responsible for their actions. It is the opposite of determinism.

Overview

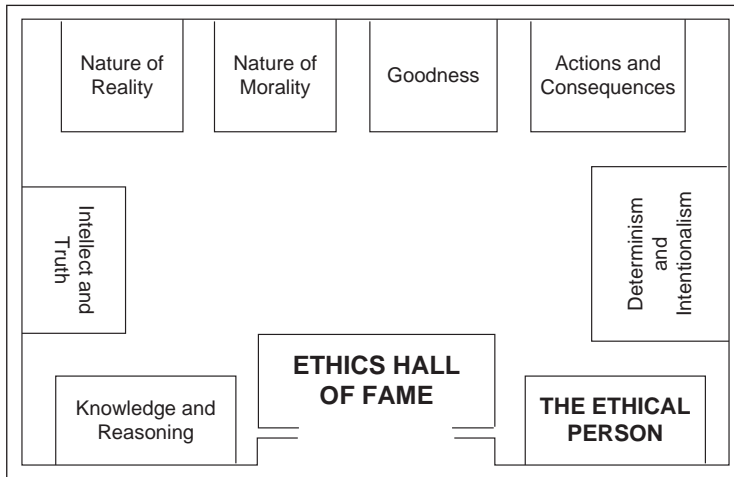
Compared to other disciplines, criminal justice is an infant discipline. This is probably one reason it is far more concerned with crime rather than with justice, and with process rather than with philosophy. As a result, most criminal justice students and practitioners today have not been adequately exposed to the philosophy of justice or, for that matter, to any serious philosophical studies. Courses in ethics and justice are not usually required for a criminal justice degree, nor are they included in programs of professional training. A study in the ethics of criminal justice may therefore be an alien topic and can understandably cause a degree of apprehension. In order to reduce your anxiety and to better acquaint you with the topic, this chapter is designed to take you on a tour of the world of ethics. I will take you, if you will, on a journey into the “Ethics Hall of Fame,” introduce you to key concepts, and familiarize you with the works of leading philosophers. Knowledge gained from this chapter will serve as the foundation for the remainder of this book. Figure 1.1 illustrates the layout of the Ethics Hall of Fame.

Exhibit 1—Knowledge and Reasoning

Our first stop on this tour is at a pedestal carrying the bust of Socrates. The sculpture symbolizes the *virtue of knowledge*, because Socrates was considered the wisest man in ancient Greece.

Born in Athens—at the time, the greatest democracy of all—Socrates spent his entire life in search of the truth. Not surprisingly, he was later hailed as the patron saint of Western philosophy. We are more certain of the facts of his death than of the circumstances of his life, because Socrates left no record of his own. The information about his accomplishments was gathered from the accounts of his disciples, particularly

Figure 1.1
The Ethics Hall of Fame



Plato, who was his most prominent student. According to these accounts, Socrates was an outstanding philosopher who served Athens well during times of war and peace.

A Life Unexamined Is Not Worth Living

Socrates (469–399 B.C.) was central to the enlightenment of the world. He taught in the marketplaces of Athens, free of charge. Appearing uninterested in physical speculation, he went about engaging people in conversations and asking them familiar but important-to-everyday-life questions. He raised difficult questions about the meaning of life and, in particular, the natures of knowledge and virtue. He challenged his audiences to rethink and reason their lives rationally. In arguing his views, he demonstrated the power of “counterargument” and stung his opponents by exposing their unexamined beliefs. His famous credo was the memorable exhortation “a life unexamined is not worth living.” By the same token, we should think today that “a belief unexamined is not worth following,” “a policy unexamined is not worth executing,” and “a practice unexamined is not worth adhering to.” Every subject, topic, or issue in life must be open to intellectual scrutiny regardless of its nature or origin. The “beginning of wisdom” is allowing the human intellect to think freely and to emancipate the mind from the clutches of ignorance and the fetters of cultural, social, or religious bias.

Consistent with this Socratic dictum, students and instructors of criminal justice should be encouraged—rather than discouraged—to examine every policy, practice, or controversy in criminal justice without shyness, discomfort, or guilt. For instance, questions about crime and

justice, the limits of punishment, the authority of the state, the role of prisons, fairness in the workplace, and other controversial practices in criminal justice should all be openly discussed. The reasoning behind such a commitment is dualistic: (1) as citizens of a nation dedicated to “liberty and justice for all,” it is our obligation to enable everyone to experience the full measures of “liberty” and “justice” in our daily life that would make us better citizens; and (2) as criminal justice professionals, it is our obligation to call attention to system failures and shortcomings in order to correct them. Failure to do so would make us responsible before the future generations of Americans who may point to their ancestors and ask, “If they kept doing it the same way, how did they expect it to come out differently?” (Friel, 1998).

Exploring Virtue

Socrates’s typical method of exploring virtue was through arguing popular but erroneous beliefs in what was known as the *dialectic method*. Such arguments were conducted in a dialogue form in which the parties involved would engage in an exchange of questions and answers. The direction of questions and the validity of answers would point out the presence of contradiction or fallacy. By continuing this process, the truth of the disputed question would either be established or denied. The dialectic method, which was the trademark of ancient Greek philosophy, was later labeled the *Socratic method* in honor of its most skillful master.

In his philosophical teachings, Socrates addressed general questions such as knowledge, wisdom, and character, and also discussed specific topics of a moral nature, such as goodness, courage, and temperance. Regardless of the topic of inquiry that Socrates pursued, there is no doubt that his overall aim was to reeducate the people of Athens in the nature of *arete*, or virtue.

Knowledge and Virtue

Socrates argued that *virtue is knowledge and knowledge is virtue*. Both are one and the same. He taught that a person who *knows* what is right will, by virtue of such knowledge, do what is right. Conversely, committing a wrong act results from ignorance, because evil-doing can only be involuntary. At this point, it has been reported that the students of Socrates interrupted him skeptically, suggesting that many Athenian leaders and politicians had frequently been in prison, thus proving Socrates to be wrong in his central assertion. To that, Socrates reportedly answered that those Athenians were certainly not knowledgeable

enough; if they had been, they would have been able to anticipate the consequences of their intentions and abstain from doing wrong.

Socrates taught that genuine knowledge amounted to *moral insight*, which he considered prerequisite to success and happiness in life. Hence, Socrates's classical exhortation to his students: "Know thyself." By that dictum, Socrates referred to the obligation of all individuals to be knowledgeable of themselves, their talents and goals, as well as their limitations. Socrates emphasized that success can be assured only through living an intelligent life in accordance with knowledge. It is interesting to note, at this point, that while Socrates was obviously most knowledgeable among his peers, he always pretended to be limited in his intellect; hence the term *Socratic irony*.

To be a "philosopher" and to "study virtue" meant the same thing to Socrates. This is basically because the study of virtue requires a high level of diverse knowledge that can be possessed only by students of philosophy. In arguing philosophical matters in general, and ethical issues in particular, one quickly discovers the imperative of being well versed in other fields of knowledge. A worthy judgment of good and evil, Socrates pointed out, must depend on "whether it is made under the guidance of knowledge." The Socratic quest for virtue was thus a fierce search for the truth that "every man can only find for himself." Perhaps the central theme in the Socratic theory of knowledge can be restated in the rule that philosophers (as you should now start considering yourselves) are not free to make judgments about issues of which they have limited knowledge. Furthermore, proper ethical judgment cannot be based on whether one likes or dislikes an act or approves or disapproves of a policy, but on whether the act or the policy is consistent with *reasoning*, the highest level of intellectual capacity.

The Reasoning Process

Reasoning is a capacity that differentiates the human race from animals, birds, trees, and rocks. It is especially critical to the study of ethics because it is the only legitimate method of reaching the truths of life and living. Any other means is suspect. Reasoning is *a pure method of thinking by which proper conclusions are reached through abstract thought processes*. Based on the universal assumption that understanding is an exercise in duality—life and death, good and evil, light and darkness, happiness and misery—reasoning has developed as *an exchange between a point and a counterpoint*. Such an exchange can take place between two or more persons or within one's own mind. The initial point in any such exchange is known as *thesis* and its response as *antithesis*. As a result, an intellectual compromise can be reached. This is known as *synthesis*. Every synthesis in turn becomes a

new thesis that warrants a new antithesis, which in turn produces a new synthesis, and so on. The reasoning process can thus continue indefinitely until the debaters reach a point at which no further point can be made. At that point, the knowledge produced would be accepted as *truth*, as far as human beings are capable of discerning. When truths are recognized over a long period, or are universally accepted, they become *self-evident truths*.

Pure reason emanates from the human intellect and functions independently of other faculties of consciousness such as will or desire. As such, pure reasoning can be defined as *an intellectual talent that proceeds rationally and logically without reliance on sense perception or individual experience*.

The goal of reasoning is to determine the true nature of life and to investigate the intricacies of human choice—questions that are always present, right under our noses, but elude our knowledge. The independence of reasoning is what makes it superior to all other thought patterns. It keeps the thinking process immune to the noises of history and the distractions of cultural and social surroundings. As such, thoughts of pure reason are capable of transcending the walls of opinion, the myths of tradition, the fallacies of dogma, and the darkness of ignorance. Through this transcending power, reasoning can capture the truth and refute hostile and stray ideas. Without the reasoning process, the unaided truth will have very little chance to triumph in the marketplace of conflicting ideas.

Most people today live in a thoughtless world that is dominated by political ideology, public opinion, and changing social and economic interests. The absence of reasoning has turned the world into a disheartening environment of ignorance, impenetrable by the forces of intellect. Reasoning, therefore, may be the only rational tool left for recapturing the truth. Only through the reasoning process can philosophical issues be rationally debated. Philosophers systematically proceed from examining the premises, to inferring facts and values, to reaching conclusions, without having to rely on social, cultural, or personal prejudices. Consequently, a debate that does not allow for reasoning is doomed to missing the truth.

Socratic Reasoning

The Socratic method of reasoning incorporates two interrelated functions: first, establishing the *purpose* of the phenomenon in question, which is considered the beginning of wisdom; and second, demonstrating the goodness of the phenomenon by fulfilling its purpose. In this tradition, Aristotle (384–322 B.C.) always asked his students to answer three basic questions: (1) *What is it?* This is the question that the scientists of nature are supposed to be able to answer. (2) *What good*

is it for? This is the question that ethicists are supposed to be able to answer. (3) *How do we know?* This is the question that logicians and epistemologists are supposed to be able to answer (Jowett & Butcher, 1979).

The reasoning process should flow methodically and without contradiction. It moves from establishing the purpose of the idea, to confirming its goodness, to the fulfillment of its purpose. Consider, for example, the issue of gun control: If it can be shown that the main purpose of bearing arms is to ensure self-defense, then for goodness to be confirmed, it must also be shown that bearing arms would not hinder the purpose by being used as tools for crime. Probably because of the influence of Socrates, Western philosophers have consistently formulated their theories about truths, moral values, and human behavior by pursuing the Socratic method of reasoning—systematically arguing the idea from purpose to goodness while maintaining an open, intelligent, and methodical mind.

The Death of Socrates

The teachings of Socrates were not well received by the citizens of Athens, who resented his acrimonious criticism of their hypocrisy. In 399 B.C. he was accused of seditious teachings and was indicted by the Athenian Senate. After a historic trial in which he provided his own defense, Socrates was sentenced to die for being “an evil-doer and a curious person, searching into things under the earth and above the heavens, making the worse appear the better cause, and teaching all this to others” (Albert et al., 1988:9). Socrates could have avoided death by leaving Athens before the trial began, as was customary when acquittal was in doubt, but he refused. Even after his conviction, his supporters assured him that the state of Athens was not seriously keen on carrying out the death sentence against its most prominent teacher. His friend Crito offered him a way out by suggesting that he escape to an adjacent state. Nevertheless, Socrates rejected all offers, accepting instead the death sentence. He based his stand on three moral principles; he proudly proclaimed: (1) it is morally wrong for anyone to break the law by fleeing; (2) it is morally wrong to value one’s life any higher than one’s honor and reputation (thus, accepting Crito’s offer would have been an act of cowardice); and (3) it is morally wrong for the state that represents “one’s parent and teacher” to violate the principles of justice by setting a “criminal” free, even if that criminal was Socrates. Socrates chose what he perceived to be the moral path. He ended his life by drinking poison hemlock in prison in the company of his friends, neighbors, and students. As later described in Plato’s *Apology*, when Socrates accepted the death sentence, he made his final and immortal stand on the virtue of ethics for generations to follow.

The lesson to be learned from this stop is to appreciate the importance of reasoning in making ethical judgment. One should open every issue for debate, hold every bias in abeyance, and pursue the objective criteria of first establishing the purpose of the phenomenon and then demonstrating its goodness or its lack of goodness.

Exhibit 2—Intellect and Truth

Our second stop is by a *shining ray of light* that brightens a spot on the floor. The light symbolizes human intellect, and the spot represents the *truth*. Both are paramount for mastering the reasoning process.

Human intellect is a mysterious force that is unique to mankind. It sets human beings apart from the rest of nature—animals, birds, trees, and rocks. It originates in the mind and is nurtured by rigorous thinking. Given proper training, the mind develops into a marvelous thinking center, able to observe, compare, distinguish, abstract, and conclude. Some important questions, however, must first be asked: “What is the source of intellect?” and “Why do some people seem to have more of it than others?” There have been several views in response to these questions. The most popular among them are the *divine view*, which ascertains that intellect is a gift from God, and the *naturalistic view*, which considers intellect a natural property in the evolution of man.

Sources of Intellect

Thinkers who support the *divine view* believe that intellect is a God-given gift offered to man in order to communicate with God and fellow human beings. Conversely, how well one utilizes intellect is man’s gift back to God. Most Greek philosophers (and, of course, religious theorists) subscribed to this view, advocating that the purpose of intellect is to better achieve the good life. On the other hand, thinkers who subscribe to the *naturalistic view* of human existence regard intellect as a physiological process that continues to be perfected by the evolutionary process. As such, it naturally emerged to coordinate human activity and to assist man in his struggle for self-preservation. Hobbes, Darwin, and Nietzsche supported one version or another of these naturalistic theories. They considered intellect as primarily an autonomic activity that stimulates one’s sense of survival and enriches his pursuit of social harmony. Both groups of thinkers, however, seem to agree that when people cease to use intellect, they lose their control over the unexplained phenomenon of existence.

Nature of the Truth

The Greeks considered *veritas* (the truth) the focal point of philosophy—the reason for being, the essence, and the intellectual explanation of all human existence. Without knowing the truth, the human race would be like children living in a world of fantasy, or worse still, as a herd of animals in an open pasture. The truth is the central point of reference around which all intelligible forms revolve. Without establishing this point, living would be random and reasoning would be meaningless, because neither the *purpose of life* nor the *goodness of society* would make any distinguishable difference.

But what is the nature of the truth? Is it eternal and absolute, as most religious and classical philosophers claim, or is it subject to interpretation and extrapolation? What, for instance, is the relationship between truth, science, and beliefs? Can a statement be considered true or false because our senses tell us so? There are three main views.

First, the *religious view* identifies the truth with God's testaments and revelations to man. God's word is the eternal truth "yesterday, today, and tomorrow," and God's truth is the truth even if it contradicts every scientific theory. Dogmatic religious thinkers argue that if it were not so, God would have had to explain. But because He did not, no other truth can, or should, exist.

Second, the *scientific view* is substantively critical of the divine view of the truth. Scientific thinkers argue that all truths exist within the realm of empirical science and substance. The truth must be tangible, repeatable, and clinically testable. Anything that falls short of these properties must be a product of faith, opinion, misinformation, or fabrication.

Third, the *sociological view*, while not negating the powerful word of God, allows for liberal interpretations of the truth. Many social scientists formulate "reasonable" statements that may conflict with the divine truth yet do not strictly adhere to the empirical nature of science. For example, on the origin of man, they may accept an accommodation between the divine theory of creation and the scientific theory of evolution. They support such a position on the basis that God, in His ultimate wisdom, may have created the right environment that allowed for the natural evolution of man.

It is noteworthy, however, that while religionists and social scientists frequently find themselves attacked by physical scientists, they often end up attacking each other. For example, controversies about the morality of abortion and euthanasia best illustrate the disagreement between the religionists, who view them as acts of killing, and the social scientists, who justify them as issues of privacy and choice.

Plato's Divided Line

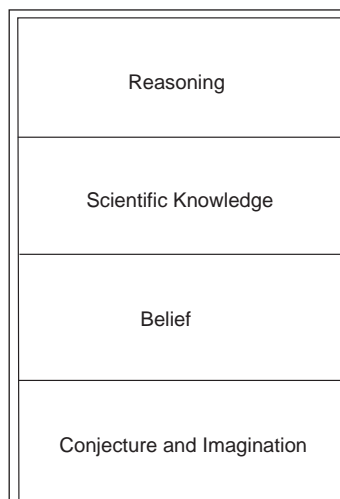
Studies in the nature of truth are found in the field of *epistemology*, or the theory of knowledge, because only through knowledge can the truth be ascertained. Plato has been acknowledged as a pioneer in this field through his theory of the *divided line*. He explained that knowledge of the truth can be attained through a hierarchy of four levels. The lowest level of knowledge consists of *conjecture and imagination*, because they are based solely on impressions or suppositions. A good illustration of this is when one bases his or her views of what causes crime on personal experiences and contacts with others, and nothing else.

The next level of knowledge in Plato's hierarchy is *belief*. At that level, truth is constructed on the basis of one's faith in real objects, images of reality, or superstition. Belief is a *state of mind* that takes over a person due to strong forces of religion, custom, tradition, indoctrination, or any popular view of the time. Religious beliefs are especially difficult to question, because cognitive knowledge is usually subjected to the forces of metaphysics, deity, and ritualism. One's belief in the Christian doctrine of the Holy Ghost, the Islamic duty of *Jihad*, or the existence of heaven and hell are good illustrations of knowledge at this level.

The third level in Plato's hierarchy is *scientific knowledge*. It is supported by empirical evidence, experimentation, and mathematical equations. Examples include rules of gravity, flying, and buoyancy; medical sciences; and, to some extent, criminal behavior. The highest level of knowledge on Plato's hierarchy is *reasoning*, the intelligible integration and balancing of all knowledge—physical and metaphysical—in a rational manner. Figure 1.2 illustrates Plato's divided line theory.

Figure 1.2

Plato's Divided Line Theory



Plato assigned a lower degree of credence to the first two levels of knowledge, equating them with ignorance and superstition, respectively. Both fall within the realm of primitive knowledge. He valued scientific knowledge because it is objective, universal, repeatable, and subject to scrutiny. He nevertheless acknowledged the limitations of scientific inquiry in terms of three serious weaknesses: (1) it rests upon unexamined first principles (for example, we know about the force of gravity on earth and between planets without understanding its cause or origin); (2) it is tied to matters particularly connected to the visible world (for example, we know how the human body functions, but we cannot determine whether superior creatures exist, let alone how they function); and (3) it is piecemeal and fragmentary (for example, we have only recently learned that the atom is divisible and that HIV exists, although those truths were certainly there long before they were discovered).

Plato considered science to be an imperfect discipline and argued that “what is imperfect cannot serve as a valid measure.” While science can answer the question of “what can be done,” Plato argued, it is incapable of answering the question of “what should be done.” Even if science were capable of explaining how people behave, it cannot prescribe how they “ought to behave,” or for that matter, what “ethical” behavior should be like.

Plato placed his highest trust in reasoning, which he considered supreme knowledge. While he appreciated the value of science as an experimental tool, he credited reasoning with the ability to explain the phenomena of life and living. *Reasoning transcends science and overrides its investigatory value.* As such, it can direct scientific inquiry, evaluate its practical goodness, and devise the time and place for its application. As a case in point, while nuclear scientists today can easily build all sorts of atomic bombs, they certainly cannot make a value judgment as to where or when to use them. By the same token, medical science today can practically keep a “corpse” alive, but only by reasoning can it be determined when life support should be discontinued. Plato, and most philosophers since his time, continued to view reasoning as supreme knowledge because it enables the trained mind to navigate the limitations of lower levels of knowledge.

Plato’s Dual Truths: Physical and Metaphysical

Building upon the Socratic search for the truth, Plato directed his attention to investigating both the *physical* and the *metaphysical* worlds. His insistence on examining both worlds is of special significance. Knowledge of the truth, he argued, depends not only upon physical objects experienced by the human senses, but also upon metaphysical ideals, forms, and essences that emanate from higher sources beyond the comprehension of man.

To illustrate this dualist theory of knowledge, Plato used his famous *allegory of the cave*. In the allegory, mankind is symbolized by a group of people imprisoned in a cave that has only one entrance. Deep inside, the prisoners are chained to the ground, facing the inner wall of the cave. They have never seen the light of day or experienced any activities outside the cave. The prisoners live their entire lives watching only shadows of reality, and the voices they hear are only echoes from the wall they face. They naturally cling to their familiar shadows and to the passions and prejudices to which they are accustomed, because those are all they know. If these people were unshackled and allowed to turn around and see the light that produces the shadows, they would be blinded by the sunlight. Furthermore, they would become agitated and would want to turn back to watching their shadow world. But if they were dragged out of the cave, they would see the marvels of the outside world and experience the light and warmth of the sun (Lavine, 1984:27). Plato's allegory illustrates two basic principles: the ignorance of all men who are shackled in the darkness of untruths, and the eternal truths that, like the rays of light, shine from above and provide the virtues of goodness, wisdom, and justice.

Plato's dualist theory of inquiry obligates the philosophers to investigate the intelligible world of metaphysics without losing sight of the physical world around them. He proposed, for example, that philosophers should be able to move from studying the love of the human body, to the love of beauty in general, to the love of the beautiful mind, and finally to the "science of beauty everywhere." As to how people can learn metaphysical reasoning, Plato would reply, "through one's love of the truth." He emphasized that such love can propel one's imagination, transcendent thinking, and moral understanding into a fusion of both worlds. This kind of heightened intellect would culminate in achieving the "supreme aim of the soul," or what Maslow calls "the particular attainment from a height" (Maslow, 1971:xix).

The lesson to be learned from this stop is to seek the truth for its own value, to capture both its physical and metaphysical attributes, and to utilize such knowledge in mastering the reasoning process.

Exhibit 3—The Nature of Reality

Our third stop is by an *empty hole* in the ground. The hole symbolizes the philosopher's concern for reality. For ethical theory to be practical, philosophers must keep their attention focused on the reality of what is and the sum total of what exists. This is probably one of the most difficult challenges to ethical theory.

Ethical statements regarding what actions *should* be taken and *why* must be based on an objective reality of the situation under consideration. To add to the challenge, any attempt to determine reality must be made independent of human perception, passion, bias, or cultural experience. This is clearly a commitment that is easier made by gods than by men. To complicate matters even further, phenomenological literature is replete with views that deny the existence of reality altogether; “things are not what they appear to be.” Furthermore, the nature of reality constantly changes. Even if we assume that there is a “reality” of some sort, by the time observers get to studying it, it may have already changed. The Greek philosopher Heraclitus declared that the fundamental character of reality is change. Everything is in process, in flux, and is no longer the same. “One cannot step into the same river twice,” Heraclitus wrote, because it is endlessly flowing and changing (Lavine, 1984:24).

Discovering Reality

Ethicists grapple with the question of how people should behave. This will be meaningless, however, unless behavior is viewed in real situations. Ethicists must therefore determine what is real and what is not. Is the real only what is physical, material, or tangible, or can it also be found in the human mind, in eternal truths, or in the wisdom of the gods? Indeed, the study of ethics begins with such fundamental questions about reality: “Why should one be moral in the first place?”; “What is justice, and why should people be committed to justice?”; “What sentiments should one have toward another, and what values should guide one’s actions?” These questions are obviously raised against few known facts about life, living, and dimly perceived guidelines concerning reality.

A more certain view of reality is the scientific view. Science recognizes only physical properties such as matter, energy, mass, and movement. Scientific reality is *empirical*—it can be sensed, validated, and measured by sensory means. Supporters of this view maintain that aside from scientifically measurable “realities,” all phenomena are products of human perception. In accordance with this view, all social or moral values, such as kindness, sincerity, honor, fidelity, honesty, and so forth, are products of social fabrication. They are “unreal,” because *if they exist at all*, they are subjective values that can be judged differently by different individuals and in different contexts.

Aristotle’s Ethical Realism

A leader in the field of *ethical realism* was Aristotle. He was Plato’s most talented student and friend, but by no means his most devoted disciple. Disillusioned by his master’s idealism and attachment to

metaphysical forms and ideas, Aristotle objected to Plato's sense of realism, exclaiming, *Magnus amicus Plato Maior amica veritas*, or "Dear is Plato, but dearer still is truth." This is a particularly powerful dictum because it demonstrates that even among the best of friends, one should, out of conviction, still courageously disagree and argue one's point of reasoning. Furthermore, the dictum implies that *personal* loyalty to a superior or a boss is not that important when the resolution of the issue at hand must be based on truths rather than sentiments. Unquestionable loyalty to an individual, rather than to a principle or to an ideal, may be harmful—if not outright dangerous. It can, as in Watergate, Iran-Contra, and many other lesser cases, compel well-trained professionals to overlook the truth.

Aristotle was a philosopher, a scientist, and a gentleman. He harbored a well-balanced view of realism. While he accepted the idea of metaphysical realities, he insisted that they cannot be detached from objects in the sensible world. Both are interrelated because there can be "no form without matter, and no matter without form." Aristotle subsequently produced a more comprehensive *theory of realism*, which was grounded in three principles: (1) the principle of *rationality*, (2) the connection between *potentiality* and *actuality*, and (3) the *golden mean*.

Reality as Rationality: Aristotle defined rationality as the ability to use abstract reasoning as the primary source of knowledge. Only through rationality can realistic truths be found. Such truths must possess the attributes of self-sufficiency, finality, and attainability. Consequently, what is rational is real, and what is real is rational. Among the qualities of the rational person, Aristotle signified thoughtfulness, intellectual tenacity, courage, and temperance. He nevertheless warned against expecting a high degree of precision in determining ethical realism, because human diversity makes it difficult to reach universal consensus. The uncertainty of human reasoning, he added, may make it difficult for rationality to be applied objectively.

Reality as the Actualization of Potential: Aristotle argued that what has the ability to grow must be real. And because human beings are born with the potential to become full-grown individuals, actualization must be real. Aristotle's concept of potentiality and actuality relates to Heraclitus's idea of change and the imperative of human development. Aristotle defined *potentiality* as the "capacity to become," and *actuality* as the "state of being." To explain this connection, he used the analogy of the acorn: As the acorn can actualize its potential by becoming an oak tree, so people can actualize their potential by achieving a life of reason and civility. He further explained that the natural tendencies of youthful persons to be erratic, aggressive, and impatient can, through the practice of reasoning, be channeled into a life of maturity, modesty, and wisdom.

Reality as the Golden Mean: According to this principle, the reality of a given value lies in the middle ground between two extreme qualities.

For example, the reality of *courage* is the middle ground between cowardice and foolhardiness; the reality of *magnificence* is the middle ground between meanness and vulgarity; and the reality of *gentleness* is the middle ground between indifference and irascibility. Aristotle recommended that ethical realism always reflect moderation between two extreme behaviors.

A radically different view of realism exists, however. It has been reflected in the philosophy of the modern *existentialist school*. Exponents of this school are mainly European philosophers, including Soren Kierkegaard, Martin Heidegger, Jean-Paul Sartre, and Simone de Beauvoir. Their view of reality is based on either denying its existence altogether or reducing its significance dramatically. These philosophers argued that *all knowledge relates to human existence rather than to human essence*. All doctrines of philosophy or theology, therefore, are “absurd.” These views have been supported by the premises that the human condition is ambiguous; that human beings come from “nothingness,” and that upon death they return to “nothingness”; that religious teachings have no real value; that universal morality is a myth; and that existence is the sole reality of mankind. While this view has its supporters, it is not the most popular among moral philosophers, especially among those who espouse a conservative view of reality.

The lesson to be learned from this stop is to remove ethics from the realm of mysticism, to apply it to real situations, and to treat ethical judgment as a rational science applicable to everyday human conduct.

At this point in the tour, I suggest that we pause for a moment to consider what we have learned so far. You may have already realized how confusing ethical terms can be. If so, you are correct and you are not alone. One of the main challenges in the study of ethics is the *jungle of semantics* with which one is confronted at every turn. On the other hand, this jungle is what gives philosophy its fecundity and gives the study of ethics its profoundness and beauty.

Exhibit 4—The Nature of Morality

Our fourth stop is at a huge painting depicting the Garden of Eden with Adam, Eve, and the apple tree in its midst. The painting symbolizes concern for *morality* and *proper behavior*. Morality is an integral part of the study of ethics, because it represents its operational side and provides the ground rules for its application.

Part of the difficulty of understanding morality is the manner in which the term is used. It has seldom been used without qualification. We refer to “American morality,” “Greek morality,” or “Christian morality,” but seldom to morality itself. This is partly due to the widespread belief that there is no *universal morality*, a code of conduct that can be adopted by all mankind. Although nations and communities have moral differences, this belief is arguably inaccurate (Gert, 1973:3). The problem may be that most people are unable to adequately distinguish between moral principles and cultural and social habits. Furthermore, most people tend to believe that they either have no moral problems, or that they know all there is to know about morality. Moreover, given the diversity of political, social, and economic systems in the world, few people may be willing to accept a universal code of conduct.

More than 2,000 years ago, however, Plato knew that there were differences in the conduct of various societies. Yet that did not discourage him from formulating a code of conduct that everyone would accept. He believed that a thorough analysis of human nature could provide a foundation upon which to build a universal core of morality (Gert, 1973:5). Of course, all rational men may not always agree, but ethical philosophers continue to identify moral values that all, or most rational persons, would accept.

Morality and Ethics

The terms *morality* and *ethics* have been used interchangeably. This is an inaccurate use of the terms, although the terms are clearly interrelated. Ethics is *a philosophy that examines the principles of right and wrong, good and bad*. Morality, on the other hand, is *the practice of these principles on a regular basis, culminating in a moral life*. As such, morality is conduct that is much akin to integrity. Consequently, while most people may technically be viewed as ethical (by virtue of knowing the principles of right and wrong), only those who internalize these principles and faithfully apply them in their relationships with others should be considered moral.

Morality Defined

The term *moral* has two connotations: First, the *capacity to make value judgments*—one’s ability to discern right from wrong. In this sense, the term may be contrasted with *amoral*, *nonmoral*, or *unmoral*. These denote a person who is either unable to judge rightness or wrongness (as in the case of a young child or an insane person) or is disinterested in the moral point of view. Second, *a behavior that is consistent with ethical principles*. Here, the term can be contrasted with *immoral*—an adjective that describes wrongful or evil behaviors

(Sahakian, 1974:2). In this sense, the term *moral* is used to characterize virtuous qualities such as love, charity, or compassion, or to describe the goodness of an action, an institution, or an entire society. This definition is more common in moral philosophy and is the definition that will be used throughout this book.

Moral Principles

Moral principles arguably exist before individuals are born (indeed, generations before) and continue long after they depart. People learn moral principles through their association with the social system in which they live. Social systems dictate certain rules of conduct to be followed. Of course, while not all individuals conform to the same rules, those who choose not to conform cannot escape the moral sanctions of their choice. When a person conforms to society's rules of conduct, he or she is said to behave morally, and when a person deviates from them, he or she is said to behave amorally or immorally.

While moral principles should not be absolutized, they signify general patterns of behavior rather than a preference or a freak behavior on the part of an individual or a group. Also, like learning language, religion, and citizenship, morality is usually learned by practicing moral principles such as "honor one's father and mother," "don't tell a lie," and "don't betray your friends." Indeed, Aristotle always taught that people become just by learning to do just things.

It should also be noted that when moral standards are applied, they can overlap with the standards of *law* and *etiquette* (Frankena, 1963:6). Yet, the concept of morality is distinguishable from both. It is different from law in at least two ways: (1) the standards of morality are not formulated by a legislative act, nor are moral standards subject to review by a court of law; (2) while immoral acts are sanctioned by words or gestures of social disfavor, disapproval, or ostracism, illegal actions are punishable by legal sanctions, including fines, jail sentences, corporal punishment, or death. As to the rules of etiquette, these are generally associated with the appearance of sophistication regardless of whether the person is moral or immoral. Moral standards, on the other hand, represent a conscientious concern for moral behavior even at the risk of being mistaken as unsophisticated or crude.

Relativist Views of Morality

Among the most notorious advocates of relativist morality were the *Sophists of Greece*, who have so far evaded us on the tour. The Sophists lived during the age of Socrates, and their views may have prompted his emergence to the philosophical pinnacle of Athens. They are said to have

taught for a fee, which in the opinion of Socrates was an evil practice. They appeared to be eloquent debaters, yet their arguments were rather petty and their reasoning fallacious. Under the tutorship of Thrasymachus, the Sophists argued that no absolute truth existed, and furthermore: (1) all things are the creation of one's consciousness at the moment; (2) the individual is the measure of all morals; (3) things are not what one says they are; and (4) all truths are relative to the social, cultural, and personal predisposition of the individual. In essence, the Sophists advocated what has recently become known as *situational morality*.

Relativist morality is based on the assumption that standards of conduct are neither sacred nor etched in stone—different folks need different strokes. While this view is less controversial than the radical view, it too denies the presence of universal truths. According to relativists, any behavior can be both right and wrong, depending on the cultural scenario one manufactures. Moral relativity has indeed been instrumental in disguising human prejudices that may justify privileges to certain people while denying them to others. Examples include slavery and the detention of Japanese Americans during World War II. By the same token, relativists can deny equal rights to certain groups under certain conditions (for example, prison inmates and patients in psychiatric hospitals). In all of these examples, the relativist response to moral principles is, invariably, “it all depends.” As Allan Bloom critiques, the point of relativism is “not to correct the mistakes and really be right, rather it is not to think you are right at all” (Bloom, 1987:17).

Although the characterization of morality as relativist is not uncommon, it is generally considered deceptive. Gert, in his criticism of relativism, attributed why it may be so popular to four reasons: (1) no moral philosopher has yet presented a universally definitive account of what moral conduct “ought to be”; (2) despite the powerful role of social morals over the centuries, it has been stymied by the forces of social change, political lobbyists, and commercialized media; (3) the absence of formal ethical education allows most individuals to think that they know what morality is without truly knowing; and (4) the failure of contemporary morality to distinguish between a “code of conduct” (that could conceivably include amoral and frivolous standards such as dress codes, hair codes, and the like) and a substantive code that has at its core “distinctive moral doctrines,” such as the values of freedom, equality, and justice. Gert's chief concern was with the last reason, which, in his view, dilutes the essence of morality to cheap ritualistic appearances (Gert, 1973).

Situational Morality

Situational morality is another view of relativism. It emphasizes *contrast perception* and *double standards* in the formulation of ethical principles (for example, what is good for one society is not good for

another; what is good for a white person is not necessarily good for an African American or Hispanic; and that the ends of liberty and justice that justify action in one situation may not justify it in another).

Among the more common assumptions in situational morality are that (1) the values of goodness, truth, and humanity are all neutral; (2) one person's moral judgment is as good as another's; (3) morality depends on who one is, where one is, and the point at which a decision is made; and (4) spiritual and philosophical doctrines are nonbinding and therefore of no particular significance. Not surprisingly, support for situational morality seemed to increase in popularity in the recent decades, which have been characterized by such phrases as "What's in it for me?" and the "me society." The philosophy of situational morality seems to be consistently invoked by the young against the old, the non-conformists against the traditional, and the semi-educated against both the educated and the ignorant.

Allan Bloom is a critic of situational morality. In his compelling work *The Closing of the American Mind* (1987), he presents a powerful indictment of relativist morality in the United States. While the book is directed primarily to college students, Bloom clearly sends a message of moral awakening to the entire society. He emphasizes that contrary to everything we experience in today's world, universal moral truths exist. In an admonishing manner similar to Socrates's style, Bloom "screams" through his moral gauntlet, "You have forgotten how to look and how to think." He declares that questions of wisdom must be answered by a "Hegel" and not a "Joyce Brothers."

Bloom grieves for the youthful minds of America that have ignored their cultural resources, neglected to study the "great minds" of history, and forgotten how to challenge conventional wisdom. He nevertheless reserves his harshest moral indignation for the values of materialism and personal convenience. He points out that the fundamental human concern for goodness seems to have been reduced, under the selfish and irrational practice of situational morality, to ignorance, mindless commitment, and trashy sentimentality (Bloom, 1987).

The Jimmy Carter Story

Jimmy Carter was not only a critic of situational morality, he also exposed it by his behavior. Throughout his distinguished career in public service, including four years as President of the United States (1976–1980), he has shown extraordinary commitment to moral principles and moral duties. As a former president, he continues to be America's foremost advocate of human rights and has worked with civic and religious organizations to enhance the quality of life in the world. As a result, he has been sought out by foreign countries such as Russia,

North Korea, Somalia, and the Sudan to assist in rebuilding their democratic infrastructures.

In 1994 the United States was about to invade the island of Haiti to restore the former democratic president to power. To avoid unnecessary bloodshed, President Clinton dispatched a high-level delegation to the island to negotiate its peaceful return to democracy. The delegation consisted of Jimmy Carter, Senator Sam Nunn, and General Colin Powell. The charge to the delegation was to secure agreements by which (1) members of the military junta would step down, and (2) they would leave the island into exile.

The delegation began its negotiations and in a week's time reported progress. Carter reported to President Clinton that the first charge had been accomplished. As to the second, Carter stated that he chose not to do it. He argued that sending anyone into exile—including citizens of foreign countries—is an act of banishment that is unconstitutional in the United States. And because the United States is the champion of human rights in the world, it would be a serious human rights violation if he (Carter) would carry it out in Haiti. On the other hand, Carter argued that if members of the junta were to be accused of criminal acts, he would be willing to charge them and try them in a court of law.

Carter's position is an excellent example of commitment to ethical principles and the denunciation of situational morality. He certainly could have applied pressure on members of the junta and prevailed, without any significant criticism. He instead chose not to do so, because it would be immoral, especially by a great nation that champions human rights principles around the world. The surprising response to Carter's position was that no one criticized it. His decision was accepted by all concerned as a "self-evident truth." Carter did the right thing on the basis of moral authority alone.

The lesson to be learned from this stop is to seek and exercise moral judgment, to abide with universal rules of moral behavior, and to attempt at all times not to delude universal morality by succumbing to the temptations of radical and relativist ethics.

Exhibit 5—Nature of Goodness

Our fifth stop is at a *fountain* that gushes pristine water several feet high. The fountain is shapely, and the water is aesthetically pleasing. The fountain symbolizes the concept of goodness that lies at the core of morality and forms its *raison d'être*. Without goodness, morality cannot exist.

The adjective *good* comes from the root *god*, the only characterization human beings know of completeness or perfection. The idea of

goodness represents the essence of being godlike, and morality signifies its true embodiment. Thus, the idea of goodness is central to the study of ethics.

Specifically, the term *good* refers to an object, a value, a trait, or a desire that enriches the human life. It is naturally conducive to happiness and pleasure and is opposed to misery and pain. The idea of goodness also implies an evolutionary value; without a core of goodness, societies cannot survive. Furthermore, the term *goodness* conveys laudatory qualities such as approval, excellence, admiration, and appropriateness. In the philosophy of criminal justice, it should be understood that while all societies experience crime, only “good societies” can naturally minimize its occurrence.

The Good Life

Greek philosophers were mystified by the idea of goodness, which they associated with pursuing *the good life*: a state denoting the ultimate in human character. In moral philosophy, however, the good life was interpreted in different terms. For instance, Plato, the fundamentalist, identified it with the “achievement of an intelligent and rational order of thinking”; Aristotle, the scientist, associated it with the “self-realization of one’s potential”; Aristippus, the hedonist, used it to mean the “achievement of physical pleasure”; and Bentham, the utilitarianist, defined it as “felicity,” or happiness.

On the other hand, there are philosophers who were much less definitive. For instance, G.E. Moore (Lavine, 1984) maintained that “the good life” is a natural quality that can be grasped only by intuition; a state of happiness that is independent of desires, aversions, pleasures, and pains. As such, it is indefinable. Thus, when one says that “personal affection is good,” the statement should be considered true.

In practical terms, however, all rational individuals and groups pursue some sort of good life in all their endeavors. Explicitly or implicitly, they identify with certain cultural values that represent goodness (for example, the Jewish view of “fear of the Lord,” the Islamic doctrine of “submission to God,” the Christian doctrine of “salvation,” the Hindu identification with “dharma,” or the Chinese principle of “Jen”). As such, achieving “the good life” should be a continuing endeavor, and the practice of goodness is its foundational tool.

The Grammar of Goodness

Despite its native simplicity, goodness remains a perplexing concept. People continue to ask questions such as “Is all goodness equal?” and “How can choices be made between two or more principles of

goodness?” For example, between one’s obligation to enforce all the laws faithfully and one’s counterobligation to ignore minor law violations by work partners, or between one’s duty to keep classified information confidential and the duty to be loyal to a supervisor who wants the information released.

Associated with this line of questions are some of the most notorious controversies that students in every ethics class never miss an opportunity to raise; for instance: (1) the perceived right of police officers to accept “free coffee and half-price meals” from eateries at any time in their districts—especially under the guise that those eateries offer that perk for no other reason than pure hospitality; (2) the perceived right of police officers to enjoy the “professional courtesy” of not ticketing fellow officers when they violate the speed limit on public roads—especially under the guise that it is conducive to police professionalism; and (3) the perceived right of correctional officers to use brutality against inmates who fail to show respect to the officer—especially under the guise that it is good for the inmate’s rehabilitation.

Answers to these questions can be very complicated, especially if one argues from biased perspectives. In such a case, determining moral judgment would simply be reduced to an exercise in opinion and conjecture. The following section will present three substantive rules and a formula that if used in good faith can make it easier to determine moral judgment. Each of these rules will be presented in a premise, a discussion, and a rule statement.

First Premise: There are two categories of goodness—intrinsic and non-intrinsic

Intrinsic goods are objects, actions, or qualities that are valuable in themselves, rather than for accomplishing something else. Consequently, intrinsic goods are known as *end values or goods of the first order*. Examples include life, justice, liberty, and happiness. These do not serve as instruments to any other goodness. They are simply good in themselves. Therefore, they should be universally upheld by all reasonable persons. Intrinsic goods cannot be downgraded or seconded to any instrumental goodness.

Non-intrinsic goods, on the other hand, are objects, actions, or qualities, the value of which depends upon serving as a means for bringing about or maintaining an intrinsic good. Consequently, non-intrinsic goods are known as *instrumental values or goods of the second order*. Examples include money, food, discipline, and personal loyalty. These are presumed to be valuable, not for their own sake, but for what they can accomplish. Money, for instance, is only good for what it can buy. When money cannot be exchanged for goods, or if the desired commodity is not offered for sale, it becomes worthless. Likewise, food is good

only for its nutritional value. If one eats (or overeats) just for the sake of eating, one may become ill. By the same token, discipline and loyalty are good only for instilling a sense of duty among employees and for promoting a high standard of performance. Taken in its own right, enforcing discipline for its own rigor can be tedious, boring, and certainly a costly endeavor. Consequently, money, food, and discipline cannot be considered intrinsically good.

Based on this dichotomy, when one is faced with two (or more) kinds of goodness, moral judgment requires that one first select the principle that supports an intrinsic good. Principles that support a non-intrinsic value would be secondary, therefore immoral in this case.

This establishes the first rule of ethical choice:

Rule Statement 1: Intrinsic good supersedes non-intrinsic good.

As an example of this rule, consider the choice between being personally loyal to your supervisor (not the agency itself) and your obligation to be honest. According to the previous rule, personal loyalty is a non-intrinsic value that serves only the need to maintain discipline. At times it might even be dysfunctional, because it can promote the practice of “sucking up” to superiors. Honesty, on the other hand, is an intrinsic value that is good in itself. If honesty were to be sacrificed or seconded to the instrumental value of personal loyalty, it would be detrimental to the integrity of the agency. Therefore, dishonest behavior cannot be justified for the sake of personal loyalty. History indicates that failure to distinguish between these two values has caused disastrous consequences. A brief review of the recent history of the United States (for example, the Vietnam War, the Watergate scandal, the Iran-Contra affair, and so on) should make this reasoning much more enlightening and interesting.

Second Premise: There are two categories of evil—intrinsic and non-intrinsic.

Intrinsic evil refers to objects, actions, or qualities that are evil or harmful in their own right. Examples include death, slavery, injustice, and brutality. All of these should be avoided, if possible, or replaced with a lesser evil. Non-intrinsic evils, on the other hand, are objects, actions, and qualities that serve as a means for bringing about or maintaining evil. For example, poisons, lethal weapons, and nondemocratic government are non-intrinsic evils. Although they are not evil “in themselves” (in the hands of an ethical person, they could be), they are potentially evil. A good example of accepting non-intrinsic evil in lieu of an

intrinsic evil is the slogan by Eastern European societies after World War II of “better Red than dead.” When people in these societies were faced with a choice between annihilation and communism, they chose the latter, because it was a lesser evil. While having a communist government is bad in itself, it is less evil than mass destruction. Based on this reasoning, non-intrinsic evil is less harmful than intrinsic evil and should replace it whenever possible.

This establishes the second rule of ethical choice:

Rule Statement 2: Non-intrinsic evil supersedes intrinsic evil.

Based on these two rules, moral judgment (unless complicated by other factors that will be examined later) should favor intrinsic good over non-intrinsic good, and non-intrinsic evil over intrinsic evil.

Third Premise: Levels of goodness (or evil) are hierarchically ranked, culminating in summum bonum.

Goodness (intrinsic or non-intrinsic) is of different grades; some are higher than others. As such, they can be rank-ordered in an ascending manner culminating in the highest good, or *summum bonum*.

Based on this premise, if there is a conflict between two or more goods, a lower-grade good cannot be justified in the presence of a higher-grade good. For example, in judging the grades of happiness, there is the physical level, the emotional level, and the intellectual level, with the last being the highest. By the same token, in judging the evil of killing, there is killing by lethal injection, by shooting, by starvation, or by torture, with the last being the most evil. Therefore, it is necessary for the ethical reasoner to pursue the highest level of goodness attainable and to steer away from the lower grades of evil as much as they can be avoided. As to the exact criterion for distinguishing between higher and lower levels of goodness or evil, we will learn that later in the book.

The Principle of *Summum Bonum*

Summum bonum is the principle of the highest good. The term is Latin and means the *ultimate good*, one that cannot be subordinated to any other. The principle obligates the ethical reasoner to examine all levels of goodness that bear on the issue, to rank them in ascending order, and to choose the highest among them as the “master good.” Such ranking can be based on the quality of goodness, the number of beneficiaries, and the utility of goodness, among other factors. As such, the

concept of *summum bonum* characterizes the “moral of all morals” and the “ethic of all ethics.”

In the classic tradition of ethics, philosophers have reduced *summum bonum* to either a single “master” goodness or a set of related values, and argued their viewpoint from that perspective. For Socrates, for instance, the master goodness was *knowledge*; for Plato it was *justice* (a just state, a just society, a just city, or a just agency); and for Aristotle it was *moral character* (an activity of the soul when in accordance with virtue). By contrast, hedonist philosophers identified *summum bonum* with the quality of pleasure (both physical and mental), and Christian philosophers identified it with degrees of piety. Saint Augustine, in the fifth century, for example, identified *summum bonum* with faith, hope, and salvation, while Saint Thomas Aquinas, in the thirteenth century, identified it with the ability to see God as “He is.” This, Saint Thomas Aquinas taught, comes about through a long life of obedience to Christian principles.

The function of *summum bonum* is analogous to that of a “lighthouse” that guides ethical behavior on the stormy sea of uncertainty. It is also comparable to the point of “true north” on the moral compass. To better understand the concept, imagine that all the values that bear on the issue are stacked on a totem pole representing the hierarchy of values. In this sense, *summum bonum* would be the pinnacle of the pole that caps all lower values and gives them sequence, rank, and relative worth.

This establishes the third rule of ethical choice:

Rule Statement 3: When selecting between grades of goodness (or evil), seek the summum bonum. Toward that goal, any grade of goodness can be ignored or violated in favor of a higher grade.

A Guiding Formula for Moral Judgment

An author once stood before an ethics class, lecturing on the value of discretion in criminal justice and the imperative of moral judgment. As he emphasized the process of moral judgment in qualitative terms, he was interrupted by a young, obviously upset student who shouted, “All of you professors tell us to use judgment, but none of you show us how. I was born in Vietnam! What am I supposed to fall back on?” (Souryal, 1993). At that moment, everything around the instructor fell silent, except for the echoing question, “What am I supposed to fall back on?” The instructor did not have a convincing answer at the time. Several years later, he developed one guiding formula that is *simple* and *memorable*.

The formula consists of four steps:

1. Select the moral principle that best defines the problem in question (for example, is it a matter of honesty, fairness, equity, loyalty, and so on).
2. Justify the situation at hand by examining whether it conforms to the selected principle. If it does not, determine the accentuating or mitigating factors that could make it more or less fitting.
3. If the situation fits the principle (exactly), the judgment should be made in accordance with the principle (exactly).
4. If the situation does not fit the principle exactly, judgment should be made by determining a high likelihood or a low likelihood that the situation fits the principle. Accentuating factors support a high likelihood, and mitigating factors, a low likelihood.

While this formula is certainly not meant to be a precise mathematical configuration, it is presented to illuminate the way we can make better moral judgments. More quantitative formulas in the future may be able to assign numbers to each principle and to each level of justification.

$$E = PJ^2$$

In this simple formula, E (the ethical decision) equals P (the principle) times J (the justification of the situation).

From a mathematical standpoint, P is a linear dimension and J is quadratic. The square value of J is proposed here to allow for justification to be ratcheted up or down depending on the power of accentuating or mitigating factors. And because the power of P is always constant (unless we are comparing the power of one principle to another), the *morality of judgment should be a function of justification*. Does the situation justify the principle? If not, how close is it to an exact justification?

Take, for example, Aristotle's principle of debt paying. While as a principle, people should always repay their debts, Aristotle recognized situations in which compliance with that principle could be unethical. He cited the example of a person who borrows a knife from another who, in the meantime, has become insane or suicidal. In this case, the disturbed state of the knife owner is an accentuating factor, because returning the knife may make it easier for him (the knife owner) to hurt himself or threaten the life of another. In a sense, the debt-paying principle may not be exactly justifiable, and compliance with the principle may be unethical. Keeping the knife until the owner recovered would therefore be perfectly justified.

Let us take another example: the sanctity of life. Throughout the literature of history, ethics, theology, and law, life has been considered sacred, and killing, an intrinsic evil. The principle is based on the assumption that life was created by God and that if (hypothetically) all people resorted to killing, society would self-destruct. Thus, killing is evil, unless it is justified.

Justifications for killing have been recognized since the beginning of history. For example, in Greece, it was justified to appease the gods, thus dissuading them from destroying the world. In war it was justified to protect society from being vanquished. Yet, consistent with this justification, the crusaders were praised for liberating Jerusalem, despite the fact that they killed thousands of innocent people. In recent history, killing in war has been less justifiable. Nowadays, it is no longer justified unless the war itself is just and as long as the armies involved comply with the universal rules of warfare. If neither condition prevails, those responsible are held accountable. Furthermore, if the forces kill noncombatant persons, those responsible are considered barbarians. Moreover, if the forces single out innocent people for extermination, those responsible are tried as war criminals.

Let us take another scenario that justifies killing: the case of self-defense. The practice has been universally justified as consistent with the principle of survival, although Saint Augustine condemned it on the basis that a good Christian should rather die than kill. Yet killing in the case of euthanasia or abortion has been controversial. While some ethicists justify euthanasia because of the painful suffering experienced by terminally ill individuals, most disapprove in the case of those who are simply tired of living. In the case of abortion, justification has been even more difficult. While most ethicists would justify it when the life of the mother is threatened, fewer would allow it otherwise.

When similar situations are examined under the rigor of principle, one can discern (and at the same time appreciate) the complexity of the justification process involved in $E = PJ^2$. As in the previous examples, one should realize that killing under certain justifications can be an act of nonintrinsic good, or even of mercy. The utilitarian theory of ethics that will be examined later in the book will provide additional knowledge that might make it easier to apply $E = PJ^2$.

$E = PJ^2$ in Practice

In 1996, the New Haven Police Department issued an Order Maintenance Training Bulletin in which the department proposed a new policy for order maintenance that closely resembles the philosophy of $E = PJ^2$. While the bulletin preceded the formula expressed in this chapter, it seemed to confirm and legitimize it.

The New Haven Training Bulletin defined *order maintenance* as “working with neighborhood residents and others who use public spaces to maintain order legally, humanely, respectfully, and equitably.” The purpose of the new policy was “to prevent crime and reduce citizen fear, to facilitate public discourse and activities, to create an atmosphere of diversity, and to improve and restore the quality of life in neighborhoods.” The problems referred to in the bulletin included abandoned cars, prostitution, noise, graffiti, public drinking, and disorderly conduct, such as aggressive panhandling.

The New Haven Police Department recognized that its order maintenance activities are discretionary at all levels of the department, from police chief through all personnel. Discretion, the bulletin emphasized, does not imply personal inclination, but the application of officers’ professional knowledge, values, and skills to particular problems and incidents. The starting point of all professionalism, the bulletin stated, is the law. Nevertheless, the New Haven Police Department required that the officers always use the least forceful means possible to achieve its purposes. While officers should not hesitate to cite or arrest offenders, their approach, at all levels of the organization, will be to attempt to get citizens to obey the laws and ordinances as unintrusively as possible. The department proposed *three levels* of intervention:

1. The first level of intervention, whether by managers, supervisors, or police officers, will be to educate the public about civility, the consequences of incivility, and the laws that oblige citizens to behave in particular ways. This can be done in neighborhood meetings, in schools, or in interactions with citizens. The bulletin stated that some citizens do not fully understand their obligations, and if those obligations—for example, regarding a noisy car or public drinking in parks—are patiently explained, citizens will adhere to the law.
2. The second level of intervention will be to remind citizens of their responsibilities if they were disorderly—that they were breaking the law and will be subject to penalties if they persist. This, too, can be done in a variety of ways. It can be done by visiting a problem location and warning people that if their behavior continues, they will be subject to penalties. Similarly, owners of locations that have chronic problems can be so warned by individual officers.
3. The final level of intervention will be law enforcement—the use of citation and arrest.

According to the New Haven Training Bulletin, the criteria for police discretion further articulates the “square” as in the $E = PJ^2$

formula by emphasizing five factors that can help the officers make more ethical discretionary decisions:

1. **Time disorder:** Time disorder has important chronological aspects. Society acknowledges this culturally through the observation of holidays (for example, the Fourth of July, Thanksgiving Day, St. Patrick's Day) and other periods when society is more tolerant of behavior and entertainment (for example, Friday and Saturday nights, New Year's Eve).
2. **Location:** Different neighborhoods have different thresholds for various kinds of activities. Certainly, the bulletin stated, one can be more tolerant of noise levels in downtown New Haven than in residential areas. Likewise, some forms of disorderly behavior are absolutely inappropriate around schools (public urination by adults, for example) and would be the basis not for education or warning, but for strong legal condemnation.
3. **Condition of the offender:** The bulletin stated that the officers would be concerned about whether a person is intoxicated or under the influence of drugs, or behaving in a variety of inappropriate or disturbed ways. Illness, and behavior associated with illness, would be another variable affecting the police response (seizures and post-seizure, for example). The New Haven Police Department emphasized that it is not concerned about matters of social class, race, homelessness, and so on when it refers to the condition of the offender. The department emphasized that the focus of police discretion is behavior. For example, the officers would be less concerned about a person who urinated in public if the person attempted to find a solitary location and maintained a sense of modesty than someone who flagrantly exposed him- or herself in a highly visible location.
4. **Condition of the victim/witness:** The officers of the New Haven Police Department would be more concerned about aggressive panhandling, for example, that targeted vulnerable persons—children, the elderly, people with disabilities—than about similar approaches to sturdy youths. Similarly, the officers, as a matter of policy, would always be more concerned about the impact of disorderly behavior on children.
5. **Numbers, volume, or aggregation:** The New Haven Police Department emphasized that one panhandler is one type of problem, but 10 panhandlers is another. Similarly, every form of disorder would have a different meaning depending on the number and concentration of the people committing the act or acts.

Finally, the New Haven Police Department insisted that these factors and others would be primary in determining police response to disorder whether on a departmental, substation, or individual officer level. Yet all the officers are expected to use their discretion wisely and proudly.

Summary

The three principles and the formula discussed here form the rules of moral judgment:

1. Intrinsic evils are the lowest levels of morality and should always be avoided.
2. Intrinsic goodness is the highest level of goodness and should be actively sought.
3. *Summum bonum* is the highest moral choice and should always be sought.

But:

4. If intrinsic goodness cannot be achieved, the highest level of non-intrinsic goodness should be sought as the next justifiable ethic.

And:

5. Whenever intrinsic evil can be avoided, the highest level of non-intrinsic evil should be sought as the next justifiable ethic.

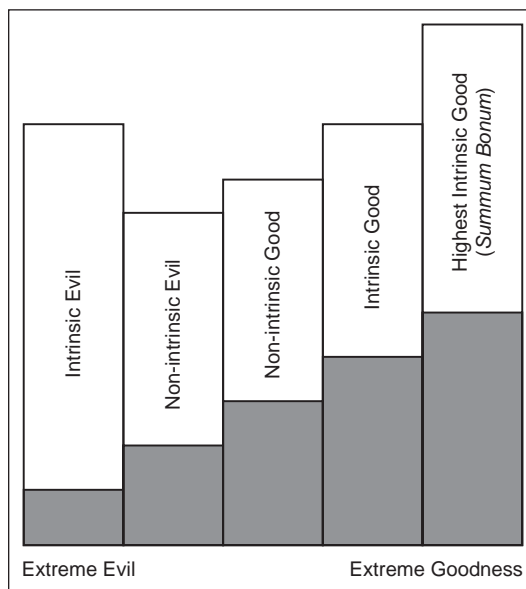
Furthermore:

6. When in doubt, apply $E = PJ^2$.

Figure 1.3 illustrates this rank order of moral judgment.

Figure 1.3

Rank Order of Moral Reasoning



The lesson to be learned from this stop is to differentiate between intrinsic and non-intrinsic values, to evaluate each on a scale from the least valuable to the most valuable, and to make moral judgments by seeking the highest attainable good—the *summum bonum* of all available virtues.

Exhibit 6—Actions and Consequences

Our next stop is by *a young woman spanking her child* for wandering about, at risk of being lost in the crowd. The mother is inflicting pain on the child, who is crying uncontrollably, inviting pity and sympathy from the surrounding people.

What is your reaction to this scene? Could you justify the action of the concerned mother, or would you consider her behavior cruel and unethical? This scenario symbolizes a central issue in ethical theory: the dilemma of human *actions and consequences* (also known as the *ethics of means and ends*). The issue, if you will recall, was previously raised when we stopped at Exhibit 4 to view the depiction of the Garden of Eden.

Ethical judgment should always be made in relation to human actions. Sentiments, feelings, and intentions are improper to judge, because they cannot be ascertained objectively. But when actions occur, we are faced with four possible configurations:

1. “Good” actions that lead to “good” consequences
2. “Bad” actions that lead to “bad” consequences
3. “Bad” actions that lead to “good” consequences
4. “Good” actions that lead to “bad” consequences

Rational persons should have no difficulty judging the first two configurations. The other two are complex and will therefore be discussed in detail.

Bad Actions/Good Consequences

The spanking of the child in this scenario represents the dilemma of “bad” actions that could lead to “good” consequences. The infliction of pain (a bad action), however, can be justified on the basis that the mother was trying to teach the child a useful lesson (a good consequence). But would you have the same reaction if the woman was not the mother? What if the spanking person was an older brother or a cousin? Would your reaction be the same if the spanking turned into

an ugly beating? Obviously, moral judgment in these cases should depend upon examining the nature of the action, the “utility” of the consequence expected, and, certainly, the relationship between the actor and the recipient.

The nature of the relationship is of particular significance because it may be considered rooted in cultural and social terms. For instance, it is acceptable (indeed an obligation) in some European cultures for an uncle or a cousin to discipline a disobedient child. In Moslem culture it is acceptable even for a perfect stranger to do the same. What must be emphasized here, however, is that while judgment in these instances cannot be universalized, the ethical principle upon which judgment is made can be universalized. The utilitarian theory of actions and consequences examines these relationships and establishes useful rules for their practice.

In order to better understand the relationship between bad actions and good consequences, magnifying the situation to a much greater scale can be of great assistance. Let us consider some classic situations from recent history. For instance, dropping the atomic bomb on Hiroshima in 1945 was widely justified by the consequences of shortening the war in the Pacific and saving American lives. The detention of Japanese Americans during World War II was justified by the consequence of reducing potential collaboration with the enemy. The trial and subsequent execution of top Nazi generals after the war was justified by the consequence of deterring war crimes. Even on a smaller scale, in many states the use of capital punishment has been justified on the grounds of deterring crime, and the practice of disciplining employees in the workplace is justified by reinforcing compliance with work standards, therefore increasing productivity and improving the quality of work.

Good Actions/Bad Consequences

Examples of this category include the cases of a friend who helps another by lending him a car and the friend later causing a traffic accident; a father who increases the weekly allowance to his adolescent child, who uses the money to buy alcohol or drugs; and a professor who helps a student secure a job at a department store, where the student is arrested for shoplifting. Obviously, the motives behind these actions are “good,” and the behaviors of the friend, the father, and the professor should be considered morally worthy. But what about their disastrous consequences? Who is to blame? The answer depends on the amount of knowledge each of these “Samaritans” was *expected* to have about the probability of these consequences happening—at the time the decision was made. One’s capacity to assess the value of an action against the potential risk that may ensue distinguishes the knowledge level of the actor and establishes his or her responsibility for the

outcome. Those who are more knowledgeable are considered more blameworthy when they commit an unethical act than those who are less knowledgeable. Indeed, Aristotle argued that if two individuals commit the same crime, the one who is more knowledgeable should be punished more severely.

The Utilitarian Measure

The theory of *utilitarianism* is perhaps the most suitable for studying the relationship between actions and consequences. The theory identifies ethical actions as those that tend to maximize happiness and minimize pain; the greater the happiness, the greater the moral value of the act. Furthermore, the more persons benefiting from an action, the more praiseworthy the act. The theory also distinguishes between two main utilitarian principles: *act-utilitarianism* and *rule-utilitarianism*. In the scenario of the mother spanking her child, an act-utilitarianist would disapprove of the act, while a rule-utilitarianist approves. The rationale is as follows:

Act-utilitarianists are rather rigid. They judge the morality of an act only on the basis of its propensity to produce happiness or pain. And because in the scenario of the mother and the child, spanking would inflict pain, it would be morally unacceptable, regardless of the noble consequences that might ensue. As to the need to teach the child not to wander off, act-utilitarianists would advise the mother to speak with the child, try to persuade him or her, and find an acceptable alternative to the infliction of pain.

Rule-utilitarianists are more flexible. They would overlook the act and focus on the rule behind it; if the rule is conducive to good consequences, then the act is justifiable. If the rule is not, the act is unjustifiable. A rule-utilitarianist would most likely agree with the spanking, because it is consistent with the policy of “spare the rod, spoil the child.” He or she would probably reason that if the rule is not carried out, we will end up with a community of spoiled children. Therefore, it is permissible to spank children as long as no serious damage is done. Furthermore, if as a society we follow the rule of spanking children in an appropriate manner and in appropriate circumstances, we would be a better-functioning society. Rule-utilitarianists insist that what distinguishes the goodness or evil of an act is simply the rule that prompts it.

Pioneers of Utilitarianism

Among the champions of the utilitarian theory were Jeremy Bentham and John Stuart Mill. Bentham was the acclaimed originator

of the *principle of utility* (hence, the theory of utilitarianism). Bentham established a rule for judging the rightness or wrongness of actions by evaluating their tendency to augment or diminish the happiness of the parties whose interests are in question. In a later version of his theory, Bentham developed a more objective instrument for measuring the morality of actions by computing the “amount” of happiness they can produce. Bentham’s instrument established a quantitative scale, or matrix, consisting of seven elements:

1. Intensity of happiness
2. Duration of happiness
3. Certainty of happiness
4. Purity of happiness
5. Extent of happiness
6. Propinquity of happiness
7. Fecundity of happiness

Influenced by the success of the scientific method in other fields, Bentham tried to apply the same method to ethics in a quasi-mathematical formula.

John Stuart Mill was a utilitarian who disagreed with Bentham’s scientific method, calling it a “pig philosophy.” He was more concerned with the *quality* of happiness than with its *quantity*. As to how such quality can be measured, Mill deferred to a “jury of experts” who are acquainted with the kind of happiness in question. He called these people “hedonistic experts,” or judges who would be knowledgeable in the appreciation of different pleasures. These experts, Mill proposed, would be governed in their judgment by *internal* and *external* sanctions or forces. Internal sanctions, he thought, had far greater impact because they include the attributes of reason, sensitivity, and fairness. External sanctions are of lesser significance and include one’s fear of God and readiness to face adverse public opinion (Sahakian, 1974:35). Mill tended to favor the qualitative approach as long as the judgment of consequences was determined on the basis of “prudence and foresight.”

The lesson to be learned from this stop is to carefully examine actions and their consequences before making ethical judgment, and to consider utilitarianism as a reasonable criterion for choice.

Exhibit 7—Determinism and Intentionalism

Our next stop is *beside a young man sitting on a bench*. He appears to be a student from a Middle Eastern country. He holds some notebooks on his lap while he stares with disbelief at an examination paper in his hand. He is wailing and lamenting his “bad luck.” He has just flunked a crucial college exam and will not be allowed to graduate. When asked about his problem, he pitifully cries that he was “doomed to failure,” he “knew it all along,” and there was nothing he could do “to change his destiny.”

The foreign student’s behavior symbolizes the issue of human *determinism*. This is a particularly critical issue to the study of ethics, because it can cast serious doubt on the validity of human choice. Unquestionably, if human beings are not free to choose between possible courses of action, then studying moral judgment is contradictory and teaching ethics is deceptive.

Determinism

The concept of determinism means that all thoughts, attitudes, and actions result from external forces that are *beyond human control*. All things in the universe are “governed” by, or operated in accordance with, fixed causal laws that determine all events as well as the consequences that follow.

Determinist philosophers argue that what appear to be independent decisions in favor of certain dispositions (to act or not to act) are not decisions at all, because no real choices are involved. Human actions are inevitable events that follow a grand design that dictates when, where, and how everything will happen. Therefore, it would be illogical, and certainly unfair, to hold someone responsible for such actions. Subsequently, it would be a fallacy to preach or to recommend certain values when people are incapable of making independent choices.

Literature of determinism also refers to a more chronic form of determinism known as *predestination*. This view is more closely associated with the idea of *fatalism*. While the concept is often linked to a dogmatic interpretation of God’s will, it is sometimes associated with astrological forces that control the movement of stars in the heavens. According to the theory of predestination, every happening is attributable to a cosmic power that predetermines its occurrence. Human beings are simply supposed to accept such inevitable events, to cope with them the best way they can, and to go on with their lives. Examples of this concept are the practice of reading one’s horoscope every day before

leaving the house, or consulting a fortune-teller before making an important decision. In many cultures, predestination is accepted as a way of life; for instance, in Arab culture it is called the *maktuub* (written), in the Greek culture it is called *moira* (meant to be), and in the Roman culture it was incorporated in the philosophy of Stoicism.

In the scenario of the young foreign student, he most likely subscribes to predestination. He blames his failure on bad luck and considers his inability to graduate from college as “written” in his destiny. Furthermore, he believes he is incapable of reversing his predestined fate. He may be unwilling to make a choice to repeat the course he failed, to select another area of study, or to possibly move to another college where he could do better. Most knowledgeable people today have abandoned the predestination view and regard it as merely an interesting historical curiosity (Porter, 1980:54).

Scientific Determinism

Modern-day determinism is supported by a scientific view. A scientific determinist would maintain that a person’s character, conduct, and choices are products of either hereditary or environmental factors. Together they form *operative elements* that control one’s ability to think and judge. Basically, operative elements are the following:

1. Genetic conditions that make up the chemical, anatomical, and physiological characteristics we inherit through the medium of genes and chromosomes
2. Climate and geography that influence our personality and temperament (for instance, in countries with cool climates, people are generally perceived to be more active, industrious, and efficient)
3. Society and culture that provide us with most of our ingrained traditions, beliefs, desires, and tendencies to do or not do certain actions
4. Education and socialization that provide the necessary knowledge base we need in the fields of sciences and the arts, as well as in the areas of critical thinking and reasoning

The fact that most inmates in state penitentiaries today characteristically combine a low IQ score with a low level of formal education might help explain the last element even more clearly.

Still, in the literature of determinism there is a distinction between two forms of determinism: *hard* and *soft*. While both forms accept determinism as a set of operative elements, each views human choices differently. *Hard determinists* maintain that operative elements eliminate

free will. They argue that to speak of freedom of choice and personal responsibility for actions, when actions follow a strictly causal chain, makes no sense. *Soft determinists*, on the other hand, hold that although actions can be strongly influenced by the operative elements, the individual is still relatively free to shape and reshape the causal chain. After all, it is the individual's nature and the circumstances that surround it that cause these factors to develop and take hold. In the case of the foreign student we met, he certainly lived long enough in the United States to be able to learn the American way of coping with difficult odds. However, the distinction between hard and soft determinism—while important in certain contexts—is not crucial to the broader sense of this discussion.

Intentionalism

The opposite view of determinism is the *libertarian view*, also known as *intentionalism* or *free will*. This view affirms that all rational beings possess an innate freedom of will and, as such, must be held responsible for their actions. The theory maintains that people are in control of their actions by virtue of their ability to think and to choose their actions freely. Yet while no one is “absolutely free” or can “always” be free (because people could at times be forced to act against their will), people can still make choices, given the free will they possess. For example, while prison inmates are physically behind bars, many continue to make intelligent decisions regarding their adaptation to prison life, education, rehabilitation, and plans for early parole.

Arguments in favor of the libertarian theory can be summed up as follows:

1. External forces of heredity and environment are merely *influences*, rather than determinants. Once we become aware of their forces upon our ability to decide, they lose their power. Consequently, we should be able to rationally accept, reject, or alter all options available to us.
2. Talk about causes of actions can be misleading, because it indicates that people are controlled by a strict system of cause–effect instinctive response. But by virtue of human intellect, people are still capable of reasoning their way out of the grip of the “elements” and making good choices. Even if a cause–effect relationship exists, the libertarians question the narrow interpretation used by the determinists, whereby a preceding event is assumed to cause the action that follows. For example, they argue that although millions of Americans drive their automobiles to and from work each day and thousands of them are involved in traffic accidents, it would be illogical to assume that work causes traffic accidents.

3. Arguments in favor of the determinist position are in themselves incoherent, because the determinists base their position on the belief that all ideas are, in essence, determined in advance. But because the concept of determinism is itself an idea, those who advocate determinism must be admitting a belief that they did not freely examine or choose to advocate.

The lesson to be learned from this stop is to consider ethical judgment as a product of intentionally and freely made choices, unless there is evidence to the contrary. In this case, the impact of operative elements must be considered.

Exhibit 8—The Ethical Person

Now we come to the end of the tour, by a *shiny, late-model red automobile* displayed on a revolving platform. There are powerful floodlights aimed at it from overhead and it looks good. The automobile is the product of the latest scientific, technological, and artistic accomplishments in the automobile industry. The car symbolizes an object that is beautiful, valuable, functional, and pleasurable to drive and own.

The image of that car represents the profile of the ethical person, the ultimate portrait of the civilized person, the admirable person, the good person. The following description by Abraham Maslow is one of the most comprehensive and accurate profiles in the literature. It best illustrates the type of person we, as criminal justice professionals, should strive to be. The profile presents values that can enrich the quality of our lives and make our careers in criminal justice much more worthwhile. Read Maslow's profile carefully, reflect on the values it embodies, and discuss its applicability with your classmates, coworkers, and acquaintances. Note where discrepancies exist, and reflect on the reasoning behind these discrepancies. Are they products of individual indifference, of the nature of criminal justice in particular, of bureaucracy in general, or of the culture in which we live?

The lesson to be learned from this stop is to grasp and admire the attributes of the ethical person and to try to emulate them in both your public and your private life.

Profile of the Ethical Person

Delight in bringing about justice.

Delight in stopping cruelty and exploitation.

Fight lies and untruths.

They love virtue to be rewarded.

They seem to like happy endings, good completions.

They hate sin and evil to be rewarded, and they hate people to get away with it.

They are good punishers of evil.

They try to set things right, to clean up bad situations.

They enjoy doing good.

They like to reward and praise promise, talent, virtue, etc.

They avoid publicity, fame, glory, honors, popularity, celebrity, or at least do not seek it. It seems to be not awfully important one way or another.

They do not need to be loved by everyone.

They generally pick out their own causes, which are apt to be few in number, rather than responding to advertising or to campaigns or to other people's exhortations.

They tend to enjoy peace, quiet, pleasantness, etc., and they tend not to like turmoil, fighting, war, etc. (they are not general-fighters on every front), and they can enjoy themselves in the middle of a "war."

They also seem practical and shrewd and realistic about it,

more often than impractical.

They like to be effective and dislike being ineffectual.

Their fighting is not an excuse for hostility, paranoia, grandiosity, authority, rebellion, etc., but is for the sake of setting things right. It is problem-centered.

They manage somehow simultaneously to love the world as it is and to try to improve it.

In all cases there is some hope that people and nature and society can be improved.

In all cases it is as if they can see both good and evil realistically.

They respond to the challenge in a job.

A chance to improve the situation or the operation is a big reward. They enjoy improving things.

Observations generally indicate great pleasure in their children and in helping them grow into good adults.

They do not need or seek, or even enjoy very much, flattery, applause, popularity, status, prestige, money, honors, etc.

Expressions of gratitude, or at least of awareness of their good fortune, are common.

They have a sense of noblesse oblige. It is the duty of the superior, of the one who sees and knows, to be patient and tolerant, as with children.

They tend to be attracted by mystery, unsolved problems, by the unknown and the challenging, rather than to be frightened by them.

They enjoy bringing about law and order in the chaotic situation, in the messy or confused situation, or in the dirty and unclean situation.

They hate (and fight) corruption, cruelty, malice, dishonesty, pompousness, phoniness, and faking.

They try to free themselves from illusions, to look at the facts courageously, to take away the blindfold.

They feel it is a pity for talent to be wasted.

They do not do mean things, and they respond with anger when other people do mean things.

They tend to feel that every person should have an opportunity to develop to his highest potential, to have a fair chance, to have equal opportunity.

They like doing things well, “doing a good job,” “to do well what needs doing.”

Many such phrases add up to “bringing about good workmanship.” One advantage of being a boss is the right to give away the corporation’s money, to choose which good causes to

help. They enjoy giving their own money away to causes they consider important, good, worthwhile, etc. [They take] pleasure in philanthropy.

They enjoy watching and helping the self-actualization of others, especially of the young.

They enjoy watching happiness and helping to bring it about.

They get great pleasure from knowing admirable people (courageous, honest, effective, “straight,” “big,” creative, saintly, etc.). “My work brings me in contact with many fine people.”

They enjoy taking on responsibilities (that they can handle well), and certainly don’t fear or evade their responsibilities. They respond to responsibility.

They uniformly consider their work to be worthwhile, important, even essential.

They enjoy greater efficiency, making an operation more neater, more compact, simpler, faster, less expensive, turning out a better product, doing with fewer parts, a smaller number of operations, less clumsiness, less effort, more foolproof, safer, more “elegant,” less laborious.

Review Questions

1. Socrates taught that virtue is knowledge and knowledge is virtue. How can college education in the field of criminal justice improve the quality of justice on the street?
2. Of the four sources of the truth (opinion, belief, science, and reasoning), which is the most necessary for the criminal justice professional, and why? Give examples.
3. Plato used the allegory of the cave to illustrate the resistance of unprofessional people to face the truth. How does this relate to the behavior of criminal justice practitioners who insist on using unjustified labels and clichés? Discuss three such clichés and explain the reasons behind the resistance.
4. Aristotle's theory of realism was grounded in the concepts of potentiality and actuality, and the mean. What from this philosophy can professional police officers use when dealing with juvenile delinquents?
5. What is the relationship between the ethics of corrections and the obligation of correctional officers to be moral at the workplace? Give three examples.
6. Define relativist morality and discuss its origins. How does relativist morality influence the behavior of police officers, especially those who patrol areas where minority groups reside?
7. Explain the hierarchy of values, beginning with the lowest intrinsic evil and ending with the highest intrinsic good. How can adherence to this hierarchy enhance the performance of probation and parole officers?
8. Should a criminal justice practitioner adhere to the act-utilitarian philosophy, the rule-utilitarian philosophy, or both? Give examples from the field of policing.
9. Do you agree or disagree with the statement that ethical judgments are "a product of intentionally and freely made choices, unless there is strong evidence to the contrary"? Why or why not?
10. Examine your actions at the workplace as well as the actions of your colleagues. How closely do such actions fit Maslow's profile of the ethical person?

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