

# Who's to Judge?

Louis Pojman

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There is one thing a professor can be absolutely certain of: almost every student entering the university believes, or says he believes, that truth is relative. If this belief is put to the test, one can count on the students' reaction: they will be uncomprehending. That anyone should regard the proposition as not self-evident astonishes them, as though he were calling into question  $2 + 2 = 4$ . . . . The danger they have been taught to fear from absolutism is not error but intolerance. Relativism is necessary to openness; and this is the virtue, the only virtue, which all primary education for more than fifty years has dedicated itself to inculcating. (Alan Bloom, *The Closing of the American Mind*)

In an ancient writing, the Greek historian Herodotus (485–430 B.C.) relates that the Persian King Darius once called into his presence some Greeks and asked them what he should pay them to eat the bodies of their fathers when they died. They replied that no sum of money would tempt them to do such a terrible deed; whereupon Darius sent for certain people of the Callatian tribe, who eat their fathers, and asked them in the presence of the Greeks what he should give them to burn the bodies of their fathers at their decease [as the Greeks do]. The Callatians were horrified at the thought and bid him desist in such terrible talk. So Herodotus concludes, "Culture is King o'er all."

Today we condemn ethnocentrism, the uncritical belief in the inherent superiority of one's own culture, as a variety of prejudice tantamount to racism and sexism. What is right in one culture may be wrong in another, what is good east of the river may be bad west

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of the same river, what is a virtue in one nation may be seen as a vice in another, so it behooves us not to judge others but to be tolerant of diversity.

This rejection of ethnocentrism in the West has contributed to a general shift in public opinion about morality, so that for a growing number of Westerners, consciousness raising about the validity of other ways of life has led to a gradual erosion of belief in moral *objectivism*, the view that there are universal moral principles, valid for all people at all times and climes. For example, in polls taken in my ethics and introduction to philosophy classes over the past several years (in three different universities in three areas of the country) students by a two-to-one ratio affirmed a version of *moral relativism* over *moral absolutism* with hardly 3 percent seeing something in between these two polar opposites. Of course, I'm not suggesting that all of these students have a clear understanding of what relativism entails, for many of those who say that they are ethical relativists also state on the same questionnaire that "abortion except to save the mother's life is always wrong," that "capital punishment is always morally wrong," or that "suicide is never morally permissible." The apparent contradictions signal an apparent confusion on the matter.

In this essay I want to examine the central notions of ethical relativism and look at the implications that seem to follow from it. After this I want to set forth the outlines of a very modest objectivism, which holds to the objective validity of moral principles but takes into account many of the insights of relativism.

## 1. An Analysis of Relativism

Ethical relativism is the theory that there are no universally valid moral principles, but that all moral principles are valid relative to culture or individual choice. It is to be distinguished from moral skepticism, the view that there are no valid moral principles at all (or at least we cannot know whether there are any), and from all forms of moral objectivism or absolutism. The following statement by the relativist philosopher John Ladd is a good characterization of the theory.

Ethical relativism is the doctrine that the moral rightness and wrongness of actions varies from society to society and that there are no absolute universal moral standards binding on all men at all times. Accordingly, it holds that whether or not it is right for an individual

to act in a certain way depends on or is relative to the society to which he belongs. (John Ladd, *Ethical Relativism*)

If we analyze this passage, we derive the following argument:

1. What is considered morally right and wrong varies from society to society, so that there are no moral principles accepted by all societies.
2. All moral principles derive their validity from cultural acceptance.
3. Therefore, there are no universally valid moral principles, objective standards which apply to all people everywhere and at all times.

1. The first thesis, which may be called the *Diversity Thesis* and identified with *Cultural Relativism*, is simply an anthropological thesis, which registers the fact that moral rules differ from society to society. As we noted in the introduction of this essay, there is enormous variety in what may count as a moral principle in a given society. The human condition is malleable in the extreme, allowing any number of folkways or moral codes. As Ruth Benedict has written:

The cultural pattern of any civilization makes use of a certain segment of the great arc of potential human purposes and motivations. . . . [A]ny culture makes use of certain selected material techniques or cultural traits. The great arc along which all the possible human behaviors are distributed is far too immense and too full of contradictions for any one culture to utilize even any considerable portion of it. Selection is the first requirement. (*Patterns of Culture*, New York, 1934, p. 219)

It may or may not be the case that there is not a single moral principle held in common by every society, but if there are any, they seem to be few, at best. Certainly, it would be very hard to derive one single "true" morality on the basis of observation of various societies' moral standards.

2. The second thesis, the *Dependency Thesis*, asserts that individual acts are right or wrong depending on the nature of the society from which they emanate. Morality does not occur in a vacuum, but what is considered morally right or wrong must be seen in a context, depending on the goals, wants, beliefs, history, and environment of the society in question. As William Graham Sumner says,

"We learn the [morals] as unconsciously as we learn to walk and hear and breathe, and they never know any reason why the [morals] are what they are. The justification of them is that when we wake to consciousness of life we find them facts which already hold us in the bonds of tradition, custom, and habit."<sup>1</sup> Trying to see things from an independent, non-cultural point of view would be like taking out our eyes in order to examine their contours and qualities. We are simply culturally determined beings.

We could, of course, distinguish a weak and a strong thesis of dependency. The nonrelativist can accept a certain relativity in the way moral principles are *applied* in various cultures, depending on beliefs, history, and environment. For example, Orientals show respect by covering the head and uncovering the feet, whereas Occidentals do the opposite, but both adhere to a principle of respect for deserving people. They just apply the principle of respect differently. Drivers in Great Britain drive on the left side of the road, while those in the rest of Europe and the United States drive on the right side, but both adhere to a principle of orderly progression of traffic. The application of the rule is different but the principle in question is the same principle in both cases. But the ethical relativist must maintain a stronger thesis, one that insists that the very validity of the principles is a product of the culture and that different cultures will invent different valid principles. The ethical relativist maintains that even beyond the environmental factors and differences in beliefs, there is a fundamental disagreement between societies.

In a sense, we all live in radically different worlds. Each person has a different set of beliefs and experiences, a particular perspective that colors all of his or her perceptions. Do the farmer, the real estate dealer, and the artist, looking at the same spatio-temporal field, see the *same* field? Not likely. Their different orientations, values, and expectations govern their perceptions, so that different aspects of the field are highlighted and some features are missed. Even as our individual values arise from personal experience, so social values are grounded in the peculiar history of the community. Morality, then, is just the set of common rules, habits, and customs which have won

<sup>1</sup>*Folkways*, New York, 1906, section 80. Ruth Benedict indicates the depth of our cultural conditioning this way. "The very eyes with which we see the problem are conditioned by the long traditional habits of our own society." ("Anthropology and the Abnormal," in *The Journal of General Psychology* [1934], pp. 59–82).

social approval over time, so that they seem part of the nature of things, as facts. There is nothing mysterious or transcendent about these codes of behavior. They are the outcomes of our social history.

There is something conventional about *any* morality, so that every morality really depends on a level of social acceptance. Not only do various societies adhere to different moral systems, but the very same society could (and often does) change its moral views over time and place. For example, the Southern USA now views slavery as immoral whereas just over one hundred years ago, it did not. We have greatly altered our views on abortion, divorce, and sexuality as well.

3. The conclusion that there are no absolute or objective moral standards binding on all people follows from the first two propositions. Cultural relativism (the Diversity Thesis) plus the Dependency Thesis yields ethical relativism in its classic form. If there are different moral principles from culture to culture and if all morality is rooted in culture, then it follows that there are no universal moral principles valid for all cultures and people at all times.

## 2. Subjective Ethical Relativism (Subjectivism)

Some people think that even this conclusion is too tame and maintain that morality is not dependent on the society but on the individual him or herself. As students sometimes maintain, "Morality is in the eye of the beholder." Ernest Hemingway wrote, "So far, about morals, I know only that what is moral is what you feel good after and what is immoral is what you feel bad after and judged by these moral standards, which I do not defend, the bullfight is very moral to me because I feel very fine while it is going on and have a feeling of life and death and mortality and immortality, and after it is over I feel very sad but very fine."<sup>2</sup>

This form of moral subjectivism has the sorry consequence that it makes morality a useless concept, for, on its premises, little or no interpersonal criticism or judgment is logically possible. Hemingway may feel good about killing bulls in a bull fight, while Albert Schweitzer or Mother Teresa may feel the opposite. No argument about the matter is possible. The only basis for judging Hemingway or anyone else wrong would be if he failed to live up to his own principles, but, of course, one of Hemingway's principles could be that

<sup>2</sup>Ernest Hemingway, *Death in the Afternoon* (Scribner's, 1932), p. 4.

hypocrisy is morally permissible (he feels good about it), so that it would be impossible for him to do wrong. For Hemingway hypocrisy and non-hypocrisy are both morally permissible. On the basis of Subjectivism it could very easily turn out that Adolf Hitler is as moral as Gandhi, so long as each believes he is living by his chosen principles. Notions of moral good and bad, right or wrong, cease to have interpersonal evaluative meaning.

In the opening days of my philosophy classes, I often find students vehemently defending subjective relativism. I then give them their first test of the reading material—which is really a test of their relativism. The next class period I return all the tests, marked with the grade "F" even though my comments show that most of them are of very high quality. When the students explode with outrage (some of them have never before seen this letter on their papers) at this "injustice," I explain that I too have accepted subjectivism for purposes of marking exams, in which case the principle of justice has no objective validity and their complaint is without merit.

You may not like it when your teacher gives you an F on your test paper, while she gives your neighbor an A for one exactly similar, but there is no way to criticize her for injustice, since justice is not one of her elected principles.

Absurd consequences follow from Subjective Ethical Relativism. If it is correct, then morality reduces to aesthetic tastes over which there can be no argument nor interpersonal judgment. Although many students say that they hold this position, there seems to be a conflict between it and other of their moral views (e.g., that Hitler is really morally bad or capital punishment is always wrong). There seems to be a contradiction between Subjectivism and the very concept of morality, which it is supposed to characterize, for morality has to do with "proper" resolution of interpersonal conflict and the amelioration of the human predicament. Whatever else it does, it has a minimal aim of preventing a state of chaos where life is "solitary, poor, nasty, brutish, and short." But if so, Subjectivism is no help at all in doing this, for it doesn't rest on social *agreement* of principle (as the conventionalist maintains) or on an objectively independent set of norms that bind all people for the common good.

Subjectivism treats individuals as billiard balls on a societal pool table where they meet only in radical collisions, each aiming for its own goal and striving to do the other fellow in before he does you. This atomistic view of personality is belied by the fact that we

develop in families and mutually dependent communities, in which we share a common language, common institutions, and habits, and that we often feel each other's joys and sorrows. As John Donne said, "No man is an island, entire of itself; every man is a piece of the continent."

Radical individualistic relativism seems incoherent. If so, it follows that the only plausible view of ethical relativism must be one that grounds morality in the group or culture. This form of relativism is called "conventionalism," and to it we now turn.

### 3. Conventional Ethical Relativism (Conventionalism)

Conventional Ethical Relativism, the view that there are no objective moral principles but that all valid moral principles are justified by virtue of their cultural acceptance, recognizes the social nature of morality. That is precisely its power and virtue. It does not seem subject to the same absurd consequences which plague Subjectivism. Recognizing the importance of our social environment in generating customs and beliefs, many people suppose that ethical relativism is the correct ethical theory. Furthermore, they are drawn to it for its liberal philosophical stance. It seems to be an enlightened response to the sin of ethnocentricity, and it seems to entail or strongly imply an attitude of tolerance towards other cultures. As Benedict says, in recognizing ethical relativity "we shall arrive at a more realistic social faith, accepting as grounds of hope and as new bases for tolerance the coexisting and equally valid patterns of life which mankind has created for itself from the raw materials of existence."<sup>3</sup> The most famous of those holding this position is the anthropologist Melville Herskovits, who argues even more explicitly than Benedict that ethical relativism entails intercultural tolerance:

1. If Morality is relative to its culture, then there is no independent basis for criticizing the morality of any other culture but one's own.
2. If there is no independent way of criticizing any other culture, we ought to be *tolerant* of the moralities of other cultures.
3. Morality is relative to its culture.

<sup>3</sup> *Patterns of Culture* (New American Library, 1934), p. 257.

Therefore

4. we ought to be tolerant of the moralities of other cultures.<sup>4</sup>

Tolerance is certainly a virtue, but is this a good argument for it? I think not. If morality simply is relative to each culture then if the culture does not have a principle of tolerance, its members have no obligation to be tolerant. Herskovits seems to be treating the *principle of tolerance* as the one exception to his relativism. He seems to be treating it as an absolute moral principle. But from a relativistic point of view there is no more reason to be tolerant than to be intolerant, and neither stance is objectively morally better than the other.

Not only do relativists fail to offer a basis for criticizing those who are intolerant, but they cannot rationally criticize anyone who espouses what they might regard as a heinous principle. If, as seems to be the case, valid criticism supposes an objective or impartial standard, relativists cannot morally criticize anyone outside their own culture. Adolf Hitler's genocidal actions, so long as they are culturally accepted, are as morally legitimate as Mother Teresa's works of mercy. If Conventional Relativism is accepted, racism, genocide of unpopular minorities, oppression of the poor, slavery, and even the advocacy of war for its own sake are as equally moral as their opposites. And if a subculture decided that starting a nuclear war was somehow morally acceptable, we could not morally criticize these people.

Any actual morality, whatever its content, is as valid as every other, and more valid than ideal moralities—since the latter aren't adhered to by any culture.

There are other disturbing consequences of ethical relativism. It seems to entail that reformers are always (morally) wrong since they go against the tide of cultural standards. William Wilberforce was wrong in the eighteenth century to oppose slavery; the British were immoral in opposing suttee in India (the burning of widows, which is now illegal in India). The Early Christians were wrong in refusing to serve in the Roman army or bow down to Caesar, since the majority in the Roman Empire believed that these two acts were moral duties. In fact, Jesus himself was immoral in breaking the law of his day by healing on the Sabbath day and by advocating the prin-

<sup>4</sup> Melville Herskovits, *Cultural Relativism* (Random House, 1972).

ciples of the Sermon on the Mount, since it is clear that few in his time (or in ours) accepted them.

Yet we normally feel just the opposite, that the reformer is the courageous innovator who is right, who has the truth, against the mindless majority. Sometimes the individual must stand alone with the truth, risking social censure and persecution. As Dr. Stockman says in Ibsen's *Enemy of the People*, after he loses the battle to declare his town's profitable polluted tourist spa unsanitary, "The most dangerous enemy of the truth and freedom among us—is the compact majority. Yes, the damned, compact, and liberal majority. The majority has *might*—unfortunately—but *right* it is not. Right are I and a few others." Yet if relativism is correct, the opposite is necessarily the case. Truth is with the crowd and error with the individual. . . .

There is an even more basic problem with the notion that morality is dependent on cultural acceptance for its validity. The problem is that the notion of a culture or society is notoriously difficult to define. This is especially so in a pluralistic society like our own where the notion seems to be vague with unclear boundary lines. One person may belong to several societies (subcultures) with different value emphases and arrangements of principles. A person may belong to the nation as a single society with certain values of patriotism, honor, courage, laws (including some which are controversial but have majority acceptance, such as the law on abortion). But he or she may also belong to a church which opposes some of the laws of the State. He may also be an integral member of a socially mixed community where different principles hold sway, and he may belong to clubs and a family where still other rules are adhered to. Relativism would seem to tell us that where he is a member of societies with conflicting moralities he must be judged both wrong and not-wrong whatever he does. For example, if Mary is a U.S. citizen and a member of the Roman Catholic Church, she is wrong (qua Catholic) if she chooses to have an abortion and not-wrong (qua citizen of the U.S.A.) if she acts against the teaching of the Church on abortion. As a member of a racist university fraternity, KKK, John has no obligation to treat his fellow Black student as an equal, but as a member of the University community itself (where the principle of equal rights is accepted) he does have the obligation; but as a member of the surrounding community (which may reject the principle of equal rights) he again has no such obligation; but then again as a member

of the nation at large (which accepts the principle) he is obligated to treat his fellow with respect. What is the morally right thing for John to do? The question no longer makes much sense in this moral Babel. It has lost its action-guiding function.

Perhaps the relativist would adhere to a principle which says that in such cases the individual may choose which group to belong to as primary. If Mary chooses to have an abortion, she is choosing to belong to the general society relative to that principle. And John must likewise choose between groups. The trouble with this option is that it seems to lead back to counter-intuitive results. If Gangland Gus of Murder, Incorporated, feels like killing Bank President Orcutt and wants to feel good about it, he identifies with the Murder, Incorporated society rather than the general public morality. Does this justify the killing? In fact, couldn't one justify anything simply by forming a small subculture that approved of it? Charles Manson would be morally pure in killing innocents simply by virtue of forming a little coterie. How large must the group be in order to be a legitimate subculture or society? Does it need ten or fifteen people? How about just three? Come to think about it, why can't my burglary partner and I found our own society with a morality of its own? Of course, if my partner dies, I could still claim that I was acting from an originally social set of norms. But why can't I dispense with the interpersonal agreements altogether and invent my own morality—since morality, on this view, is only an invention anyway? Conventionalist Relativism seems to reduce to Subjectivism. And Subjectivism leads, as we have seen, to the demise of morality altogether.

However, while we may fear the demise of morality, as we have known it, this in itself may not be a good reason for rejecting relativism; that is, for judging it false. Alas, truth may not always be edifying. But the consequences of this position are sufficiently alarming to prompt us to look carefully for some weakness in the relativist's argument. So let us examine the premises and conclusion listed at the beginning of this essay as the three theses of relativism.

1. *The Diversity Thesis* What is considered morally right and wrong varies from society to society, so that there are no moral principles accepted by all societies.
2. *The Dependency Thesis* All moral principles derive their validity from cultural acceptance.

3. *Ethical Relativism* Therefore, there are no universally valid moral principles, objective standards which apply to all people everywhere and at all times.

Does any one of these seem problematic? Let us consider the first thesis, the Diversity Thesis, which we have also called Cultural Relativism. Perhaps there is not as much diversity as anthropologists like Sumner and Benedict suppose. One can also see great similarities between the moral codes of various cultures. E. O. Wilson has identified over a score of common features, and before him Clyde Kluckhohn has noted some significant common ground.

Every culture has a concept of murder, distinguishing this from execution, killing in war, and other "justifiable homicides." The notions of incest and other regulations upon sexual behavior, the prohibitions upon untruth under defined circumstances, of restitution and reciprocity, of mutual obligations between parents and children—these and many other moral concepts are altogether universal. ("Ethical Relativity: Sic et Non," *Journal of Philosophy*, LII, 1955)

And Colin Turnbull, whose description of the sadistic, semi-displaced Ik in Northern Uganda, was seen as evidence of a people without principles of kindness and cooperation, has produced evidence that underneath the surface of this dying society, there is a deeper moral code from a time when the tribe flourished, which occasionally surfaces and shows its nobler face.

On the other hand, there is enormous cultural diversity and many societies have radically different moral codes. Cultural Relativism seems to be a fact, but, even if it is, it does not by itself establish the truth of Ethical Relativism. Cultural diversity in itself is neutral between theories. For the objectivist could concede complete cultural relativism, but still defend a form of universalism; for he or she could argue that some cultures simply lack correct moral principles.

On the other hand, a denial of complete Cultural Relativism (i.e., an admission of some universal principles) does not disprove Ethical Relativism. For even if we did find one or more universal principles, this would not prove that they had any objective status. We could still *imagine* a culture that was an exception to the rule and be unable to criticize it. So the first premise doesn't by itself imply Ethical Relativism and its denial doesn't disprove Ethical Relativism.

We turn to the crucial second thesis, the Dependency Thesis. Morality does not occur in a vacuum, but what is considered morally right or wrong must be seen in a context, depending on the goals, wants, beliefs, history, and environment of the society in question. We distinguished a weak and a strong thesis of dependency. The weak thesis says that the application of principles depends on the particular cultural predicament, whereas the strong thesis affirms that the principles themselves depend on that predicament. The nonrelativist can accept a certain relativity in the way moral principles are *applied* in various cultures, depending on beliefs, history, and environment. For example, a raw environment with scarce natural resources may justify the Eskimos' brand of euthanasia to the objectivist, who in another environment would consistently reject that practice. The members of a tribe in the Sudan throw their deformed children into the river because of their belief that such infants *belong* to the hippopotamus, the god of the river. We believe that they have a false belief about this, but the point is that the same principles of respect for property and respect for human life are operative in these contrary practices. They differ with us only in belief, not in substantive moral principle. This is an illustration of how nonmoral beliefs (e.g., deformed children belong to the hippopotamus) when applied to common moral principles (e.g., give to each his due) generate different actions in different cultures. In our own culture the difference in the nonmoral belief about the status of a fetus generates opposite moral prescriptions. So the fact that moral principles are weakly dependent doesn't show that Ethical Relativism is valid. In spite of this weak dependency on nonmoral factors, there could still be a set of general moral norms applicable to all cultures and even recognized in most, which are disregarded at a culture's own expense.

What the relativist needs is a strong thesis of dependency, that somehow all principles are essentially cultural inventions. But why should we choose to view morality this way? Is there anything to recommend the strong thesis over the weak thesis of dependency? The relativist may argue that in fact we don't have an obvious impartial standard from which to judge. "Who's to say which culture is right and which is wrong?" But this seems to be dubious. We can reason and perform thought experiments in order to make a case for one system over another. We may not be able to *know* with certainty that our moral beliefs are closer to the truth than those of another culture or those of others within our own culture, but we may be *justified*

in believing that they are. If we can be closer to the truth regarding factual or scientific matters, why can't we be closer to the truth on moral matters? Why can't a culture simply be confused or wrong about its moral perceptions? Why can't we say that the society like the Ik which sees nothing wrong with enjoying watching its own children fall into fires is less moral in that regard than the culture that cherishes children and grants them protection and equal rights? To take such a stand is not to commit the fallacy of ethnocentrism, for we are seeking to derive principles through critical reason, not simply uncritical acceptance of one's own mores. . . .

In conclusion I have argued (1) that Cultural Relativism (the fact that there are cultural differences regarding moral principles) does not entail Ethical Relativism (the thesis that there are no objectively valid universal moral principles); (2) that the Dependency Thesis (that morality derives its legitimacy from individual cultural acceptance) is mistaken; and (3) that there are universal moral principles based on a common human nature and a need to solve conflicts of interest and flourish.

So, returning to the question asked at the beginning of this essay, "Who's to judge what's right or wrong?" the answer is: *We are*. We are to do so on the basis of the best reasoning we can bring forth and with sympathy and understanding.

#### STUDY QUESTIONS

1. Discuss Pojman's distinction between cultural relativism and ethical relativism. Why is one a mere matter of describing society and the other an ethical theory? Is Pojman's use of the term "cultural relativism" the same as Carolyn Fluehr-Lobban's? Or does she mean by cultural relativism what Pojman means by ethical relativism?
2. Discuss the two varieties of ethical relativism: subjective ethical relativism and conventional ethical relativism. To which kind of relativism did Hemingway appeal when he justified the practice of bullfighting? Show how one might use conventional ethical relativism to justify bullfighting.
3. What argument does Pojman deploy against subjectivism? Did the arguments convince you? Why or why not?

4. What are his arguments against conventional relativism? Are they strong? Convincing?
5. Pojman makes much of the fact that we do not normally belong to single, well-defined communities. How does this adversely affect the ethical relativist belief that the community determines what is good and right?
6. What does Pojman mean by the dependency thesis and why does he conclude that it is mistaken?
7. Pojman ends by saying that in the final analysis it is we who are to judge. Since so many other communities have other views and judgments, how can we justify favoring our judgment over others?

## The Objective Basis of Morality

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The biblical injunction to love thy neighbor as thyself is often interpreted negatively as the injunction *not* to do unto your neighbor what you would *not* have your neighbor do unto you. Thomas Nagel argues that this principle is universally valid apart from any religious beliefs one might have. He notes that we all feel resentful when someone whom we have not provoked harms us: since he had no reason to harm us he shouldn't have. Nagel points out that such resentment is reasonable and

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