Critical Thinking:
Ethical Reasoning and Fairminded Thinking, Part II

By Richard Paul and Linda Elder

In the last column we introduced the idea of ethical reasoning (see Paul & Elder, 2006) and discussed its importance to education, assuming the intention is to cultivate fairminded critical thinking. We also discussed the problem of intrinsic egocentric thinking as a fundamental barrier to ethical reasoning. In this column we focus on conceptual distinctions essential to skilled ethical reasoning and, consequently, to fostering the educated mind.

The Sociocentric Counterfeits of Ethical Reasoning

Skilled ethical thinkers routinely distinguish ethics from its counterfeits, such as the domains of social conventions (conventional thinking), religion (theological thinking), politics (ideological thinking), and the law (legal thinking). Too often, ethics is confused with these very different modes of thinking. It is not uncommon, for example, for highly variant and conflicting social values and taboos to be treated as if they were universal ethical principles.

Thus, religious ideologies, social "rules," and laws are often mistakenly taken to be inherently ethical in nature. If this amalgamation of domains was equated with universal ethics, then by implication every practice within any religious system would necessarily be ethically binding, every social rule ethically obligatory, and every law ethically justified.

If all particular religious do's and don'ts defined ethics, no religious practices (e.g., torturing unbelievers or burning them alive), could be judged as unethical. In the same way, if ethical and conventional thinking were one and the same, every social practice within any culture would necessarily be ethically obligatory, including social conventions in Nazi Germany. It would be impossible, then, to condemn any social traditions, norms, and taboos from an ethical standpoint, however ethically bankrupt they in fact were. What's more, if one country's laws defined ethics, then by implication politicians and lawyers would be considered experts on ethics, and every law they finagled to get on the books would take on the status of a moral truth.

It is essential, then, to differentiate ethics from other modes of thinking commonly confused with ethics. Critical thinkers and autonomous persons must remain free to critique commonly accepted social conventions, religious practices, political ideas, and laws using ethical concepts not defined by these counterfeits of ethics. No one lacking this ability can become proficient in genuine ethical reasoning. Next we consider these domains of pseudo ethics more specifically to drive home this crucial ethical insight.

Ethics and Religion

Religious variability derives from the fact that theological beliefs are intrinsically subject to debate. There are an unlimited number of alternative ways for people to conceive and account for the nature of the "spiritual." The *Encyclopedia Americana*, for example, lists over 300 different religious belief systems. These traditional ways of believing adopted by social groups or cultures often take on the force of habit and custom. They are then handed down from one generation to another. To the individuals in any given religious group, their particular beliefs seem to them to be the *only* way, or the only *reasonable* way, to conceive of the "divine." They cannot see that their religious beliefs are just one set among many possible religious belief systems.

Examples of Theological Beliefs Confused with Ethical Principles

- Members of majority religious groups often enforce their beliefs on minorities.
- Members of religious groups often act as if their theological views are self-evidently true, scorning those who hold conflicting views.
- Members of religious groups often fail to recognize that "sin" is a theological concept, not an ethical one. (Sin is theologically defined.)
- Divergent religions define sin in different ways (but often expect their views to be enforced on all others as if a matter of universal ethics).

Religious beliefs, when dominant in a human group, tend to shape many, if not all, aspects of a person's life with rules, requirements, taboos, and rituals. Most of these regulations have no ethical force beyond the members of one group. In fact, they are, in themselves, neither right nor wrong, but simply represent social preferences and culturally subjective choices.

It is every person's human right to choose his or her own religious orientation, including, if one wishes, that of agnosticism or atheism. That is why there is a provision (Article 18) in the *United Nations Declaration of Human Rights* concerning the right to change one's religious beliefs: "Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief."

That ethical judgment must trump religious belief is shown by the undeniable fact that many persons have been tortured and/or murdered by people motivated by religious zeal or conviction. Indeed religious persecution is commonplace in human history. Humans need recourse to ethics in defending themselves against religious intolerance and persecution.

Furthermore, a society must be deemed unethical if it accepts among its religious practices any form of slavery, torture, sexism, racism, persecution, murder, assault, fraud, deceit, or intimidation. Remember, atrocities have often been committed during religious warfare. Even to this day, religious persecution and religiously motivated atrocities are commonplace. No religious belief as such can justify violations of basic human rights. In short, theological beliefs cannot override ethical principles. Ethical principles must protect everyone from intolerant and oppressive religious practices.

Ethics and Social Conventions

Everyone is, in the first instance, socially conditioned. Consequently, no one is able to begin with the ability to critique social norms and taboos. Unless one learns to critique the social mores and taboos imposed from birth, one will inherently accept those traditions as "right."

Consider the history of the United States. For more than a hundred years most Americans considered slavery to be justified and desirable. It was part of social custom. Moreover, throughout history, many groups of people, including people of various nationalities and skin colors, as well as females, children, and individuals with disabilities, have been victims of discrimination as the result of social convention treated as ethical obligation. Yet, all social practices violating human rights are rejected by ethically sensitive, reasonable persons no matter what social conventions support those practices.

Examples of Confusion Between Ethics and Social Conventions

- Many societies have created taboos against showing various parts of the body and have severely punished those who violated them.
- Many societies have created taboos against giving women the same rights as men.

- Many societies have socially legitimized religious persecution.
- Many societies have socially stigmatized interracial marriages.

These practices seem (wrongly) to be ethically obligatory to those socialized into accepting them.

Ethics and Sexual Taboos

Social taboos are often matters of strong emotions. People are often disgusted when others violate a taboo. Their disgust signals to them that the behavior is unethical. They forget that what is socially repugnant may not violate any ethical principle but, instead, may merely differ from social convention. Social doctrines regarding human sexuality are often classic examples of conventions expressed as if they were ethical truths. Social groups often establish strong sanctions for unconventional behavior involving the human body. Some social groups inflict unjust punishments on women who do no more than appear in public without being completely veiled, an act considered in some cultures as indecent and sexually provocative. Sexual behaviors should be considered unethical only when they result in unequivocal harm or damage, not if they merely elicit religious or social shame or guilt. Michelangelo's David may shock a Puritan but not for ethic reasons.

Ethics and Political Ideology

A political ideology provides an analysis of the present distribution of wealth and power and devises strategies in keeping with that analysis. Conservative ideologies "justify" the status quo or seek a return to a previous "ideal" time. Liberal ideologies critique the status quo and seek to justify "new" forms of political arrangements designed to rectify present inequities. Reactionary ideologies plead for a "radical" return to the past; revolutionary ideologies plead for a "radical" overturning of the fundamental ("corrupt") structures. Conservative ideologies consider the highest values to be private property, family, God, and country. Liberal ideologies consider the highest values to be liberty, equality, and social justice.

Virtually all political ideologies speak in the name of the "people." Yet most of them, in fact, are committed to powerful vested interest groups that fund their election campaigns. The same people often end up ruling, independent of the "official" ideology. Thus, in the post-Soviet power structure, many of those who were formerly powerful in the communist party are now among the most prominent and acquisitive neocapitalists.

The bottom line is that politics and ethics are divergent concepts. Struggling against each other for power and control, political movements and interests often sacrifice ethical ideals for practical advantage. They often rationalize unethical acts as unavoidable necessities (e.g., "forced on them" by their opponents). And they systematically use propaganda to further vested interest agendas.

Ethics and the Law

Anyone interested in developing their ethical reasoning abilities must learn to distinguish between ethics and the law. What is illegal may or may not be a matter of ethics. What is ethically obligatory may be illegal. What is unethical may be legal. There is no essential connection between ethics and the law.

Examples of Confusing Ethics and the Law

- Many sexual practices (such as homosexuality) have been unjustly punished with life imprisonment or death (under the laws of one society or another).
- Many societies have enforced unjust laws based on racist views.
- Many societies have enforced laws that discriminated against women.
- Many societies have enforced laws that discriminated against children.
- Many societies have made torture and/or slavery legal.
- Many societies have enforced laws arbitrarily punishing people for using some drugs but not others.

Conclusion

Whenever faced with ethical issues, thinking is used to reason through those issues. But if one is not clear about the differences between ethics and their counterfeits, such as religion, social conventions, and the law, these distinctions are likely to blur and in fact cause unethical reasoning. Thus students need to internalize these distinctions and develop a rich, deep sense of ethical concepts and principles. Nothing short of this will prepare them to reason with skill through the many ethical issues they will face in their lives. Of course, instructors must exercise judgment in terms of how and to what extent to bring these issues into instruction. Students have to be ready, intellectually and emotionally, to deal with ethics before they can do so effectively. In the next few columns, we will continue to lay out the ideas we believe essential to cultivating the ethical mind, and therefore the educated mind.

Reference

Paul, R., & Elder, L. (2006). *The thinkers guide to understanding the foundation of ethical reasoning*. Dillon Beach, CA: Foundation for Critical Thinking Press.

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