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Introduction to Ethics

SEMESTER- I

PHILOSOPHY

KRISHNA KANTA HANDIQUI STATE OPEN UNIVERSITY

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BACHELOR OF ARTS
INTRODUCTION TO ETHICS
DETAILED SYLLABUS

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COURSE INTRODUCTION:

This course introduces us to the subject of Ethics. Ethics can also be called moral philosophy, because it deals with the science with science of customs or habits of men. It is also called the science of rightness and wrongness, because human will is expressed in right or wrong conduct. Rightness or wrongness refers to the highest ideal of human life. Hence, ethics is the science of the highest Good of man that includes Truth, Good and Beauty.

The first course consists of eight units. The first unit starts with "The Nature and Scope of Ethics". After going through this unit, you will be able to know nature and scope of Ethics.

The second unit is 'The Concept of Morality'. After going through this unit you will be able to know that ethics is a branch of philosophy. It is moral philosophy or philosophical thinking about morality, moral problems and moral judgments.

The third unit is 'Fact and Value'. After going through this unit you will be able to know the what is fact and what is value, different types of value and their importance in human life, distinction between fact and value etc.

The fourth unit is 'Moral Concepts: Good, Right, Duty& Virtue'. After going through this unit, one will be able to define what ethics is and will be able to know how identify the fundamental concepts of ethics and will be able to explain the concept of Good, right, duty & virtue.

The fifth unit is "Freedom and Determination". After going through this unit, you will be able to know the meaning of freedom and determinism. You will be able to explain freedom and determinism in relation to each other.

The sixth unit is 'Purusartha'. This unit consists of the definition of Purusartha and detail analysis of artha, kama, dharma and Moksa.

The seventh unit is 'Theories of Punishment'. After going through this unit you will be able to describe the concept of crime and punishment and will be able to elaborate the deterrent, reformative and retributive theory of punishment'

While going through this course you will come across some boxes which are put on the left side or right side of the text. These boxes will give us the meanings of some words and concepts within the text. Apart from this, there will be some broad and short questions included under Activity and Check Your Progress in every unit. Activities will increase our thinking capacity because questions put in Activity are not directly derived from the text. But answers to the short questions are put in the section Answers to Check Your Progress. Besides, there are some text-related questions which are put in Model Questions. These questions will help you in selecting and mastering probable topics for the examination so that you can prepare for the examination with confidence.

UNIT 1 : NATURE AND SCOPE OF ETHICS

UNIT STRUCTURE

1.1 Learning Objectives

1.2 Introduction

1.3 Definition of Ethics

1.4 Nature of Ethics

1.5 Scope of Ethics

1.6 Let Us Sum Up

1.7 Further Readings

1.8 Answers to Check Your Progress

1.9 Model Questions

1.1 LEARNING OBJECTIVES

After going through this unit, you will be able to :

- define 'What is Ethics'?
- explain the nature of Ethics,
- discuss the scope of ethics,
- define and differentiate pure ethics from applied ethics.

1.2 INTRODUCTION

What morality requires from us is often seen as the core question that ethics has to answer. However, there are other questions of similar importance, such as: Why be moral? How moral can we be in a non-ideal world? Are we moral by nature? Are moral judgments true? Such questions cannot be avoided when we confront the problems of life particularly in a non-moral world. But the questions themselves are relevant in our contemporary life style. This unit makes an attempt to analyse Ethics its definition, nature and scope.

1.3 DEFINITION OF ETHICS

The word "ethics" is derived from the Greek word 'ethos' (character), and from the Latin word 'mores' (customs). Derived from the Greek word

"ethos", which means "way of living", ethics is a branch of philosophy that is concerned with human conduct. It consists in a code of conduct of human beings living in a society. Ethics examines the rational justification for our moral judgments; it studies what is morally right or wrong, just or unjust. Together, they combine to define how individuals choose to interact with one another. In philosophy, ethics defines what is good for the individual and for society and establishes the nature of duties that people owe to themselves and to one another. It aims at individual good as well as social good, the good of mankind as a whole.

Ethics is an attempt to guide human conduct and it is also an attempt to help man in leading good life by applying moral principles. Ethics refers to well based standards of right and wrong that prescribe what humans ought to do, usually in terms of rights, obligations, benefits to society, fairness, or specific virtues. Ethics is related to issues of propriety, rightness and wrongness. What is right is ethical and what is wrong is unethical. The words 'proper',' fare' and 'just' are also used in place of right 'and 'ethical'. If it is ethical, it is right, proper, fair and just. Ethics is a matter of practical concern. It tries to determine the good and right thing to do; choices regarding right and wrong, good and evil; questions of obligation and value. Ethics is to consider the practice of doing right actions or what we may call the art of living the good life.

It is also defined as the science of the highest good. Mackenzie defines ethics as "the study of what is right or good in human conduct" or the "science of the ideal involved in human life". So, it is clear that ethics is the study which determines rightness or wrongness of actions.

Applied ethics is the practice of ethics that aims to guide the moral judgment governing the decisions we make in all areas of our lives. Issues of right and wrong are related to one's values. In the context of ethics, values are our standards of right and wrong.

1.4 NATURE OF ETHICS

Ethics aims at systematic knowledge. So, ethics is a science. Every science is concerned with a particular sphere of nature. As a science ethics

has its own particular sphere; it deals with certain judgments that we make about human conduct. It deals with systematic explanation of rightness or wrongness in the light of the highest Good of man.

Ethics is a normative science. It is concerned with what ought to be done rather than what is the case. It differs from positive science. A positive science, natural science or descriptive science is concerned with what is. It deals with facts and explains them by their causes. In positive science there is no question of judging its objects in any way. But ethics does not deal with fact. Rather it deals with value. Therefore, it is clear that ethics is concerned with judgments of value, while positive science deals with judgments of facts. That is why ethics is not a positive science but a normative science. Normative ethics deals with standards or norms by which we can judge human actions to be right or wrong. For example, logic, aesthetics are also considered as normative sciences, because logic and aesthetics are concerned with truth and beauty. So, truth, beauty and value are the three ideals of logic, aesthetics and ethics respectively.

Ethics is not a practical science. Practical science deals with means for the realization of an end or ideal. It teaches us to know how to do. As for instance, medical science is a practical science. It concerns with the means in order to remove the causes of ailments or diseases. But ethics is not concerned with means in order to achieve moral ideal that is rightness or goodness. It does not teach us how to live a moral life. So, ethics can not be regarded as a practical science.

Ethics is not an art. Ethics does not teach us an art as to how to lead a moral life. Rather it helps us to justify rightness or goodness which can lead to the supreme goal of human life that is to realize the summum bonum of human life. So, ethics is not a means to the highest ideal of human life. But, like the practical science, art is also a means for obtaining a goal. So, ethics is neither a practical science nor an art. Again the question is, is there any art of conduct? The reply is, in case of morality this is not true. Art especially deals with acquisition of skill to produce objects, while morality deals with motive, intention, purpose and choice which are considered right or wrong in the light of goodness. Therefore, morality consists of goodness, which is really an intrinsic end.

A norm or ideal in the ethical sense is defined as any regulatory principle that controls or lays guidelines to thought and mode of acting. Ethics is a science of values as it discovers the forms of conduct or behaviour, which have the character of oughtness. Ethics deals with moral phenomena and it observes and classifies them and explains them by the moral ideal. It distinguishes moral judgments from logical judgments and aesthetic judgments and reduced them to a system. So we may define the nature of ethics as scientific. However, from another perspective all sciences also lead to philosophical questions if we take philosophy to be quest for knowledge. That is way ethics is a branch of philosophy.

There is no clear-cut boundary between science and philosophy, between descriptive science and normative science and between ethics and philosophy. A norm is more than a description. While philosophies have become more scientific and sciences have become more philosophical, the distinction between science and philosophy and between value-science like ethics and general‘ philosophy is a matter of degree. That way ethics is both scientific and philosophical, both descriptive and normative science and both pure and applied, pure ethics and meta ethics. Ethics is an art as it sets guidelines for practical conduct and also for understanding the meaning of what it is to act in an ethical manner. Ethics is concerned with Goodness as an ultimate value while some other normative sciences like Aesthetics and Logic are oriented to the ideals of Beauty and Truth respectively.



LET US KNOW

- Normative science deals with judgments of value and positive science deals with judgments of facts.
- Normative science deals with what ought to be. While Positive science is concerned with what is.
- Ethics is a normative science. Its principal concern is with human conduct in respect of its relation to the conception of what is good and what is right.

- Ethics is the study of human conduct with respect to its rightness or wrongness in the light of a supreme standard.

If we enter into a discussion regarding what is the nature of Ethics it would be a meta-ethical question. Although the distinction between morality and ethics is not clear cut, it is not morality as such since its task is not to lay down rules or guidelines of "dos" and "Don'ts". Ethics is a branch of philosophical discussion pertaining to morality or a philosophical critique of morality, which is far from laying down guidelines for behaviour.

A distinction must be made between ethics and morals or morality. Whereas ethics **is** the branch of philosophy concerned with moral values, the ethics or morals of an individual or a group **are** the values according to which they act. Every people, even the most uncivilized and uncultured, has its own morality or sum of prescriptions which govern its moral conduct. Nature had so provided that each man establishes for himself a code of moral concepts and principles, which are applicable to the details of practical life, without the necessity of awaiting the conclusions of science. Ethics is the scientific or philosophical treatment of morality. The subject-matter of ethics proper is the deliberate, free actions of man; for these alone are in our power, and concerning these alone can rules be prescribed, not concerning those actions which are performed without deliberation, or through ignorance or coercion.



CHECK YOUR PROGRESS

Q.1. State whether the following statements are True or False :

a) Ethics is a science of value. (True/False)

b) Ethics is a Natural Science. (True/False)

c) Ethics is concerned with highest destiny of human life.(True/False)

d) Ethics is a branch of philosophy.(True/False)

Q.2. What is Ethics? (Answer in about 50 words)

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Q.3. What is Science? (Answer in about 20 words)

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Q.4. Is ethics a science? (Answer in about 40 words)

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Q.5. What is the difference between normative science and positive science? (Answer in about 60 words)

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ACTIVITY 1.1

1. Do you accept the viewpoint that "man is not only a rational being but also an ethical being"? Discuss.

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2. Do you find any distinction between philosophy and science? Discuss.

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1.5 SCOPE OF ETHICS

The scope of ethics indicates its subject matter. Ethics as normative science deals with moral ideal or the good in order to enquire the nature

of our conduct. It enquires into the nature of the springs of actions, motives, intentions, voluntary actions and so on. It determines rightness or wrongness of human actions. It does not enquire into the origin and growth of human conduct. As a science of morality ethics discusses the contents of moral consciousness and the various problems of moral consciousness.

Ethics is concerned with the highest good or absolute good. It investigates the nature of its fundamental notions i.e. right, duty and good.

Moral judgments passed on our voluntary actions are also included within the scope of ethics. In discussing the moral judgment it has also to concern with the nature, object, faculty and standard of moral judgment. Moral sentiments and feelings are arising in our mind when we contemplate about the moral judgment and therefore ethics has to discuss the nature of moral sentiments to moral judgment.

The scope of ethics includes whatever has reference to free human acts, whether as principle or cause of action (law, conscience, virtue), or as effect or circumstance of action (merit, punishment, etc.) Ethics discusses the nature of human freedom. Ethics investigates what constitutes good or bad, just or unjust. It also inquires into-what is virtue, law, conscience and duty? What obligations are common to all? What is the good in all good acts? These questions lie within the scope of ethics. The sense of duty, oughtness or moral obligation and the responsibility for actions are also included within the range of ethics.

The particular aspect under which ethics considers free acts is that of their moral goodness or the rectitude of order involved in them as human acts. A man may be a good artist or orator and at the same time a morally bad man, or, conversely, a morally good man may be a poor artist or technician. Ethics has merely to do with the order which relates to man as man and which makes of him a good man. Thus we find that although Ethics is not a guidebook of moral rules as a branch of philosophy Ethics seeks clarification of terms used in moral language. The ‘meta-ethical” problems fall within the scope of philosophical aspect of Ethics. There are other ‘meta ethical discussions related to the nature of moral judgments, the logical basis of ethical evaluation etc.

The applied dimension of Ethics is known as “Applied Ethics’ that falls within the broad field of Ethics. These comprise the areas of situational Ethics while Meta Ethics deals with logical and semantic questions like ‘What do we mean by “freedom” and “determinism” etc. Ethics is essentially related to all other branches of knowledge like sociology, political science, jurisprudence, law and legal study, psychology, anthropology, culture study, ecology and environmental study, economics, religion, aesthetics and other similar areas. Ethics is concerned with political, sociological, cultural, psychical, economic, environmental, religious problems in pursuit of highest good. So these problems have an additional place in the scope of ethics. With the emergence of new technology there is scope for widening the scope of ethics to address new issues.



CHECK YOUR PROGRESS

Q.6. Does ethics enquire into the origin and growth of human conduct? (Answer in about 20 words)

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Q.7. Is ethics concerned with sentiments and feelings?(Answer in about 30 words)

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Q.8. What does ethics teach us? (Answer in about 10 words)

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ACTIVITY 1.2

1. Do you accept that ethics is an important subject for guiding human life? Discuss it with your viewpoint.

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1.6 LET US SUM UP

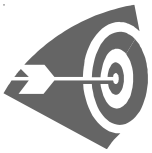
- The word “ethics” is derived from the Greek word ‘ethos’ (character), and from the Latin word ‘mores’ (customs). Derived from the Greek word “ethos”, which means “way of living”, ethics is a branch of philosophy that is concerned with human conduct.
- Ethics is related to issues of propriety, rightness and wrongness. What is right is ethical and what is wrong is unethical.
- Applied ethics is the practice of ethics that aims to guide the moral judgment governing the decisions we make in all areas of our lives.
- It differs from positive science. A positive science, natural science or descriptive science is concerned with what is. It deals with facts and explains them by their causes
- Ethics is a normative science. It is concerned with what ought to be done rather than what is the case. It differs from positive science.
- Ethics is concerned with judgments of value, while positive science deals with judgments of facts.
- Normative ethics deals with standards or norms by which we can judge human actions to be right or wrong. For example, logic, aesthetics are also considered as normative sciences, because logic and aesthetics are concerned with truth and beauty.
- It enquires into the nature of the springs of actions, motives, intentions, voluntary actions and so on. It determines rightness or wrongness of human actions. It does not enquire into the origin and growth of human conduct.



1.7 FURTHER READINGS

1. Harold H. Titus & Keeton T. Morris (1957). *Ethics for Today.* Van Nostrand.
2. John, S. Mackenzie (2005). *A Manual of Ethics*. Cosimo Classics.

3. Lilly, William. (1964). *Introduction to Ethics. Methuen.*
4. Lamont, W. D.(1946). *The principles of Moral Judgment*, Oxford, the Claredon Press.
5. Maitra, S. K. (1925). *Hindu Ethics.* Calcutta University Press.
6. Piet, H. John and Prasad, Ayodhya. *An Introduction to Applied Ethics* (Ed.) Cosmo Publications.



1.8 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1 : a) True b) False c) True d) True

Ans. to Q. No. 2 : Ethics is a science of morality dealing with what is right or good in human conduct. It is a normative science and it is the science of the Highest Good. It is the science of the moral good of man.

Ans. to Q. No. 3 : A science is systematic study corresponding to a particular department of nature.

Ans. to Q. No. 4 : Yes, Ethics is a science. Because it aims at systematic explanation of rightness and wrongness of our voluntary actions in the light of the Highest Good of man. It aims at systematic valuing.

Ans. to Q. No. 5 : Normative science deals with judgments of value and positive science deals with judgments of facts. Normative science deals with what ought to be. While Positive Science is concerned with what is. Normative science deals with norms which regulate human life. But positive science tries to know what a thing really is by discovering causal relation.

Ans. to Q. No. 6 : No, ethics does not enquire into the origin and growth of human conduct.

Ans. to Q. No. 7 : Yes, ethics is concerned with moral sentiments and feelings which are arising in our mind when we are contemplate about the moral judgment.

Ans. to Q. No. 8 : Ethics teaches us how to act rightly.



1.9 MODEL QUESTIONS

A) Very Short Questions

Q.1. What is applied ethics?

Q.2. What is metaethics?

Q.3. Define ethics

Q.4. What are the issues in which ethics deals with?

Q.5. What is normative science?

B) Short Questions (Answer in about 150 words)

Q.1. Why ethics is called normative science? Explain briefly.

Q.2. Is ethics a branch of philosophy? Explain briefly

Q.3. Briefly comment on the nature of ethics.

Q.4. Briefly explain the distinction between normative science and positive science.

Q.5. Is ethics a practical science? Briefly explain

Q.6. Why ethics is not considered an art? Discuss briefly.

Q.7. Do you find any distinction between ethics and morality? Briefly explain

C) Long Questions (Answer in about 300-500 words)

Q.1. What is the nature of ethics? Discuss.

Q.2. Explain the scope of ethics.

Q.3. What is ethics? Do you find any distinction between normative science and positive science? Explain.

Q.4. Is ethics considered a practical science? Explain it with your argument.

Q.5. What is the difference between ethics and morality? Is ethics scientific in nature? Discuss.

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UNIT 2 : THE CONCEPT OF MORALITY

UNIT STRUCTURE

2.1. Learning Objectives
2.2. Introduction
2.3. Definition of Morality
2.4. The Nature of Morality
2.5. Different Moral Concepts
2.6. Moral theory
2.7. Let us Sum up
2.8. Further Reading
2.9. Model Questions

2.1 LEARNING OBJECTIVES

After going through this chapter you will be able to explain that

- The concept of morality and its different senses of use- descriptive and normative.
- The concept of morality and its' nature as a social institution of life.
- Various moral concepts as well as the importance and needs of different moral theories.

2.2 INTRODUCTION

Ethics is a branch of philosophy. It is moral philosophy or philosophical thinking about morality, moral problems and moral judgments. Actually, moral philosophy arises when an individual pass beyond the stage in which we are directed by traditional rules and even beyond the stage in which these rules are so internalized that we can be said to be inner- directed to the stage in which we think ourselves in critical and general terms and achieve a kind of autonomy as moral agents. In other words, it can be said that morality inspires us to think critically through which we can realize our inner self and act ethically. However, we may distinguish three kinds of thinking that relate to morality in one way or another. First, there is descriptive empirical enquiry, historical or scientific that describes or explains the phenomena of morality or to work out a theory of human nature which bears ethical questions. This type of enquiry is mainly done by anthropologists, historians, psychologists and sociologists. Secondly, there is normative

thinking which asks question about what is right, good or obligatory. Actually, it takes the form of asserting a normative judgment. For example, 'I ought not to try to escape from prison', 'Knowledge is good', or 'It is always wrong to harm someone'. Moreover, this kind of thinking is like debating with oneself or with someone else about what is good or right in a particular case or as a general principle. Thirdly, there is also analytical, critical or meta-ethical thinking which is different from empirical or historical inquiries and theories as well as it does not involve making or defending any normative or value judgment. Moreover, it does not try to answer either particular or a general question about what is good, right or obligatory. Actually, this type of thinking tries to answer logical, epistemological and semantic questions. For example, it asks questions like: 'what is the meaning or use of the expressions 'right' or 'good'?', 'how can ethical and value judgments be established or justified?', 'can they be justified at all?', 'what is the nature of morality?', 'what is the distinction between moral and non- moral?', 'what is the meaning of 'free' or 'responsible'?'.

Among these three types of thinking, many recent moral philosophers prefer thinking of the third or last kind which is different from the former two kinds of thinking. But, we shall take ethics to include meta-ethics as just described, but as also including normative ethics or thinking of the second kind because it deals with general questions about what is good or right.

As we have known that ethics is concerned with morality and its problems and judgments. Actually the word 'ethics' is not always used as a branch of philosophy, sometimes it is used as just another word for 'morality'. Moreover, sometimes it refers to the moral code or normative theory of an individual or group. The terms 'moral' and 'ethical' are often used as equivalent to 'right' or 'good' and as opposed to 'immoral' and 'unethical'. But, they do not mean 'morally right' or 'morally good'. Rather, they mean 'pertaining to morality' and are opposed to the 'non-moral' or non-ethical', not to the 'immoral' or 'unethical'. Sometimes, the term 'morality' is used as opposed to 'immorality' as when we say that the essence of morality is love or speaks of the morality of an action. But, we also use the word 'morality' to refer to something that is coordinate with but different from art, science, law, convention, or religion, though it may be related to them. Actually, this is the way we use the term when we ask, 'what is morality?', How does it differ from law?' and How is it related to religion?'. In this sense morality

means what Bishop Butler called 'the moral institution of life'. The words 'moral' and 'ethics' are often used interchangeably. Morality is the system through which we determine right and wrong conduct, i. e., the guide to good or right conduct. Ethics is the philosophical study of morality. Often, morality is understood as something that's personal and normative, where as ethics is standards of "good" and "bad" distinguished by certain community or social setting. So in this sense, there may be instances, when one's own morality may contradict the ethics of a community.

2.3 DEFINITION OF MORALITY

In Philosophy, the term 'morality' can be used either descriptively or normatively. In descriptive sense, it refers to certain codes of conduct put forward by society or a group, such as religion, or accepted by an individual for her/his own behavior. On the other hand, normatively it refers to a code of conduct that, given, specified conditions, would be put forward by all rational persons. The descriptive use of morality is the one used by anthropologists when they report on the morality of the societies that they study. Any definition of morality in the descriptive sense will need to specify which of the codes put forward by a society or group count as moral.

In the normative sense, morality refers to a code of conduct that would be accepted by anyone who meets certain intellectual and volitional conditions, almost always including the condition of being rational. The individual meets these conditions is typically expressed by saying that the person counts as a moral agent. However, merely showing that a certain code would be accepted by any moral agents would also accept a code of prudence or rationality. But this would not by itself show that prudence was part of morality.

As we have seen that not all codes that are put forward by societies or groups are moral codes in the descriptive sense of morality and not all codes that would be accepted by all moral agents are moral codes in the normative sense of morality. So, any definition of morality, either descriptive or normative sense, will require further criteria. Actually, descriptive and normative description of moral codes might be regarded as offering some features of morality that would be included in any adequate definition. In that way, they might be taken to be offering some definitional features of morality.

R. M. Hare has offered his view on morality by referring the nature of moral judgments. He regarded moral judgments as those judgments that override all non- moral judgments and that would be universalized by the person making the judgment. This account of moral judgments naturally leads to a view of morality as being concerned with behavior that a person regards as most important and as a guide to conduct that he wants everyone to adopt. On the other hand, Frankena states that guides to behavior that are regarded as moralities normally involve avoiding and preventing harm to others. Similarly, P. F. Strawson claims that morality involves avoiding and preventing perhaps some norm of honesty.It can be stated that in descriptive use of morality, a person's own morality cannot be guide to behavior that the person would prefer others not to follow. However, an individual adopts a moral code of conduct for his own use does not entail that the person requires it to be adopted by anyone else. It is her/ his choice/ decision to act or behave like that.

Morality in normative use of sense means the code that meets the conditions, such as, all rational persons, under certain specified conditions, would endorse it. Some Virtue theorist define morality as something like the code that such a person would implicitly endorse by acting in virtuous ways. On the other hand, Mill, one of the consequentialists defines morality as the rules and percepts for human conduct, by the observance of which (a happy existence) might be to the greatest extent possible, secured. Those who use morality normatively virtually holds that morality refers to a code of conduct that applies to all who can understand it and can govern their behavior by it. So, we have seen that any definition of morality, whether descriptive or normative, it is a code of conduct.

2.4 THE NATURE OF MORALITY

The term morality is used to refer to conventions in society about right and wrong human conduct. In its broadest and most familiar sense, morality is concerned with many forms of belief about right and wrong human conduct. These beliefs are expressed through terms such as 'good', 'bad', 'virtuous', 'praiseworthy', 'right', 'wrong', 'ought' and 'blameworthy'. But, several disciplines use these terms to evaluate human endeavors, and these disciplines sometimes involve morality. Religion, law, etiquette, economics and politics are examples, because they involve the evaluation of conduct

and use a similar vocabulary of action- directing terms. Morality of any person is generally seen to be created by the society in which he lives. Rarely, through the morality of a person is created by personal intuition choices etc.

In the most obvious sense, morality is a social institution with a code of learnable rules. It is a social enterprise, not just a discovery or invention of the individual for his own guidance. Like one's language, state or church, it exist before the individual who is inducted into it and becomes mere or less of a participant in it, and it goes on existing after him. Morality is an instrument of society as a whole for the guidance of individuals and smaller groups. Moreover, whether morality is thought of as an instrument of society or as a personal code, it must be contrasted with prudence. It can be said that morality and prudence dictate some of the same conduct, for example, honesty. Actually, prudence is a moral virtue; however, it is not the characteristic of the moral point of view to determine what is right or virtuous wholly in terms of what the individual desires or of what is to his interest. According to Sigmund Freud, morality and prudence are both attempts to regulate the 'id'. 'Id' stands for the Latin "it"- it is the disorganized part of the personality structure that contains a human basic, instinctual drives. 'id' is that component of the human personality which is present since birth. The 'Id' acts according to the "pleasure principle a psychic force, urging an individual to seek immediate gratification of any impulse." For him, prudence is simply a function of the reality-principle in the ego, but morality is the function of a superego which does not think merely in terms of getting what is desired by the individual id or even in terms of salvaging the greatest balance of satisfaction over frustration for it.

Moreover, morality, as a social institution of life, is thought of as aiming at rational self- guidance or self- determination in its members. In other words, it can be said that morality helps us to become self- governed. The moral philosophers have been distinguished the stages of morality which is traced both in the history of our culture and in the life of the individual. The stages are, namely, (i) 'pre- rational', 'customary', or 'group' morality and (ii) 'personal', 'rational', or 'reflective' morality. David Riesman in his book 'The Lonely Crowd', has portrayed four moral or social types at where the individual or society belongs, namely, (i) the tradition- directed individual and/ or society, (ii) the inner- directed individual and/or society, (iii) the other-directed individual and/or society, and (iv) the autonomous individual and/or

society. If we look at morality from this point of view as David Riesman has stated above which is based on much recent psychology, then it can be stated that morality starts as a set of culturally defined goals and of rules governing achievement of the goals which are more or less external to the individual and imposed on him or inculcated as habits. Generally, these rules may become internalized or interiorized that the individual takes them as her/his own and regulates his own conduct by them and develops a 'conscience' or 'superego'. But, this process of internalization is quite irrational. It is typical for morality to accompany its inculcations with at least a modicum of reason- giving. Therefore, we tend to give reasons with our moral instructions through which an individual can understand and lead him to feel that it is appropriate to ask for reasons.

The institution of morality contains certain forms of judgment in which particular objects are said to have or not to have a certain moral quality, obligation, or responsibility. It also contains some rules, principles, ideals and virtues that can be expressed in more general judgments and that form the background against which particular judgments are made and reasons given for them. Moreover, it contains certain sanctions or additional sources of motivation that are also often expressed in verbal judgments, namely, holding responsibility, praising and blaming. These are the factors that have central place in morality. Frankena specifically elaborates these factors into: (1) certain forms of judgments in which particular objects are said to have or not to have certain moral quality, obligation, or responsibility. (2) to imply that it is possible to give reasons for such judgments. (3) certain rules, principles, ideals and virtues are expressed as general judgments on the basis of which particular judgments are made and reasons given for them. (4) certain characteristics natural or acquired ways of feelings related to the judgments and helping us to act accordingly. (5) certain verbal sanctions sources of motivation expressed as verbal judgments like holding responsible, praising etc. (6) a point taken in judging, reasoning, feeling, which is different from those taken in prudence, art and the like.

2.5 DIFFERENT MORAL CONCEPTS

As we have known that ethics is the science of morality of conduct. It deals with the fundamental moral concepts involved in moral

consciousness. The notions of right and good are the most fundamental of all moral concepts. The most fundamental moral concepts are as follows-

2.5.1 Right and Wrong

Generally, the words right and wrong are applied to voluntary actions and habitual actions which are results of repeated voluntary actions. The word 'right' comes from the Latin word rectus. It means straight or according to rule. When an action conforms according to a moral rule or law of conduct, then it is said to be right. Otherwise it is wrong if it violates a law of conduct. But both the concepts 'right' and 'wrong' are inconceivable apart from the concepts of 'good'. Every law or rule presupposes an end which is realized by it and that is good. Actually, the notions of right and wrong are connected with the moral laws which are subservient to the Highest good.

2.5.2 Right and Good

Actually, the 'right' is a means to the realization of the good. An action is right if it tends to bring about what is good. An action is wrong if it tends to bring about what is evil. The conception of right is subordinate to the conception of good. Good is such an end that an individual ought to realize through which he will be able to realize his inner self. It is that end or goal of human being which satisfies her/his total self- the self that may be sentient as well as rational. It spreads within us what ought to do.

2.5.3 The Good and the Highest Good

We know that what fulfills or satisfies a desire is called good, such as, health, wealth, knowledge, culture etc. which are biological needs. They are bodily/economic/social/intellectual/aesthetic needs. They are Truth, Good and Beauty. Actually, there is a hierarchy of goods at the top of which there is the Highest good. It is good in itself. It is not a means to any other higher good. The highest good is the absolute good in which all other goods are subordinate.

2.5.4 Right and Duty

Man as a social being realizes his highest good only through society. Actually, society tries to make bonding by giving moral rights for the common good. Every individual enjoys these rights which are protected by society and cannot be infringed by others. These rights are respected by all and society punishes those who choose to violate the rights to others. Rights and duties are correlated to each other as well as meaningless apart from each other. They derive their being and authority from society as well as concede rights to individuals and enforce duties upon them. Moreover, it creates, sustains and enforces rights and duties. The words 'right' and 'duty' are used in another sense also. In a particular situation, if an action is right, then we ought to do it. That means it is our duty to do it. Here, the sense of 'ought' is the sense of duty.

2.5.5 Duty and Virtue

As we have seen that when we judge an action to be right, then we feel that it is our duty to do it. On the other hand, when we judge an action to be wrong then we feel that it is not our duty to do it. So, we ought to do what is right. In other words, it can be said that it is our duty to do what is right as well as it is also our duty to avoid what is wrong. The point is if we habitually perform our duties then we acquire virtue. Similarly, if we habitually commit wrong actions, we acquirevice. Actually, virtue is the excellence of character. Duties refer to external character, but virtues refer to inner character. Similarly, duties always refer to a particular action, but virtues refer to the permanent acquired disposition or character.

2.5.6 Desert, Merit, Demerit and Virtue

'Desert' is the genus of merit and demerit. 'Merit' is a positive desert and 'demerit' is a negative desert. Actually, merit implies the moral elevation of character due to the performance of right action. Whereas, demerit implies the moral degradation of character due to the commission of a wrong action. Actually, 'right' and 'wrong' are

applicable to actions, whereas 'merit' and 'demerit' are applicable to character. Merit is expressed in right actions and demerit is expressed in wrong actions. So right actions are said to be meritorious and wrong actions are said to be demeritorious. Moreover, the terms right and wrong belong to judgments of quality, while the terms merit and demerit belong to judgment of quantity.

2.5.7 Subjective and Objective Rightness

As we have known that an action, when it is chosen and performed by an individual, is to be declared as right if it brings what is really good. In judging whether an action is right, we always think primarily of the end or realization of the action rather than of the attitude of the individual in choosing it. Because at the time of choosing, the individual may not have any adequate knowledge about the action what he is going to perform really good or not. Generally, we regard those actions as rights which are known by persons at the time to be conductive to the realization of the good. Therefore, sometimes a distinction is drawn between what is subjectively right and what is objectively right.

Subjective rightness is determined by personal conviction whereas objective rightness is determined by actual moral consequences. Actually subjective rightness depends upon the knowledge and attitude of the person who chooses the right action. On the other hand, objective rightness depends upon the real good that is brought about by the right action. The individual may have an imperfect knowledge of what will bring about the good or of the content of good. So, he may not be sure whether what appears to him right is also objectively right. It is extremely difficult to him to decide whether the action which appears right to him is the best that could be chosen from the point of view of the universe. It is to be noteworthy that morality is not concerned with purely objective rightness apart from the motive of a person or a person's choice. Morality is concerned with rightness as chosen by a person with the conviction that it will really bring about the good. So, rightness is neither purely subjective nor purely objective.

2.6 MORAL THEORY

The heart of any moral investigation is believed to be the formation of moral theory. Moral or ethical theories guide us in philosophical investigation of morality. It is the process of rationalizing moral norms, values, practices and various moral codes and conducts that are available in our society. Put it simply, a moral or an ethical theory justifies or attempts to justify certain human actions which are permissible and at the same time which are encouragable in our everyday dealings. For instance, a problem of abortion is a problem of morality. Now, questions arises- whether abortion is justified or not, or in what extent it is justifiable, if the answer is 'yes' then why it is justifiable and if the answer is 'no' then why it is not. Such type of questions are answered only thorough certain ethical moral theories. Because ethical theories attempt to build certain arguments for or against any moral problem that confront in our everyday life. To understand and evaluate such arguments, an ethical theory takes up certain tasks, such as,

(i) There is a conceptual task of clarifying important concepts which are come across in dealing with any moral problem. For instance, when we take the problem of abortion, we need to have a proper understanding of what we actually mean by concepts like human life, dignity, death, suffering and living.

(ii) A second major task in understanding moral problem is to formulate a guideline or a set of guidelines which helps us in evaluating various moral claims.

(iii) A third main task involves evaluating basic moral assumptions that are often unstated in the giving of such arguments. For instance, the claim that suicide is wrong because it would have bad consequences, the unstated assumption is that if an action would have bad consequences, then it is wrong.

According to the contemporary analysis of moral theory, a moral or ethical theory is believed to have at least two major aims-

(a) Practical aim and

(b) Theoretical aim

The main practical aim of a moral theory is to discover a decision procedure that can be used to guide correct moral reasoning about matters

of moral concern. A decision procedure is a methodological procedure which is used in the analysis of moral thinking and debate and which eventually helps us to resolve various moral conflicts.On the other hand, the theoretical aim of moral theory concerns with understanding the underlying nature of right and wrong, good and bad. When someone claims that an action is morally wrong, it makes sense to ask them why she/he thinks like that.

As we have seen that a moral theory has the practical aim of providing a decision procedure for making correct moral judgments as well as the theoretical aim of providing moral criteria that explain the underlying nature of morality. There is a list of six characteristics that it is ideally desirable for a moral theory to possess if it is to accomplish the practical and theoretical aims. They are as follows-

(i) Consistency: a moral theory should be consistent in the sense that its principles, together with relevant factual information, yield consistent, moral verdicts about the morality of actions, persons and other objects of moral evaluation.

(ii) Determinacy: A moral theory should have principles, together with factual information, yield determinate moral verdicts about the morality of actions, persons and other objects of evaluation in a wide range of cases.

(iii) Intuitive Appeal: A moral theory should develop and make sense of various intuitively appealing beliefs and ideas about morality.

(iv) Internal Support: A moral theory whose principles, together with relevant factual information, logically implies our considered moral beliefs and receives internal support from those beliefs. On the other hand, if the principles of a theory have implications that conflict with our considered moral beliefs, then this is evidence against the correctness of the theory.

(v) Explanatory Power: A moral theory should have principles that explain our more specific considered moral beliefs, thus helping us understand why actions, persons and other objects of moral evaluation are right or wrong, good or bad.

(vi) External Support: The fact that the principles of a moral theory are supported by non- moral beliefs and assumptions, including well established beliefs and assumptions from various areas of non- moral

enquiry, is some evidence in its favor. On the other hand, the fact that the principles conflict with established non- moral beliefs and assumptions is evidence against the theory.

However, inspite of these, there are other associated standards that philosophers invoke in evaluating moral theories. Satisfying these standards is a matter of degree. For instance, a theory can be more or less determinate in its implications about the morality of actions. Again, it is worth keeping in mind that in addition to determining how well any one theory does according to these standards, part of evaluating moral theories involves comparing them with one another to see how well they do in satisfying the relevant standards. Moreover, some of these standards are controversial. The standards of intuitive appeal and consistency are fairly uncontroversial, but others, such as the principles of internal support are questioned by some moral philosophers.

The structure of any moral theory involves constructing certain laws or principles or certain premises upon which we can draw different derivatives. Formation of principles or rules may not always be successful in dealing with a genuine moral problem. In that context, many theories argued for the irrelevant of any specific principle or rule. For instance, unlike Kant's deontology or consequentialistic utilitarianism, virtue theory does not endure any rules or principles. Alternatively, they try to protect certain virtual acts which are morally required for any human person.

So, we have seen that moral theories, whether it is cultural relativism, ethical egoism, divine command theory, virtue ethics, feminist ethics. utilitarianism, deontology theory, consequentialist theory, Kantian theory, right based theory, should have some certain objectives and principles through which certain actions can be judged as well as moral problems can be solved.



CHECK YOUR PROGRESS

Q. 1. What is Morality?

.....

Q. 2. Is there any difference between the words 'ethics' and 'morality'?

.....

Q. 3. Define the concept of morality and its different senses of use.

.....

Q. 4. What are the different concepts of morality?

.....

Q. 5. Do you think that moral theory can help to solve an ethical problem?

.....



2.7 LET US SUM UP

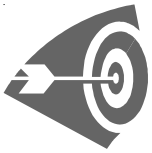
- The terms 'ethics' and morality is closely related to each other.
- Ethics is concerned with morality and its problems and judgments. Morality is the system through which we determine right and wrong conduct and ethics is the philosophical study of morality.
- oMorality is a social institution with a code of learnable rules. It is not just an investigation of the individual for his own guidance. Rather, it is an instrument of society as a whole for the guidance of individuals or smaller groups.
- We know that morality is a system through which actions can be judged.
- Any moral investigation should have to lead through some moral theories which can guide us in philosophical investigation of morality.
- The most important thing is that every moral theory should have some objectives and principles through which we can deal with a genuine moral problem and can protect certain virtual acts which are morally required for the welfare of an individual or society.



2.8 FURTHER READING

1. Frankena, K. William, (2007), Ethics, New Delhi: Prentice Hall of India Private Ltd.
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3. W. Lillie, (1955), An Introduction to Ethics, London: Methune& Co.
4. Atkinson, R.F., (1969), Conduct: An Introduction to Moral Philosophy, London: Macmillan.
5. Ewing, A.C., (1965), Ethics, New York: The Free Press.



2.9 ANSWERS TO CHECK YOUR PROGRESS

Answer to Q. No. 1: Morality is a social institution of life. It is thought of as aiming at rational self- guidance or self- determination in its members. In other words, it can be said that morality helps us to become self- governed.

Answer to Q. No. 2: Actually, the words 'moral' and 'ethics' are often used interchangeably. Morality is the system through which we determine right and wrong conduct, i. e., the guide to good or right conduct. Ethics is the philosophical study of morality.

Answer to Q. No. 3: The term 'morality' can be used either descriptively or normatively. In descriptive sense, it refers to certain codes of conduct put forward by society or a group, such as religion, or accepted by an individual for her/his own behavior. On the other hand, normatively it refers to a code of conduct that, given, specified conditions, would be put forward by all rational persons. Any definition of morality, whether descriptive or normative, it is a code of conduct.

Answer to Q. No. 4: The most fundamental moral concepts are- 'right and wrong', 'right and good', 'the good and the Highest Good', 'right and duty', 'duty and virtue', 'desert, merit and demerit and virtue', 'Subjective and Objective rightness'.

Answer to Q. No. 5: Yes, moral theory can help to solve a moral/ethical problem. To solve an ethical problem, we have to go through systematic theory. And systematic investigation is possible only through the help of moral theory.



2.10 MODEL QUESTIONS

A) Very Short Questions:

1) What are the equivalent terms of 'moral' and 'ethical'?
2) What P.F. Strawson claims about morality?
3) Who has written the book, 'The Lonely Crowd'?

B) Short Questions: Short question (Answer in about 150 words)

1) Write a short note on " right and Good"
2) What are the subjective and Objective Rightness?
3) What is Practical aim?
4) What is theoretical aim?

C) Long Questions (Answer in about 300- 500 words)

1) What is morality? Is there any difference between the terms 'ethics' and 'morality'? Discuss.
2) Define the concept of morality and critically explain the nature of the concept of morality.
3) What are the different stages of morality? Critically discuss.
4) Explicate the importance of Moral theory? Do you think that moral theory is necessary for the investigation of a moral problem? Critically discuss.
5) Discuss the descriptive and normative uses of the term 'morality'.

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UNIT 3 : FACT AND VALUE

UNIT STRUCTURE

3.1 Learning Objectives

3.2 Introduction

3.3 What is fact

3.4 What is value

3.5 Classification of values

3.6 Distinction between fact and value

3.7 Check your progress

3.8 Let us sum up

3.9 Further reading

3.10 Answer your Progress

3.11 Model Questions

3.1 LEARNING OBJECTIVES

After going through this chapter you will be able to explain that

- What is fact and what is value
- Different types of value and their importance in human life
- Distinction between fact and value

3.2 INTRODUCTION

Fact and value are two most important concept of philosophy. The words 'fact' and 'value' are inter-related with each other that one cannot be understood without the other. Philosophers stated that facts are opposed to values. Facts are the objects of certain mental states and acts as they make truth- bearers true and correspond to truths. Actually, they are the part of the furniture of the world. On the other hand, value is commonly understood as the satisfaction of human desire. An object is said to have value if it satisfies a human want or desire. In other words, we can say that any things that satisfy human desires are good or have value. So, we can regard the outer existence of objects as facts and when these objects satisfy the human needs then it will call value.

3.3 WHAT IS FACT ?

Fact can literally be understood as "what is". Facts are the truths of the physical world, the material surroundings detected through our senses. Generally, fact is regarded to be states of affairs. The word 'fact' is used in different ways. It is used in the sense of 'matters of fact' where facts are taken to be what the case is contingently. In other words, we can say that we may have empirical or a posteriori knowledge. In this regard, David Hume in his book 'An Enquiry Concerning Human Understanding' writes that all the objects of human reason or inquiry may naturally be divided into two kinds- relations of ideas and matters of fact. For example,

It is a fact that Sam is sad

That Sam is sad is a fact

That 2+2=4 is a fact

Here, in the first case, the phrase 'It is a fact that' is used as a subject that takes a sentence to make a sentence. In the second case, the same phrase 'is a fact' is used as a predicate that takes a nominalised sentence to make a sentence. Actually, philosophers have often employed the word 'fact' as the part of inventory of what there is. It plays an important role in semantics, ontology, metaphysics, epistemology and the philosophy of mind.

We may distinguish between Humean (David Hume) facts and functional facts. With the help of this distinction, we can formulate two philosophical options. In one option, we may think that there are facts in the functional sense of the word which are contingent, for example- the fact that Sam is sad, as well as the facts which are not contingent, such as 2+2=4. In other option, we may think that all facts (in the functional sense are contingent) are Humean matters of fact. The latter option is expounded in the influential philosophy of facts to be found in Wittgenstein's book 'Tractatus'. According to Wittgenstein, the world is the totality of facts that every fact is contingent. Actually, the word 'fact' belongs to a family of related terms in the functorial sense, such as circumstances, situation, state of affairs etc. in the sentence, 'it is a fact that Sam is sad', here it is a circumstance or situation that Sam is sad.

Here, the question is- what might a fact be? There are three popular views about the nature of facts. These can be present as follows-

5 A fact is just a true- bearer

6 A fact is just an obtaining state of affairs

7 A fact is just a sui generis type of entity in which objects exemplify properties or stand in relations.

There is an internal link among these three popular views of the nature of facts. Facts can be expressed in propositions. Propositions are a popular candidate for the role of what is true or false. Propositions are composed of concepts, individual concepts, general concepts and formal concepts. Concepts are understood as things that we can understand. From this point of view, we can say that properties and relations are not concepts. Actually, the objects stand in relations but fall under relational concepts. Moreover, we may say that the object is an obtaining state of affairs to say that a state of affairs obtains if an object exemplifies a property or one or more objects stand in a relation. It also may be say that a fact is just a sui generis type of entity in which objects exemplify properties or stand in relations as replying on the way of understanding properties and relations just sketched.

3.3.1 Facts and Knowledge

Facts and knowledge is very closely related to each other. As we have known that knowledge means awareness about something. That something may be facts or states of affairs. So, when we use the word 'know', such as 'x knows p' it always refers to some facts. When it becomes confirm that 'if x knows that p, then p', then it will become true cognition that 'x knows p'. In other words, we can say that for getting knowledge we have to acquaint with the states of affairs or facts. Here, we can refer Bertrand Russell's view of knowledge by acquaintance according to which knowledge can get through sense contact with the objects or properties.

Knowledge that we have got through acquaintance through sense contact are only constant property. These properties are not concepts. Philosopher Kratzer's account of knowledge of facts is applied to Gettier problems. A landmark philosophical problem in epistemology, about our understanding of knowledge, attribute to American

philosopher Edmund Gettier who challenged the generally justified true belief (JTB) account of knowledge. Here, Kratzer has put forwarded a view according to which facts are particular which exemplify propositions, such as tables and persons exemplify properties. Kratzer proposes the following analysis of knowledge-

S knows p if and only if-

1. There is a fact f that exemplifies p,
2. S believes p de re of f, and
3. S can rule out relevant possible alternatives of f that do not exemplify p.

From above discussion, we have come to know that Kratzer accepts the Gettier cases. Here, the second case is discussed by Gettier where he has given example of Smith who is justified in believing the false proposition that Jones owns a Ford. Therefore, he is justified in believing the proposition that Jones owns a ford or Brown is in Bercelona. Now, Brown happens to be in Barcelona, but Smith has no idea about where Brown is. That means in particular, he is not justified in believing that Brown is in Barcelona. Actually, intuitively Smith does not know the disjunctive proposition he is justified in believing. But that proposition is true and so the standard analysis of knowledge as justified true belief fails. In this regard, Kratzer argues that the analysis in terms of beliefs de re of facts fares better and claims that the fact exemplified by the disjunctive proposition is the fact that Brown is in Barcelona. Here, Smith's belief is not a de re belief about that fact.

3.4 VALUE

The literal meaning of term value may be understand "what ought to be" Values are products of our subjective reasoning of ethics and morality. They cannot be proved as true or false through scientific methods; rather values may be compared with one's own faith or ethical.

The term 'value' is slippery. It is not always used in the same way. There are many ways of using the word 'value' which brings conflict among

philosophers. Generally, value means the worth of a thing or an object. By the word 'value', we are referring to a kind of goodness, such as speaking of the economic value of gold, or the religious value of ritual, or the moral value of charity, or the aesthetic value of poem.

In general, satisfaction of human desire is called ‘value’. For example, food is good; it has value because it satisfies hunger. So, there is a relation between the satisfaction of desire and the preservation and furtherance of life. It signifies that value is anything that conserves or furthers life. The things that further and preserve our life have value, such as food, shelter etc. If we look at value in this sense then it becomes only survival value. Actually, it is an adequate definition for primitive forms of life. This type of definition is become inadequate in the present complex civilization. Because at present time, men's needs are much more complex and numerous as their goal of life is much more comprehensive that brings the distinction between 'mere life' and 'good life' or living as such and living well. So, we have to realize that life is not necessarily good in itself, but it gets its value from realization of living.

It is to be noteworthy that man is a person or self. So, what is conducive to self- realization is intrinsically valuable. Actually man is not a mere bundle of desires that what satisfies his/her desires makes valuable to him/her. Rather, what satisfies his/her personality to self- realization is ultimately valuable to him/her? Satisfaction of desires or pleasure is not intrinsically valuable. Man is not only body, mind and life; but a self or spirit. So, he must have to go beyond the satisfaction of desires to reach the concept of what is intrinsically valuable.

Values may be treated as positive and negative. Generally, we believe that what is desired by an individual is good for him. Anything that has positive value is said to be good. In other words, we can say that anything that has negative value is said to be evil. Moreover, in one hand anything that is conducive to satisfaction of desire, self- realization or self - development is good. On the other hand, anything that thwarts a desire hinders life or self-realization is evil. Actually, here the word 'good' etymologically means 'conducive to end'. That means what is useful as a means to an end is said to be good, otherwise it is evil. The end is the satisfaction of desire.

Satisfaction of some desires like, wealth, fame etc are the desires for the sake of something else which possess extrinsic value or instrumental value. But, desires like truth, beauty, culture, virtue etc are for own sake which possesses intrinsic value. As we have seen that satisfaction of desire is the only end of human life which demands a hierarchy of desires, so it refers to a highest good that must consists the element of having intrinsic value. The highest good is that which would give complete satisfaction to a rational being. It consists of all intrinsic values in their proper relation to one another. Virtue or moral excellence is the best intrinsic value to which knowledge and beauty should be duly subordinated. According to Mackenzie, the highest good is the moral good. And the highest moral good is a personal good. It is identical with the highest welfare of a person which satisfies all the spiritual cravings and leads to self- fulfilment, self- realization, self-development.

3.5 CLASSIFICATION OF VALUES

There are various types of values. Many philosophers have put forwarded their views regarding the classification of values among which W.M. Urban's classification of values is famous and acceptable, because his classification of values includes all possible value that is universally recognized and acceptable. He classifies values into eight types- bodily values, economic values, values of recreation, values of association, character values, aesthetic values, intellectual values and religious values. Here, the bodily, economic and recreation values are absolutely necessary for life. They are basic and fundamental and presupposed by other values. These values satisfy the wants of what is called the bodily self. So, they are not as significant as other values. We may call them lower values. The values of association satisfy the wants what is called the social self. Actually, they arise in relations of the self to others. On the other hand, aesthetic, intellectual and religious values satisfy the cravings of the spiritual self for impersonal ideals, such as, Beauty, Truth and the Holy.

Urban divides all values into two kinds- one is organic values and other is hyper- organic values. He states that bodily, economic and recreation values are organic values. Again, he has divided the hyper- organic values into two kinds- values of sociality and spiritual values. Values of association

and character are the social values. On the other hand, intellectual, aesthetic and religious values are spiritual values. Here, a hierarchy of values has been seen among all the values. Values of sociality are higher than organic values; while spiritual values are higher than social values.

These values can also be categorized as intrinsic and extrinsic. The bodily and economic values are primarily instrumental rather than intrinsic. For example- economic values such as wealth is not an end in itself, but merely a means to the attainment of other goods. Wealth is an extrinsic or instrumental value, not an intrinsic value. Economic values are valuable only as a means or realizing bodily values, social values and spiritual values. Moreover, bodily values are also instrumental value to the realization of personal values. It can be stated that a well- developed body with health and vigour enables a person to use it in the pursuit of the other values of the good life. For example- play is valuable in itself, but it is mainly instrumental. It is a means to recreation of body and spiritual functions that keep us fit for the pursuit of higher values. Therefore, bodily, economic and recreation values are primarily instrumental rather than intrinsic.

On the other hand, values of association are both instrumental and intrinsic. Values of association include friendship and love, comradeship that are good in itself as well as instrumental to self- realization. They are good in themselves and also means of self - realization. For example, courage, temperance, justice, love, wisdom etc are good in themselves as well as means to self- realization.

But values of aesthetic, intellectual and religious are generally regarded as intrinsic values because their value lies entirely in themselves. Intellectual values, like learning is intrinsic value. The religious values, like prayer and divine communion are intrinsically valuable. They are the highest form of devotion and blessedness. These three types of values, namely- aesthetic, intellectual and religious, satisfy the deeper cravings of the spiritual self for abstract and impersonal ideals.

4.6 DISTINCTION BETWEEN FACT AND VALUE

Fact and value are the most important two concepts which are very intimately connected to each other. Fact means matters of facts or states of affairs. Fact and value are separate that facts are solid and provable,

where values are matters of personal taste. Values play no role in the realm of facts that is in science. Actually, values are not involved in scientific descriptions of fact as well as they are not intermixed in the statement of scientific theories or facts. Moreover, values cannot be reasoned about and are completely subjective and have no objective qualities. But, facts have objective qualities. Moreover, values informed the process and methodology of fact discovery. Facts are based on or dependent at some level on the values of those presenting arguments for the ontological status of a given fact. We may refer to G. E. M



CHECK YOUR PROGRESS

Q. 1. What is fact?

Q. 2. What is value?

Q. 3. Can we regard value either as negative or positive? Yes/ No.

Q. 4. Find out the right statement-

1. Values are intrinsic.
2. Values are extrinsic.
3. Values are both extrinsic and intrinsic.



3.7 LET US SUM UP

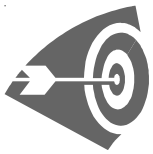
- Facts can be regarded as 'matters of fact' through which we can have empirical or a posteriori knowledge.
- Value means the worth of a thing or an object that refer to a kind of goodness. Generally, satisfaction of human desire is called value that signifies a relation between the satisfaction of desire and the preservation and furtherance of life.
- W.M. Urban classifies values into various types- bodily values, economic values, values of recreation, values of association, character values, aesthetic values, intellectual values and religious values.

- The bodily, economic and recreation values are absolutely necessary for life that satisfies the bodily self.
- Aesthetic, intellectual and religious values satisfy the cravings of the spiritual self for impersonal ideals, such as, Beauty, Truth and the Holy.
- We have found that fact and value are often entangled and inseparable instead of being utterly separate. Values, far from being matters of taste, are integral to the process of knowing.
- Values are essential to the realm of facts. On the other hand, facts are always concerned with evaluation of reality.
- The evaluation is often an essential part of description and therefore values are necessary part of an accurate description of reality. Both facts and values can be discussed and handles rationally.



3.8 FURTHER READING

1. Frankena, William, (1973), Ethics, New Delhi: Prentice Hall.
2. Schlick, Moritz, (1939), Problems of Ethics, New York: Prentice Hall Inc.
3. Sinha, Jadunath, (2003), A Manuel of Ethics, Calcutta: New Central Book Agency Pvt. Ltd.
4. Urban, Marshall, (2007), Fundamentals of Ethics, New York: Fisher Press.



3.9 ANSWERS TO CHECK YOUR PROGRESS

Answer to the Q. 1. Facts are the objects of certain mental states and acts as they make truth- bearers true and correspond to truths. Actually, they are the part of the furniture of the world.

Answer to the Q. 2. Value is commonly understood as the satisfaction of human desire. An object is said to have value if it satisfies a human want or desire.

Answer to the Q. 3. Yes , we can regard value as positive or negative, such as good or evil.

Answer to the Q. 4. Values are both intrinsic and extrinsic.



3.10 MODEL QUESTIONS

A) Very short questions:

1) Name the writer of the book entitled, "An Enquiry Concerning Human Understanding".
2) Who has the written the book "Tractatus".
3) Whose account of knowledge of facts is applied to Gettier problems?
4) What are the term 'value' means?

B) Short questions: (Answer in about 150 words)

1) Make a distinction between fact and value?
2) Distinguish between Humean fact and functional facts.

C) Long Questions (Answer in about 300- 500 words)

1) What is fact? Discuss the relationship between fact and knowledge.
2) What is value? Discuss the various types of values.
3) Discuss the classification of values according to Urban's point of view.
4) Discuss the distinction between intrinsic values and extrinsic values.

* * * * *

UNIT 4 : MORAL CONCEPTS

UNIT STRUCTURE

4.1 Learning objectives

4.2 Introduction

4.3 Good

4.4 Right

4.5 Duty

4.6 Virtue

4.7 Let us sum up

4.8 Further reading

4.9 Answers to check your progress.

4.10 Model questions

4.1 LEARNING OBJECTIVES

After going through this unit you will be able to:

- Define what ethics is.
- Identify the fundamental concepts of ethics.
- Explain the concept of Good, right, duty &virtue.

4.2 INTRODUCTION

For a systematic study of any subject, it is necessary to know the fundamental concepts of the subject. Ethics is the science of morality of conduct. Ethics is concerned with rightness and wrongness, merit and demerit, good and evil of human actions. It deals with rights and duties of man in society. These concepts of right & wrong, good &evil, merit and demerit etc. are the fundamental moral concepts which are involved in moral consciousness and which are very important in ethics. Among these moral concepts Good, Right, Duty &Virtue are more fundamental.

4.3 GOOD

The word 'good' is derived from the German word "Gut". In German language "gut" means that which is valuable for some end or that which fulfils our desires and aspirations or that which is generally useful. So, 'good' is that which is useful in achieving some goal. Good things always fulfil

some need or always lead us to a beneficial or a favourable consequence. When we speak of an object as good, we mean that it is serviceable for the end we have in view. In the words of Mackenzie, "a thing is generally said to be good when it is valuable for some end".

G.E. Moore in his book Principia Ethica said that the word 'good' is really difficult to define because it is a simple term which has no constituent part. But it is the fundamental concept with the help of which other concepts in ethics can be understood. In ethics 'good' is considered as an ideal. It implies perfection. Moore speaks of three types of good. Among these three the first type resides in love for beautiful objects. The second type resides in our love for bad or evil things. And the third type resides in love for those things which are both good and evil.

In common speech, however, the term 'good' is used ambiguously. Sometimes 'good' is used to mean the objects of our desire like money, material gain etc. Sometimes 'good' is used in the sense of a means to an end. For example, if strong health is good, then those things that contribute for a strong health such as vitaminous food & physical exercise etc. are also good. However, in Ethics, the word 'good' is also used to signify not something which is a means to an end, but something which is itself taken as an end. When 'good' is a means to an end it is called relative well. Things which are generally sought by people are all relative goods. Again, when 'good' is used as an end in itself it is called absolute good. Absolute good are sought for its own sake. It is not a means to some other higher good. The 'highest good' is the absolute good. It is the ultimate objective or the final aim. 'Highest good' is the summum bonum of our life, after attaining which there remains nothing else to be attained. To know this 'highest good' or summum bonum of life is not an easy task. Ethics tries to find out the nature of this highest good of human life.



CHECK YOUR PROGRESS

Q.1: Fill in the blanks:

a) The word 'Good' is derived from the German word ---------.

b)The writer of the book Principia Ethica is ---------

c) When good is a means to an end it is called a ---------- good.

d)The ---------good is the absolute good.

4.4 RIGHT

The word 'right' is derived from the Latin word 'Rectus' which means straight or according to rural law. Here 'law' means moral law. Moral law is the statement of an ideal. It states that something ought to be. When an action conforms to a moral rule or law, it is said to be right. And when it fails to conform, it is said to be wrong. Thus wrong includes all those actions which violate ethical laws. The word 'wrong' comes from the word 'wring' which means twisted or not according to law. Moral law or rule is the general principle for determining the rightness of actions. Right and wrong apply to voluntary actions and habitual actions which are results of repeated voluntary actions.

There is a close relation between right and good. Right is considered to be a means to the realization of the good. Actions are right if they bring about what is good. And actions are wrong if they tend to bring about what is evil. Thus the conception of right is subordinate to the conception of good. All moral laws help in the attainment of highest good. So, all actions that help in the attainment of the highest good are right actions. Highest good is the goal and right is a path to the attainment of this goal. According to Mackenzie 'when we speak of actions as right, we must be understood to mean that they are calculated to bring about the good so far as we know'.

Sometimes a distinction is made between objective right and subjective right. When an action is considered to be right by the agent himself this is subjective right. Subjective rightness is determined by personal conviction. Objective rightness is determined by actual moral consequences. Subjective rightness depends upon the knowledge and attitude of the agent who chooses the right action. On the other hand, objective rightness depends upon the real good that is brought about by the right action. Thus rightness is neither purely subjective nor purely objective. Ethics is concerned with both subjective and objective rightness.



CHECK YOUR PROGRESS

Q.2. What is moral law?

.....

Q.3. When an action is judged to be right?

.....

Q.4. What is the general principle for determining the rightness of actions?

.....

4.5 DUTY

Duty refers to the actions which ought to be done. In other words, whatever man ought to do for the ultimate good is man's moral duty. These duties may include one's duties towards oneself as well as towards the society. Duties are those actions which ought to be done under the moral laws. Duty consists in obeying the moral laws. 'Duty' is also to be understood as what we ought not to do, that which goes against the moral laws.

Moral duty is attached to the feeling of moral obligation. This obligation is not an external imposition upon us. Being a moral person man imposes this obligation upon himself. Man's internal self, his moral intuition, inspires man to do his duty. Moral obligations give birth to the sense of duty. We are obliged to do moral duty. Human beings have the ability to do their duties. German philosopher Immanuel Kant said that 'ought to imply can'. For example, we cannot hold our breath for a long time. So holding of breath for a long time is not our duty. On the other hand, we have the ability to speak the truth. So, speaking the truth is our duty.

The term duty is correlated with the term 'right' understood in the sense of a justifiable claim on legal or moral grounds .Man is a social animal that lives in society. Society concedes to its members certain moral rights for common good. It is the duty of everyone to respect these rights of others. Duties are moral obligations of individuals recognized by society. The individual's rights are protected by the society. Society punishes those who seek to violate the rights of others. In other words, society concedes rights to the individuals and at the same time enforces the duty to respect other's

right upon them. So society creates and maintains rights and duties. Right implies duties and duties imply rights. Right and duty both have a reference to society.

The words right and duty may be used in another sense. If in a particular situation, an action is right, then we ought to do it, i.e. it is our duty to do it. If on the other hand, an action is wrong, we ought not to do it. When an action is judged to be right, we feel it is our duty to do what is right. And it is our duty to avoid what is wrong. Right and duty are thus correlated. We ought to do what is right. It is our duty to do what is right. Thus duty is associated with right actions.

Some philosophers make a distinction between determinate duty and indeterminate duty. Determinate duties are clearly stated and well -defined. Failure to do these duties is liable to be punished by law. On the other hand, indeterminate duties are not well -defined. Failure to do these duties is not liable to be punished by law .We are not obliged to carry out indeterminate duties. For example, repayment of loan, doing one's assigned job etc are examples of determinate duty. On the other hand, helping the poor and needy, to serve a sick man etc. are examples of indeterminate duty. However, such a classification cannot be considered as ethical because determinate duties are imposed by external authority and are done under pressure .What is done under pressure cannot be called moral obligation.

We have various duties to perform which may include our duty towards ourselves, our family, society, country etc. But in some complex situations perplexity of conscience arises when one set of duties conflicts with another set of duties. In such situations it becomes difficult to choose the right duty. For example, I have some duty towards my family as well towards my country. My duty towards the family may be in conflict with my duty towards my country. But both family and country have a right to my service. Which duty is to be done by me? Such situations regarding duties are called conflict of duties.

But actually the expression conflict of duties is not reasonable. There is no real conflict of duties. From the moral point of view we have only one act before us under every circumstance. It is due to the complex situations we are unable to decide our right duty. It is a type of mental hesitation. The so called conflict of duties arises because of our ignorance about the

character of a situation. Sometimes our emotions and passions also hamper us in choosing our right duty. Again sometimes our false believes and superstitions also forbid us in choosing our duty. A clear knowledge of the moral ideal and a rational consideration of the event from all aspects remove from the mind all perplexity of conscience and resolve the conflict.



CHECK YOUR PROGRESS

Q.5. What is moral duty?

.....

Q.6. Give two examples of determinate duty.

.....

Q.7. What gives birth to a sense of duty?

.....

4.6 VIRTUE

The word virtue is derived from the Latin word "Vir" which means valiant or strong. Virtue signifies the good habits of conduct. The general inclinations or dispositions of the self to adopt its actions to moral laws can be called virtue. It is an acquired type of character in harmony with moral law. Virtue is that quality of character which expresses itself in our actions. Every person is morally bound to perform our duties when duties are performed habitually, we acquire vice. Virtue reveals excellence of character of character. William Lillie in his book "An introduction to Ethics" says that the word virtue may be used in two different senses. In the first sense, virtue is a quality of character. And in the second sense virtue is a habit of action corresponding to the quality of character or disposition. Mackenzie in the book "A manual of Ethics" says that a virtue is both a kind of knowledge and a kind of habit. For him a virtuous man will always do right actions. According to Socrates 'virtue is knowledge'. When a person fully understands the nature of the good, he cannot fail to pursue it. Because he believes that man cannot commit any wrong after knowing it to be wrong. Virtues may be classified into three classes:

i. Self-regarding virtues: It refers to those virtues which are conducive to the agent's own good. In self regarding virtues we think only of our own good and not the good of others. Courage, temperance, perseverance etc are some examples.

ii. Other-regarding virtues: It refers to the tendencies of the self to regulate its conduct to promote the good of other persons. These virtues are conducive to the well -being of others. Justice, benevolence etc are such virtues.

iii. Ideal-regarding virtues: Ideal -regarding virtues refer to those virtues which are conducive to the realization of the impersonal ideal of Truth, Good or Beauty. Aspirations towards the aesthetic ideal or the ideal of beauty , aspirations towards the ideal perfect self etc are some such virtues.

However, such classification of virtue is not satisfactory. Because we cannot draw any such hard and fast distinction between self regarding and other regarding virtues .In fact, self regarding virtues are not only conducive to our own good, they are conducive to the goods of others as well.

There is a close relation between duty and virtue. Habitual performance of duties leads us to virtue. So, virtuous men are habituated of doing their duty. Virtue refers to inner character but duty refers to external actions of expression of character in conduct. For example, to obey our elders is our duty. But the feeling of reverence that we have in our mind for the elders is virtue. Virtue expresses itself in duty. In other words duty is virtue in action.



CHECK YOUR PROGRESS

Q.8. What is Virtue?

.....

Q.9. Who wrote the book "An introduction to Ethics"?

.....

Q.10. What is Self -regarding virtues?

.....



4.7 LET US SUM UP

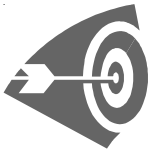
- Ethics is the science of morality of conduct. Ethics is concerned with rightness and wrongness, merit and demerit, good and evil of human actions

- The concepts of right & wrong, good &evil, merit and demerit etc. are the fundamental moral concepts.
- Good means that which is valuable for some end or that which fulfils our desires and aspirations or that which is generally useful.
- When an action conforms to a moral rule or law, it is said to be right action. And when it fails to conform, it is said to be wrong.
- There is a close relation between right and good. Actions are right if they bring about what is good .And actions are wrong if they tend to bring about what is evil.
- Duty refers to the actions which ought to be done. Whatever man ought to do for the ultimate good is man's moral duty.
- Moral duty is attached to the feeling of moral obligation.
- Duty is classified into determinate duty and indeterminate duty. Determinate duties are clearly stated and well -defined. On the other hand, indeterminate duties are not clearly stated.
- We have various duties to perform .But in some complex situations one set of duties may conflicts with another set of duties. In such situations it becomes difficult to choose the right duty. Such situations regarding duties are called conflict of duties.
- The general inclinations or dispositions of the self to adopt its actions to moral laws can be called virtue.
- Virtues may be classified into three classes: Self -regarding virtues, other -regarding virtues: and Ideal -regarding virtues.
- There is a close relation between duty and virtue. Habitual performance of duties leads us to virtue.



4.8 FURTHER READING

1) Sinha, J.N. (2006) A Manual of Ethics , New Central Book Agency (P) Ltd. Kolkota.
2) Sharma R.N. (2006) Introduction to Ethics, Surjeet Publications,Delhi.
3) Mackenzie John .S, (2010) A Manual of Ethics, Surjeet Publications, Delhi.
4) Sanyal Jagadiswar (1984) Guide to Ethics, Sribhumi Publication Co, Calcutta -9



4.9 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1:

a) Gut.

b) G.E. Moore.

c) Relative good

d) The highest good

Ans to Q No 2: Moral law is the statement of an ideal. Moral law states that something ought to be.

Ans to Q No 3: When an action conforms to a moral rule or law, it is judged as right.

Ans to Q No 4: Moral law or rule.

Ans to Q No 5: Whatever man ought to do for the ultimate good is man's moral duty.

Ans to Q No 6: Repayment of loan, doing one's assigned job.

Ans to Q No 7: Moral obligation

Ans to Q No 8: The general inclinations or dispositions of the self to adopt its actions to moral laws can be called virtue.

Ans to Q No 9: William Lillie.

Ans to Q No 10: Self -regarding virtues refers to those virtues which are conducive to the agent's own good.



4.10 MODEL QUESTIONS

A. Very Short question

Q 1: What are the fundamental concepts of ethics?

Q 2: What does the German word 'Gut' mean?

Q 3: What does the word 'wring' mean?

Q 4: Give two examples of other -regarding virtue.

Q 5: What does the Latin word 'Rectus' mean?

Q 6: What inspires man to do his duty?

Q 7: Who said 'ought to imply can'?

Q 8: Give two examples of Ideal -regarding virtues:

Q 9: What is indeterminate duty?

Q10: Why the classification of duty between determinate and indeterminate is considered as non- ethical?

B. Short question (Answer in about 150 words)

Q 1: Write a note on Good.

Q 2: What did G.E.Moore said on Good?

Q 3: Distinguish between objective right and subjective right

Q 4: Explain the relation between duty and virtue.

C. Long Questions (Answer in about 300- 500 words)

Q 1: Explain the fundamental moral concepts.

Q 2: Write a note on Conflict of Duties:

Q 3: Right implies duties and duties imply rights- Explain

* * * * *

UNIT 5 : FREEDOM AND DETERMINISM

UNIT STRUCTURE

5.1 Learning Objectives
5.2 Introduction
5.3 Determinism: Its Meaning
5.4 Arguments in Support of Determinism
5.5 What is Freedom or Free Will
5.6 Arguments In Support of Free Will
5.7 Brief Note On Predestination, Fatalism and Scientific Determinis
5.8 The Case Of Freedom and Determinism
5.9 Let Us Sum Up
5.10 Further Reading
5.11 Answers to Check Your Progress
5.12 Model Questions

5.1 LEARNING OBJECTIVES

After going through this unit, you will be able to-

- Learn about the meaning of Determinism
- Explain the arguments supporting Determinism
- Define Freedom
- Discuss Indeterminism or Self-determinism
- Explain Freedom and Determinism in relation to each other

5.2 INTRODUCTION

The problem of free will, which is whether human beings are free to act on their own or whether their will is determined, is one among the oldest of moral questions. The moralists and the guardians of law support free will, whereas the behavioural scientists argue that free will is impossible due to scientific reasons. The interest in the problem is generated by the fact that one group insists that the exercise of free will is inconsistent with scientific principles, while the other group holds that morality becomes meaningless if free will is denied. In this unit we will discuss the different aspects of the problem of free will with emphasis on the attendant issues such as Determinism, Predeterminism, fatalism and Scientific Determinism.

5.3 DETERMINISM: ITS MEANING

Determinism as a scientific theory is of the view that the entire range of nature including man participates in an unbroken chain of events between cause and events. All events in the world are explained by antecedent or prior factors. The determinists accept the orderliness of the universe, the universal commands of natural laws and the advancement of science in explaining that all events are causally related. All human behaviour, like the physical happenings in the world, is determined by natural laws and is the result of antecedent events. In other words, determinism denies any freedom of will. There is only an 'unbending' necessity between facts of the world. The theory of Determinism is also known as Necessitarianism. The determinists advocate certain arguments in support of their view. They are:-

5.4 ARGUMENTS IN SUPPRT OF DETERMINISM

1. Psychological Argument:- The psychology of voluntary actions by human beings implies Determinism. The antecedent forces that determine a person's volitions are his motives, desires or impulses. The strength of the motive determines volitions which, again, are determined by physical and social environment. An individual's character is partly determined by heredity and partly by the structure of the individual's nervous system. These facts prove that our volitions are strongly determined. The determinists argue that the fact that human conduct can be predicted, if prior knowledge can be had, implies Determinism. In this way, they deny freedom of will.

2. Metaphysical Argument:- Rigorous Determinism is a necessary outcome of metaphysical theories of universal mechanism and abstract monism. The law of causation states that every event, physical or mental, is caused by antecedent event. This fact contradicts the concept of free will. In other words, nothing is uncaused. Every thing is determined and caused by the laws of nature. Abstract monism states that God alone is real. Like the world and the mind, which are unreal and illusory appearances of God, freedom of will is also illusory. Volitions appear to be real and free because we are conscious of them without being aware of the causes that determine them.

3. Theological Argument:- Generally, we regard God as omnipotent and omniscient. Thus, there cannot be any freedom of will. God foresees all activities of the future of man and nature. This prior or foreknowledge of nature and man by God implies determinism. God determines the continuity of the world and man's actions. Thus, this argument proves that man has no freedom of will.

4. Moral Argument:- Freedom of will is regarded as the necessary postulate and ground of moral life. From the views given by the advocates of freedom of will, we can understand that our choices are free and arbitrary; our conduct does not follow from nature. If this be the case as an effect, then we cannot be held responsible for our actions. Indeterminism or the theory of freedom of will thus make moral life impossible. Determinism in this sense is indispensable.



CHECK YOUR PROGRESS

Q 1: State whether the following statements are True or False

a) The theory of determinism is known as 'necessitarianism'. (True/False)

b) Determinism denies freedom of will. (True/False)

c) Psychological determinism holds that the antecedent factors or causes which explains a person's volitions are his motives or desires or impulses. (True/ False)

d) Abstract monism holds that God alone is real and the world are illusory appearences of God(True/ False)

e) Theological argument states that God determines the events of the World.

f) Self determinism views that the self determines or explains human volitions without being determined by any factors or causes. (True/ False)

Q 2: What do you mean by determinism? (Answer in about 50 words)

……

Q 3: Which are the arguments determinists advocate in favour of determinism?

.....



ACTIVITY : 9.1

- What is Determinism? Answer in brief.

Ans.…….....……..

…….....

- State any two reasons in support of Determinism.

Ans…….....……..

5.5 WHAT IS FREEDOM OF WILL



Volition: To choose something freely or make your own decisions.

The doctrine of Free Will is essentially a moral postulate about the universe. Our sense or feeling of freedom is an integral part of human existence and life. This, in turn, points to another important fact that man's actions cannot be bounded; they cannot be pre-determined by antecedent factors or causes, but that they are decided by human choice.

The theory of Free Will, Autonomy, Liberty or Self-determinism is a view that states that it is the self that determines human volitions from within itself, without being determined by anything else. In other words, if we are to say that if human actions are determined, then it is the self that is to be regarded as the cause, and not any external factors.

We contradict and raise doubts about freedom when we try to deviate from the ordinary level and analyse the problem of freedom in the higher intellectual level, and complicate it with scientific principles and psychological compulsions. We are very much aware that in our daily experience, we act voluntarily and make choices between actions. By volition, we understand that there is a great part of human actions where free choice is made.

5.6 ARGUMENTS IN SUPPORT OF FREE WILL

1. When we examine the facts of our inner life, we find that the strength of motives and desires depend upon the mind itself and not on any antecedent circumstances. The mind is no doubt influenced by external conditions, like impressions and exciting feelings and emotions, but it is the mind which is the centre of energy that reacts upon these external influences from within. Mind is active, rational principle, giving out energy of its own to guide external forces and determines the directions of its own activities. Freedom of will is

revealed in exercising free choice between alternate courses of actions and regulated by realistic principles of agent and directing the energy upon the chosen action.

2. The freedom of will does not imply that volition is an event without a cause. The cause of human volition is the self. But this cause is not determined by anything external to it. The self determines volitions by reason which is within its nature.
3. The concept of fore-knowledge advocated by the Determinists is misplaced. Different persons under same circumstances will, generally have similar wants and desires. Their choices and action will be similar, but this is not against free will. Men will act freely in spite of being in similar circumstances and having similar wants and desires. We can foresee and predict the actions of free persons, if we know the motives and circumstances. The fact that different persons act in the same way, having same reason to do so, is not inconsistent with actions coming out of the exercise of free will. Theologians argue that Divine fore-knowledge does not contradict human freedom.
4. The most rational metaphysical theory of the world, and man's relation to it, is Panentheism, which supports the doctrine of Free will. The metaphysical theories of Pantheism, Concrete Monism, or Objective Idealism assert that the human self is finite reproduction of the Absolute Mind from which the great world of nature is evolved. The self is not a passive product of nature, but is above nature. The self is within the Absolute; it participates in the self-regulative power of the Absolute, the self-determining power which produces and determines the facts and things of the world, but it is not determined by them, but is beyond them.
5. Determinism or Necessitarianism is not consistent with our moral consciousness. Every voluntary action implies the following:- (i) We are free to act in a certain way and not to act in that way. (ii) Every performance of a voluntary action implies that we are responsible for it. (iii) If the action is good, we earn merit for it, and if bad, we incur guilt, sometimes leading to punishment. (iv) If the action is an evil one, we may even be tormented by remorse. These facts imply that man is free to act on his own. This is what we mean by freedom of will.



Panen theism: Is a belief or system which posits that God personally exists, interpenetrates every part of nature and timelessly extends beyond it.



CHECK YOUR PROGRESS

Q 4: What is self-determinism? (Answer in about 20 words)

……..

……..

Q 5: State whether the following statements are True or False

a) The freedom of will implies that self determines volition without any cause. (True /False)

b) Panentheism advocates the doctrine of freedom of will. (True/False)

c) The doctrine of free will is concerned with moral consciousness. (True/ False)

d) Self-determinism holds that we are responsible for our actions. (True/False)



ACTIVITY : 5.2

State any three reasons in support of Freedom of Will.

Ans……..……..……..

……..……..

……..……..

5.7 BRIEF NOTE ON PREDESTINATION, FATALISM AND SCIENTIFIC DETERMINISM

(i) **Predestination:-** Predestination is regarded as the most thoroughgoing form of the doctrine of Determinism. This theory states that God has willed/ decreed that every event of the world should take place. Man's destiny is fixed by Divine decree. God is omnipotent and omniscient and therefore events in nature and human conduct, including man's will, are determined by the sovereign will of God. This view is supernatural and theological in its outlook and emphasis. This doctrine takes the extreme form which states that every event and every man's destiny is fixed; it also takes a flexible view that calls for some freedom of choice for the individual. Some contemporary theologians use the term predestination to mean that 'God calls/seeks us to him even before we are aware of Him,' or "man's decision to act

in a particular way is nothing but a response to God's initiative and will. The doctrine is found in Judaic Christianism and Islamic religious thought.



Judaic: From Judaism, the religion of the Jewis people based mainly on the old Testament Bible and the Talmud

(ii) **Fatalism:-** This theory believes that all events are irreversibly fixed and no human effort can alter them. All events and happenings in the world of nature and man's life are predetermined since the beginning of time: human will has no part in formulating and shaping the course of actions of the world. Fatalism states that invariably a particular event will occur at a specific time. It advocates a definite theory of causation; but actually it seems to consider causation as a fact of inexplicable mystery.

(iii) **Scientific Determinism:-** The theory of Scientific Determinism is the specific name for the view that states that the Universe is governed by natural laws. The study of nature by man has revealed that in nature there are orderly causal sequences. From the orbits of heavenly bodies to flowing stream and rivers, natural laws govern. All the sciences- Physics, Chemistry, Biology, Psychology, Astronomy etc. are governed and regulated by cause and effect. This theory outlines the view that there is dependable order in nature and this is the guiding principle that is responsible for the outstanding progress that science has made.

5.8 THE CASE OF FREEDOM AND DETERMINISM

While dealing with the problem of freedom versus determinism or necessity, many people have made extreme claims and unreasonable conclusions. Some say that evidence for determinism makes freedom in the sense of personal initiative and choice an illusion. While others claim that evidence for freedom of choice makes the doctrine of determinism false. But both the standpoints are extreme standpoints and are, therefore, unacceptable. A third alternative may be accepted which states that determinism in the sense of general causation and freedom as choice between alternatives is not only compatible but also necessarily complementary.

For the scientist, determinism is a scientific assumption. Everything is determined and caused. Even human actions are determined by certain conditions. Though determinism has been a scientific postulate, the modern

trend shows that science is not totally for the acceptance of only mechanistic or physical determinism. Science no doubt recognises determinism and causality, but it insists that modern science need not banish freedom from the universe and certainly not from human affairs.

Therefore, what we propose to do is to establish a link between freedom and determinism and emphasise upon causal effectiveness of man's participation in the events of the universe. We reject the 'extremes' of both the standpoints mentioned above. We may consider a position of 'universal causality', with the self as a causal agent. This may be described as 'Self-determinism' or what we may refer to as 'Soft-determinism'.

Man is a self-conscious being. He is capable of personal initiative and responsibility. He is the centre of creativity. Within limits, man has the capacity to reshape himself, and also influence the behaviour of his fellow beings. Man can redirect the processes of the outer world, to a certain extent.

A man's action is free when his action is under his own control. But he acts under compulsion when his actions are externally controlled or are pre-determined. When conduct is controlled by free will, it is determined by one's own choices, desires, motives and intentions. Hence, the moralists need not fear that determination of will is incompatible with its freedom. We should only consider and see whether our actions are self-determined or externally determined. Man is morally responsible for his volition and this implies freedom. And the exercise of this freedom implies self-freedom.



CHECK YOUR PROGRESS

Q 6: Which argument of Determinism proves that God foresees all activities of the future of men and nature?

Q 7: Fill in the blanks

a) The determinists say that all events in the world are determined by……..... factors.

b) The theory of Determinism is also known as ……. .

c) Rigorous Determinism is an outcome of the metaphysical theories of ……..and …….. .

d) Freedom of will is revealed in ……..……between alternate courses of actions available to man.

e) Theologians argue that ……..…… is not inconsistent with human freedom.

f) A man's action is free when his conduct is under his own …….

g) Man being morally responsible for his actions implies …….

Q 8: Name the third alternative which is preferred in order to settle the issue between determinism and freedom.

.....

Q 9: What is pre-destination? (Answer in about 30 words)

.....

Q 10: What is fatalism? (Answer in about 30 words)

.....

Q 11: What do you mean by scientific determinism? (Answer in about 10 words)

.....



5.9 LET US SUM UP

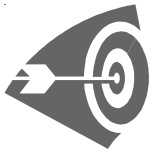
- The problem of Free will and Determinism is one among the oldest of moral questions.
- Determinism is a scientific theory. This theory states that all the events in the world are causally related or what we refer to as being pre-determined.
- Human behaviour is determined by antecedent factors like motives, desires and impulses.
- There are many arguments that support Determinism. These are (i) Psychological Argument (ii) Metaphysical Argument (iii) Theological Argument and (v) Moral argument
- The theory of Free Will states that human volition is self-determined.
- It is the self and not anything else that determines human volition.
- Belief in the freedom of will does not mean that volition is an event without a cause. The self is the cause of all actions.

- Theologians argue that Divine fore-knowledge is not inconsistent with human freedom.
- Panentheism, Concrete Monism and Objective Idealism assert that human self is a finite reproduction of the Absolute Mind.
- Performance of voluntary action implies freedom of will.



5.10 FURTHER READING

1. Bali, D.R. (1989). Introduction to Philosophy. Sterling Publishers Private Limited
2. Titus, H. Harold. (1968). Living Issues in Philosophy. New Delhi: Eurasia Publishing House
3. Chatterjee, Phanibhusan.(1951). Outlines of General Philosophy. Calcutta: Beadon, Street
4. P, George Thomas White. (2006). Introduction to Philosophy, Delhi: Surjeet Publications
5. Sinha, Jadunath. (1984) A Manual of Ethics. Calcutta: New Central Book Agency



5.11 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: a) True b) True c) True
d) True e) True f) True

Ans to Q No 2: Determinism as a scientific theory holds that every events in the world are causally related. It indicates that all events in the world are explained by antecedent factors or cause. So, determinism as a theory denies the concept of free will to explain the events of the world.

Ans to Q No 3: Psychological argument, Metaphysical argument, teleological argument and moral argument

Ans to Q No 4: Self-determinism is a view which states that the self determines human volitions without being determined by any factors or causes.

Ans to Q No 5: a) True b)True
c) True d)True

Ans to Q No 6: Theologial argument

Ans to Q No 7: a) Antecedent b) Necessitarianism
c) Universal Mechanism and Abstract Monism
d) Divine foreknowledge e) Control
f) Self-determinism

Ans to Q No 8: Soft-determinism

Ans to Q No 9: This doctrine holds that every events of the world including man's will are determined by the sovereign will of God. This doctrine is found in Judaic Christianism and Islamic religious thought.

Ans to Q No 10: This theory holds that every event in the world of nature and man's actions are pre-determined. There is no role of human will in formulating and shaping the courses of actions of the world.

Ans to Q No 11: This theory holds that the universe is governed by natural laws.



5.12 MODEL QUESTIONS

A. Very Short Questions

Q 1: What is determinism?

Q 2: What is freedom of will?

Q 3: What are the four arguments found in favour of determinism?

Q 4: What do you mean by law of causation?

B. Short Questions (Answer each question in about 150 words)

Q 1: What do you mean by Determinism? Explain briefly.

Q 2: What is freedom? Explain in brief.

Q 3: Explain briefly the arguments in support of free will.

Q 4: Discuss briefly the concept of determinism.

C) Write short notes on (Answer each question in about 150 words)

a) Freedom of will

b) Determinism

c) Scientific realism

D) Distinguish between (Answer each question in about 150 words)

Q 1: Distinguish between Predestination, Fatalism, and Scientific Determinism.

Q 2: Freedom of will and Determinism

C. Long Questions (Answer each question in about 300-500 words)

Q 1: State and explain the different kinds of arguments that support Determinism.

Q 2: Explain the problem that centres around freedom of choice. Why is this question important?

Q 3: State and explain the reasons that support Freedom of Will.

Q 4: How would you try to resolve the conflict between Freedom and Determinism? Explain.

* * * * *

UNIT 6 : PURUṢĀRTHA

UNIT STRUCTURE

6.1 Learning Objectives
6.2 Introduction
6.3 Artha
6.4 Kama
6.5 Dharma
6.6 Mokṣa
6.7 Four Basic Sciences
6.8 Let Us Sum Up
6.9 Further Reading
6.10 Answers to Check Your Progress
6.11 Model Questions

6.1 LEARNING OBJECTIVES

After going through this unit you will be able to:

- clarify the meaning of Purus. a– rtha,
- describe the nature of the different goals of life as viewed in Indian tradition,
- explain the Institutional structure of economic values,
- describe the philosophical perspective of sensuous pleasure,
- elaborate the goal of dharma as commitment to religious and social duties,
- explain the nature of Moks. a as the ultimate goal,
- describe the four fold division of basic sciences in Indian tradition.

6.2 INTRODUCTION

Puruṣārtha are the four goals of human life recognized by Indian tradition. They are artha or wealth, wealth, ka¯ma or sensuous pleasure, dharma or righteousness and moksa or the spiritual liberation from the bondage of the word, embodiedness and karma-rebirth structure. These are ideals that human beings strive to achieve. They give meaning or purpose to human life. Literally 'puruṣa' means 'self' and 'artha' means 'meaning' or 'purpose'.



Kautilya : Also known as Canakya and Visnugupta (around 322 BC) is the author of the artha-sastra, one of the earliest treatises on political economy.

6.3 ARTHA

In ***Kautilya***'s arthasāstra two district meaning of wealth is suggested. These are (a) wealth or property and (b) land. Taking artha as land suggests that acquisition of land, empire–building or expansion of a dominion was considered to be one of the goals of human life. From ancient times to the modern age territorial integration is regarded to be indispensable for social well – being or nation building in the form of strong prosperous flourishing nation.

Kautilya gives prominence to artha over dharma and Kāma. It is artha that promotes virtue and enjoyment. So it leads to sarvāthā siddhi or success in all. So, artha is taken both as means and end. But Kautilya does not offer a clear elucidation of artha as means and as end. An alternative interpretation suggests that as 'means' artha represents wealth and as end any object that brings happiness. Yet it should be remembered that when Kautilya assigns the highest place to artha he is not prescribing unrestricted greed for wealth but is imposing the condition that wealth must be based on virtue and then only it will result in enduring happiness. Such wealth is the key to all success. So wealth as such is not a good in itself. Sometimes it may have negative value as the evil of another. Wealth which causes fear from one's own people or from other people is regarded by Kautiya as provocative wealth or a form anartha.



J. N. Mohanty : Is a philosopher of our time. He offers illuminating insights into some of the concepts of Indian philosophical tradition.

Prominent contemporary philosopher ***J. N. Mohanty*** brings about some illuminating interpretation of the concept of artha. He states that 'artha' means various things including work, advantage, profit, utility, the useful, reward, gain, property, wealth, money, also thing object, matter, case and more significantly in philosophical context, meaning and purpose. Mohanty finds some new explanation of artha in Kautilya's arthasāstra. Here artha is defined to be the livelihood of humans (manusyanam vrttirarthah). It also means (as mentioned above) manusyavati bhumi, i.e, land which possesses humans. According to Cha¯nakya sutra 3 the kingdom (state, society, territory) is the foundation artha (arthasya mulum – rajyam). Again at Cha¯nakyasutra 12 it is mentioned that karya or action is the root of artha (arthamulam karyam). Now question arises as to how and when to do the

actions. The answer states that the agent of action should know time (kalavit karyam sadhayet). One must be guided by experience and insight in this regard. So, Mohanty observes that 'if one keeps all of them in mind, the good of artha, or artha as a purusartha, would comprehend a whole complex of possible goals amongst whom there will be a progression, as also a common link'.

Thus, a complex array of ends and means constitutes artha. So, Mohanty aptly observes that artha 'is not as is commonly held, merely a question of making money, accumulating wealth, deeper than that lies a certain understanding of the nature of the self – or rather a certain self – understanding. The self who pursues the goal of artha is, first of all, rooted on the land is a subject in a kingdom, belongs to a society, participates, along with his follow subjects, in commercial and financial institutions such as buying and selling, money, exchange and value, works to earn his livelihood, in so working is guided by retention of the past and pretention of the future, i.e., is guided by the intrinsic temporality of his situation, i.e., of his being in the world and being-with others. He further adds that this self is a person who is in interaction with other persons and is grounded on the earth in his earthly existence. His most basic intentionality is desire (iccha) which finally leads him to such actions the fruits of which he enjoys or suffers.



Intentionality : The consciousness of some object.

The interactions in the pursuit of wealth involves the inter subjectivity – the self– consciousness of a subject whose ***intentionality*** is desire for another self–consciousness agent in the form of owner and a worker or a landlord and his tenant etc. In this context artha as work precedes artha as trade or commerce, money or exchange. Work is the basis of all artha and fundamental interrelation at work is clearly that of end and means. The end is satisfaction and the means are work, production of wealth, trade, commerce and accumulation of value. The fundamental temporality of desire is prospective, future-oriented which also is looking back to the past.

The desire which underlies artha need not be narrowly selfish or based on personal greed. The desire may be altruistic, benevolent and for public good. The general tendency of Indian philosophical tradition favours such a standpoint. However Cārvā ka School propagates selfish satisfaction of sensuous desires to be the only aim of human life.



ACTIVITY : 6.1

1. Is artha alone final goal in human life? What do you think? Discuss.

.....

.....

.....



CHECK YOUR PROGRESS

Q.1. What are the two distinct meanings of artha as suggested by Kautilya?

.....

Q.2. Does artha mean only the accumulation of wealth?

.....

Q.3. Choose which of the following is not required in the pursuit of artha :

a) Commercial and financial institutions b) Land

c) Pretention of the future d) worship of a deity

Q.4. Do the Ca¯rva¯kas accept artha as an end of human life?

.....

Q.5. Does Kautilya give prominence to artha over dharma? (Answer in about 30 words)

.....

.....

6.4 KĀMA

The word kāma means desire, love, intention, pleasure, enjoyment, benefit etc. It is also used as adverb to mean 'voluntarily' or 'intentionally'. As one of the supreme ends of life it is not the pursuit of gross sensuous desires but has wider and superior dimension. Kāma represents a higher form of self-consciousness than artha because the desire in kāma has another desire as its object and not a thing. In artha object of desire is a thing like land, produce, wealth etc. and these are desired as means for something else. In kāma the desire is an end in itself. Desire here becomes love. Neither the person who loves nor the person who is loved is a pure

self. Both of them are embodied. Here the object of love is embodied subjectivity and so is the case with the subject. So, the pursuit of kama self-consciousness manifest itself as intersubjectivity correlated to intercorporeality.

LET US KNOW

Intersubjectivity : The state of being intersubjective. An intersubjective property is one in which opinions of different subjects co-incide. Here in the pursuit of kama as love it refers to reciprocal interation of flling as to love and wanting to be loved by another subject.



Intercorporeality : It refers to the consciousness of physical attraction and interaction.

Kāma begins with desires in the form of search for pleasure. But it gets refined or it moves higher to become love when the desire is transformed into self – surrender, and becomes apprehension of a rasa as in aesthetic experience. So, art and poetry are its manifestations. Thus, kāma begins as desire and develops itself into desireless desire and ends as love. Kama as love place the highest value on the unique other, the beloved, and finds complete satisfaction in the experience of rasa. This is the search of universality in the particular. But in the pursuit of kama even in the form of rasa remains a duality of the self and the other. It does not reach the identity of the one with the other. Further, J.N. Mohanty observes that the pursuit of santa rasa is not achieved in Kāma. Kāma in the form of satisfaction of the sensuous desires is regarded to be the only puruṣārtha by the Carvaka School. But a distinction between sensuous pleasure and rational pleasure is made by Vātsyāyana, the author of kāma-sutra. He rejects the gross egoistic hedonism of the some of the Cārvāka thinkers and regards happiness (kāma) wealth (artha) and virtue (dharma) as the supreme ends of life. For him wealth and happiness should be pursued in harmony with virtue. These should not be achieved at the sacrifice of one another. The harmonious cultivation of the three is the highest good. Vā tsyāyana also mentioned the sixty four fine arts the cultivation of which is recommended for the sake of refined pleasure.



LET US KNOW

Rasa : It is the essence of aesthetic experience. It is in the form of feelings.

Vātsyāyana : (About 400AD) The author of the kāma-sutra, was a different person from the Vātsyāyana belonging to Nyāya school.

Thus, kāma is not the mere satisfaction of erotic desires nor the exclusion of the other aims of human life. It is inconformity with other values and finds it's higher expressing in aesthetic experiences.



CHECK YOUR PROGRESS

Q.6. Which one of the values is considered as Puruṣārtha by the Cārvāka School?

.....

Q.7. How does Vātsyāyana react to the Cārvāka concept of Puruṣārtha? (Answer in about 60 words)

.....

.....

.....

Q.8. Does the appreciation of santa rasa achieved in the pursuit of Kāma?

.....

Q.9. How many fine arts are mentioned by Vātsyāyana?

.....

Q.10. Is the identity of the one with the other achieved in the pursuit of kāma?

.....

6.5 DHARMA

The term dharma carries a host of significations with it generally it is used in the sense of law, duty, righteousness etc. In the Mīmāṁsā system the term is used in the sense of merit, virtue, right action and the potency that produces pleasure and happiness. Dharma is the principle of motion

in Jainism. In Buddhism it is the doctrine of Buddha, nature, category, quality and ultimate reality. Dharma as a puruṣārtha signifies the moral value which is fundamental and foundational. It allows interpretation but no justification.

As one moves from the pursuit of artha and kāma to that of dharma, one's self-consciousness deepens further. The agent who strives for dharma is an embodied self who has an individuality as well as social existence. He is also a desiring ego who may perform Vedic injunctions for some benefits, e.g. one perform a yajna with the desire to go to heaven (svargakamo yajeta). But he ultimately becomes the desireless ego in the pursuit of dharma.

As an individual living in the society one has to participate in the moral and social life of the age and this is also one of the aims of life. Thus, in the pursuit of dharma one accepts moral norm of the community as one's own, abides by the rules imposed by it, plays his role in relation to the family, society and the state, including his role in relation to himself and to the deities. Thus, dharma basically consists in role playing. It consists in following rules of the community of that time in matters of moral life. In the pursuit of dharma one puts some restraints on desires and passions. Here desires are considered to be capable of being kept in control by performing social responsibilities, performing religious and self directing obligation such as suci and cultivating desirelessness (niskāmata) and the sense of equanimity (samatva).

In the pursuit of dharma, the conventional morality in the form of does and don't prepares the ground by propagating personal and inner directed virtues such as purity (suci), charity (dana) and austerity; higher virtues such as equanimity (samatva) and compassion (karuna). Unlike kama here is not love for the beloved but compassion for all beings as the ruling passion.

Some philosophers recommend the triple ends of artha, Kama and Dharma. These three are known as 'trivarga'. The philosophers who enjoin the cultivation of the three are known as trivargika. Kautiya and Vatsyayana are the advocates of the triple ends. Kautilya gives highest place to artha but enjoins that artha should be based on virtue so that it may bring in happiness. Vātsyāyana observes that one who pursues the triple ends enjoys

supreme happiness on earth and in heaven after death. For him wealth is superior to happiness. Happiness is superior to virtue (dharma). When there is a conflict among them, the former should be pursued at the sacrifice of the other, but the latter should not be pursued at the sacrifice of the former, since the former are superior to the latter. The best way is the harmonious cultivation of the three. If there is no incompatibility among the three ends, all should be perused and this is the best choice. Sometimes the three ends are not compatible. According to Vātsyāyana, in such cases any two should be pursued. In case when even any two cannot be persued because of their incompatibility, only one of them should be sought – Excessive involvement in any one to the exclusion of others is not recommended by him. Excessive charity is not conducive to dharma; but it exhausts wealth, and thwarts happiness. Excessive penance sacrifices happiness, undermines health and also destroys the capacity for earning wealth. Similarly excessive hankering after wealth sacrifices happiness and dharma. Excessive indulgence in sensual pleasure sacrifices wealth and dharma. So, excess should be avoided. Again when an action is conducive to me and repulsive to others, its comparative merits and demerits should be weighed.

Dharma prepares the individual for the ultimate goal of mokṣa. But dharma has no ground or foundation. It is self–grounded and self–justified. That is why the essence of Dharma is said to be lying hidden (dharmasya ttattvam nihitam guhayam).



CHECK YOUR PROGRESS

Q.11. What is the meaning of dharma?

.....

Q.12. Who are the advocates of Triple ends or trivarga?

.....

Q.13. What is the viewpoint of Vātsyāyana regarding the concept of happiness? (Answer in about 30 words)

.....

.....

Q.14. Does dharma recommend restrain on passion and emotions?

.....

Q.15. Mention some of the virtues the cultivation of which facilitates the pursuit of dharma?

.....

Q.16. Who according to Vātsyāyana enjoys supreme happiness in this world and in heaven?

.....

Q.17. Why is the essence of dharma regarded to be lying hidden?

.....

6.6 MOKṢA OR LIBERATION

Mokṣa is the ultimate end of human life. The term mokṣa has its equivalent in English emancipation, liberation, release, salvation. Most of the philosophical systems of India regard mokṣa as the ultimate end of human life. The Cārvāka School is the exception. Further as mentioned above there are philosophers known as trivargikas who advocates the ends of artha, kāma and dharma to the exclusion to mokṣa. There are different terms to signify the ultimate end of liberation such as nirvana, kaivalya, apavarga etc. About the nature of the state of mokṣa and the means for it the systems differ from each other.

Buddha did not speak much about the nature of nirvāna but his teachings and the way he lived his life suggests that nirvāna is the state when no pain or suffering is there; it is a state that can be attained in this life and right knowledge and effort leads one to this state. The Vaibhaśika School of Buddhism considers nirvāna as a series of cognitive mental states devoid of affliction while the Sautrantikas regard mokṣa or nirvāna as a series of cognitions devoid of objects. These two philosophical schools belong to Hinayana religious order of Buddhism and Hīnayāna's ideal of Nirvāna is considered to be negative, individual and selfish. But many of Buddha's teachings imply that nirvāna is the positive state of bliss. For the Buddhist idealist nirvāna is the state where true nature of the self as momentary consciousness is realised. False notion of the permanent self is destroyed. For the Sunyavādin the distinction between bondage and liberation is from the phenomenal viewpoint. From the ultimate view point nirvana and samsara

is the same sunyatā or ultimate reality though it appears to be different from different view points.

For the Jainas the soul remains in bondage due to the influx of karma into it. By possession and practice of right faith, knowledge and conduct, the influx of fresh karma to the soul is stopped. This state is called samvara or stoppage. Then the already existing karma in the self should be exhausted. This state is called Nirjara or wearing out. When the last particle of karma has been exhausted, the soul becomes completely free from karma and shines in its intrinsic nature of infinite faith, knowledge, bliss and power. This is the state of moks ̣a and here one attains omniscience.

The Vaiseśika regards mokṣa to be the absolute negation of pain. It involves the destruction of all specific qualities of the soul. Thus mokṣa is the state in which the soul is in its natural condition and devoid of empirical content. The destruction of merits and demerits is the necessary precondition for mokṣa. Nyāya view of liberation is same as that of Vaiśeṣika.

In the Mīmāmsā system of Kumārila liberation is regarded to be negative state. It is a state of absolute negation of all experience of cognition, pleasure, pain, desire, aversion, impression, merit and demerit. It is the natural transcendental condition of the self free from empirical contents. It is not the enjoyment of happiness in heaven. It is higher than that and also an eternal state from which one never returns to the world of birth and rebirth. Prabhākara also agrees with Kumārila in describing mokṣa as a negative state of absolute extinction of pain.

For the sainkhya philosophers bondage is due to the false identification of the self which is pure consciousness with the products of prakṛti called the ego or ahamkara which is material in nature. With right knowledge the self realize its state of pure consciousness as distinct from prakṛti and becomes disinterested in material nature. This brings liberation and cessation of all pain and sufferings.

For Advaita Vedanta mokṣa is the realisation of the true nature of the self which is one and identical with Brahman. So, long one is in ignorance, one falsely identify oneself as different from the ultimate reality and views the multiplicity of the world to be real. In the state of ignorance one suffers birth and rebirth and attendant pain or sufferings of the world. As the true knowledge dawns, the world of multiplicity disappears and oneness with

Brahman is realised. Another important school of Vedānta known as Visiṣṭā dvaita regards the state of liberation to be a state in which the self realizes its state of communion with Brahman where it maintains its distinct existence as the part of Brahman.

In his interpretation of the ultimate ends of human life J.N. Mohanty observes that there are two routes to mokṣa. One of them is through dharma and other is through kāma. There is one poetic path of love. It is the appreciation of rasa which ultimately culminates in sānta rasa as depicted by Abhinavaguptā. This leads the aspirant to egolessness. The other path is through purification of soul (cittasuddhi), through dharma and then through the meditation on the truth of the self on to egolessness. Moṣka is egolessness – a life of transcendental subjectivity as constituting the source of all worldly reality. Striking example of the former kind is the poetic personality of Tagore and the latter is the ascetic existence of Gandhi's personality, his 'beautiful soul' becoming a work of art.



LET US KNOW

Abhinavaguptā : A great aesthetic of kasmir who flourished around 980 AD. He belonged to the Pratyabhijñā School of Saivism and wrote the tantraloka among other treatises.



ACTIVITY:6.2

1. What do you mean by the nature of Moksha? Discuss.

.....

.....

.....



CHECK YOUR PROGRESS

Q.18. What are the different names of the term 'Mokṣa' given by different systems of Indian Philosophy?

.....

Q.19. Write the name of the school, which views that Nirvana can be attained in this life.

.....

Q.20. State the three prescribed paths of Jaina School for the attainment of Nirvāna.

.....

Q.21. Who uses the term 'Sānta rasa' for the first time.

.....

Q.22. Do the traivargikas and Cārvāka accept mokṣa as a goal?

.....

Q.23. Did Buddha speak explicitly about the nature of nirvāna?

.....

Q.24. Does Hīnayāna agree with Mahāyana in its vision of nirvāna?

.....

Q.25. According to J. N. Mohanty, how many routes to mokṣa are there?

.....

6.7 THE FOUR BASIC SCIENCES

In the Indian tradition there are four basic sciences which have these four Purusarthas as their themes.

These are:

1. Arthasastra	:	The sciences of political economy.
2. Kamasutra	:	The aphorisms on erotic pleasure.
3. Dharmasastra	:	The sciences of ethics.
4. Moksa-sastra	:	The sciences of spiritual freedom.

The pursuit of the four goals is a matter of active endeavor to achieve something. For this not only conceptual knowledge of the goals but the knowledge of the means and practice to achieve them is also required. This is the reason behind the development of the four fold sciences.

CHECK YOUR PROGRESS



Q.26. What is the science of political economy in Indian tradition?

.....

Q.27. What is the science of ethics known as?

.....

Q.28. Do the four basic sciences include the theoretical knowledge only?

.....



6.8 LET US SUM UP

- Artha is the wealth or economic values. Pursuit of artha presupposes social, economic and commercial institutions. The desire which underlie artha need not be narrowly selfish or based on personal greed. The desire may be altruistic, benevolent and for public good.
- The pursuit of Kāma presuppose corporeality, sexuality and sensitivity to pleasure and pain. The pursuit of Kāma may transcend the bodily level and move to a higher form of self-consciousness. It becomes the desire for another person not as a means but as end in itself. The desire becomes love. The persons who love and the persons who are loved are embodied selves. So, there is inter-subjectivity and also inter-corporeality. Kāma sometimes becomes the desire for the apprehension of rasa as an aesthetic experience. So Kāma can find its expression in art and poetry. The solitary materialist school of Indian Philosophy considers Kāma to be the only puruṣārtha and artha to be pursued only as a means to it.
- Dharma consists in playing one's role in relation to family, society and the state including one's role in relation to oneself and to God. One has to play social roles, perform religious rites and self directed obligation, cultivate desirelessness and sense of equality. This brings desires and passion under subjugation. This pursuit of dharma requires bodily and social existence like Kāma and artha. The pursuit of dharma also prepares the aspirant for the ultimate ideal of mokṣa.
- It is the spiritual liberation from the bondage of the world, embodiedness and karma-rebirth structure. Mokṣa is the ultimate ideal that a person aspires. This makes one free from sufferings. This presupposes the bodily and social existence of the individual who

strives for mokṣa. Different philosophical system views mokṣa in different ways. For Saṅkara, it is the highest state of the self's identity with the Brahman while for Ramanuja, it is self's communion with God. The discriminatory knowledge of one's true self and the non-self, detached mode of action, devotion to God etc. are regarded to be means for mokṣa by different philosophers

- The four puruṣārthas give meaning to human life. They are complementary to each other and require the harmonious cultivation of all the four. They are comprehensive to in corporate material well-being keeping the complete vision and dimensions of human capabilities and also potentials of spiritual uplift. This traditional way of guiding our life is compatible with and conducive to our modern life.



6.9 FURTHER READING

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6.10 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1 : Wealth and Land

Ans. to Q. No. 2 : No

Ans. to Q. No. 3 : d) Worshipping a deity

Ans. to Q. No. 4 : No

Ans. to Q. No. 5 : Yes, according to Kautilya, it is artha that promotes virtue and happiness. So, it leads to sarvatha siddhi or success in all.

Ans. to Q. No. 6 : Kāma or sensuous desire

Ans. to Q. No. 7 : Vātsyāyana, the author of Kāmasūtra, rejects the gross egoistic hedonism of the Cārvāka thinkers and holds that happiness, wealth and virtue are the supreme ends of human life. He views that wealth and happiness should be pursued in harmony with virtue. And the concept of highest good emerges when three of them mingle or combine.

Ans. to Q. No. 8 : No

Ans. to Q. No. 9 : Sixty four

Ans. to Q. No. 10 : No

Ans. to Q. No. 11 : It means the moral value which is fundamental and foundational.

Ans. to Q. No. 12 : Kautilyua and Vātsyāyana

Ans. to Q. No. 13 : Vātsyāyana, as an advocate of Trivargya, holds that when artha, kāma and dharma are pursued together then one enjoys happiness on earth and in heaven after death.

Ans. to Q. No. 14 : Yes

Ans. to Q. No. 15 : Purity, charity, equanimity, compassion etc.

Ans. to Q. No. 16 : A person who pursue harmonious cultivation of artha, Kama and dharma

Ans. to Q. No. 17 : Dharma has no ground or foundation. It is self-grounded and self-justified.

Ans. to Q. No. 18 : Nirvāna, Kaivalya, apavarga etc.

Ans. to Q. No. 19 : Buddha

Ans. to Q. No. 20 : Right faith, right knowledge and right conduct

Ans. to Q. No. 21 : Abhinavaguptā

Ans. to Q. No. 22 : No

Ans. to Q. No. 23 : No

Ans. to Q. No. 24 : No

Ans. to Q. No. 25 : Two

Ans. to Q. No. 26 : Artha-sāstra

Ans. to Q. No. 27 : Dharma-sāstra

Ans. to Q. No. 28 : No, they emphasize on practice



6.11 MODEL QUESTIONS

A) Very short questions

Q.1. What are the two distinct meanings of wealth, according to Kautilya?

Q.2. What are the four basic values mentioned in Indian Philosophy.

Q.3. State the four basic sciences found in Indian tradition.

Q.4. What do you mean by mokṣa?

Q.5. Who is the author of Kāmasūtra?

Q.6. State the meaning of dharma as a puruṣārtha.

Q.7. State the three ends of human life included in 'trivarga'.

B) Short questions (Answer in about 150-200 words)

Q.1. Writes short notes on :

a) Artha

b) Kāma

c) Dharma

d) Mokṣa or liberation

Q.2. How does J. N. Mohanti bring out the concept of Artha? Explain briefly

Q.3. Can Kāma transcend to love? What do you think? Explain briefly.

Q.4. Briefly explain the concept of mokṣa.

Q.5. Briefly comment on artha as one of the puruṣārthas of Indian tradition.

Q.6. Do you find any distinction between Mohantiy's concept of artha and Kautilya's concept of artha? Explain briefly.

Q.7. Does dharma prepare a man for the ultimate goal? Explain in brief.

C) Long questions (Answer in about 300-500 words)

Q.1. What is artha? Explain after Kautilya.

Q.2. How does J.N. Mohanty explain and interpret the goal of artha?

Q.3. Explain the goal of desire or Kāma as a purusārtha.

Q.4. Is Dharma a moral ideal? Explain its nature.

Q.5. Discuss the views of different philosophical schools regarding the nature of mokṣha or liberation.

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UNIT 7 : THEORIES OF PUNISHMENT

UNIT STRUCTURE

7.1 Learning Objectives
7.2 Introduction
7.3 Notion of Crime and Punishment
7.4 Theories of Punishment
7.5 Deterrent Theory
7.6 Reformative Theory
7.7 Retributive Theory
7.8 Capital Punishment
7.9 Let Us Sum Up
7.10 Further Reading
7.11 Answers to Check Your Progress
7.12 Model Questions

7.1 LEARNING OBJECTIVES

After going through this unit you will be able to:

- describe the concept of crime and punishment
- elaborate the deterrent theory of punishment
- discuss the reformative theory of punishment
- explain the retributive theory of punishment
- differentiate between different theories of punishment
- attempt a comparative assessment of different theories of punishment.

7.2 INTRODUCTION

The theories of punishment presuppose that punishment is an evil. Punishment is imposed because sometimes some people do wrong. Punishment may be either legal or divine. In the legal context this is called crime or offence. It denotes only those offences against society which are recognized by natural law. And these offences are liable for punishment. The issue of punishment deals with the legal process whereby the acts of violation of criminal law are punished according to the provisions of law. In the theological (divine) context this is called sin or evil. A man is rewarded for his good deed. On the other hand, a man is punished for his evil deeds.

If a man voluntarily violates a moral law (which is recognized by society), the authority of the moral law demands that he ought to be punished. This is the ethical justification of punishment. Justification of punishment can be derived from two approaches. The first one is **teleological approach** and the second one is **deontological approach**. Teleological approach holds that any act or policy is judged by its consequences in terms of good produced by it. While, deontological approach holds that an act is good or right irrespective of its consequences. From deontological approach we can discuss the retributive theory. Again from the teleological approach we can describe the **Deterrent** and **Reformative** theory.

7.3 NOTION OF CRIME & PUNISHMENT

Determinism as a scientific theory is of the view that the entire range of nature including man participates in an unbroken chain of events between cause and events. All events in the world are explained by antecedent or prior factors. The determinists accept the orderliness of the universe, the universal commands of natural laws and the advancement of science in explaining that all events are causally related. All human behaviour, like the physical happenings in the world, is determined by natural laws and is the result of antecedent events. In other words, determinism denies any freedom of will. There is only an 'unbending' necessity between facts of the world. The theory of Determinism is also known as Necessitarianism. The determinists advocate certain arguments in support of their view. They are:-



CHECK YOUR PROGRESS

Q,1. State whether the following statements are True or False :

a) In the legal context punishment is called crime. (True/False)

b) Punishment is called sin or evil in the theological context. (True/False)

c) Justification of punishment can be derived from teleological and deontological approach. (True/False)

d) De-ontological approach holds that an act is good or right. (True/False)

Q.2. Fill in the blanks.

a) ..... holds that an act is good or right irrespective of its consequences.

b) ..... holds that an act or policy is judged by its consequences in terms of good produced by it.

c) The term crime is used in a narrower sense than .....

Q.3. What is crime?

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Q.4. What are the theories of punishment?

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ACTIVITY : 7.1

1. Do you find any difference between crime and sin? Explain.

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2. The term crime is used in a narrower sense than sin. What do you think?

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7.4 THEORIES OF PUNISHMENT

Three main theories have been put forward to justify punishment. These are generally known as:

- The Preventive theory. This theory holds that the aim of punishment is to hinder others from committing similar offences.
- The Educative theory. This theory holds that the aim of punishment is to educate or reform the offender himself.

- The Retributive theory. This theory holds that the aim of punishment is to vindicate the authority of the moral law.

7.5 THE PREVENTIVE THEORY or THE DETERRENT THEORY

This theory indicates that the aim of punishment is to hinder others from committing similar offences. It is expressed in the dictum of the judgment– "You are not punished for stealing sheep, but in order that sheep may not be stolen." The deterrent theory or the preventive theory works in two directions: (a) individual deterrence or specific; and (b) General deterrence. In case of individual deterrence an offender is punished for his crime in order to show that he commits a mistake. Again, individual deterrence or specific deterrence works in two ways. First, an offender may be kept in jail or prison to physically prevent her from committing another crime for a specified period. Second, this incapacitation will discourage the offender from repeating his/her criminal behaviour. On the other hand, in case of general deterrence an offender is punished not for his reformation but for the benefit of others. Here, punishment is not an end; rather it is imposed on a criminal as a means for the benefit of others. So, general deterrence shows that punishment imposed on a criminal as an example so that others learn that committing crimes are always dangerous.

This theory supports capital punishment or death penalty for the most dreaded criminals so that they cannot repeat the same type of crime. As for instance, if someone kills a man then he should also be killed to stop killing. In this context, this theory shows that criminals have no right to take away a life. That is why he should be sentenced to death to protect the public from murdering anyone else. Punishment should be an example so that others do not commit the same mistake. Here criminals are used as a means in order to prevent others from committing similar mistakes. But this theory cannot be accepted. We cannot use a criminal as a means in order to prevent others from committing the same crime. Because criminals are not things or objects that we can use for the benefit of others. Hence, punishment should be an end not a means. This theory raises a serious question i.e., is their any scope of reformation of a criminal in preventive theory? In answer, it can be said that there would not be any scope of reformation of a criminal if we accept the death penalty. In this context, the

preventive theory is not satisfactory. Sociologists and Criminologists want to show that most of the crimes are impulsive. A crime may stem from irrational thoughts and feelings. So, exemplary punishment is not conducive to discourage people from indulging in crime.

In short, it can be opined that Preventive theory or Deterrent theory does not encourage for reformation of a criminal. So, the very purpose of punishment imposed on a criminal is not entertained. Therefore, this theory is not applicable in a modern society as a satisfactory theory of punishment.



CHECK YOUR PROGRESS

Q.5. State whether the following statements are True or False:

a) The Deterrent theory works in two directions. (True/False)

b) The Deterrent theory supports capital punishment. (True/False)



ACTIVITY : 7.2

1. Do you support preventive theory? Discuss.

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2. Is capital punishment inevitable in preventive theory? Discuss.

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7.6 REFORMATIVE THEORY OF PUNISHMENT

According to the supporters of the Reformative theory, the aim of the punishment is to reform the criminal himself. In this theory, punishment is not imposed as a means for the benefit of others. Rather, punishment is given to educate or reform the offender himself. Here, the crime committed by the criminal is an end, not a means as in the Deterrent theory. This view is commonly accepted in the present time. This theory favours the humanitarian sentiments of the age. Therefore, punishment is imposed for the welfare of the criminal himself. Unlike the Deterrent theory, the

Reformative theory does not treat the criminal or the offender as a thing or means for the benefit of others. Hence, punishment is inflicted on a criminal for his reformation.

This theory does not justify capital punishment. Because punishment is inflicted only to educate or reform the criminal himself. Punishment does not always make reform in a criminal. On the other hand, kind treatment sometimes produces a better result than punishment. It may be more favourable to the reformation of the criminal. Forgiveness can change the nature of the criminal and give the scope of repentance and reformation to the criminal. It is clear that the reformative theory does not justify capital punishment. It supports reformation of the criminal.



Kleptomania : It is a mental illness in which a man has a strong desire to steal.

The Reformative theory is supported by physiologists, sociologists and psychologists.

A) **Physiologists** hold that crimes are due to physiological defect. Therefore, the criminals should not be punished. Rather, they should be treated in hospitals by psychologists or psycho-analysts. That is why, according to this theory, crime is not a deliberate act of violation on part of the criminal. It is only due to his mental instability. As for instance, we can mention Kleptomania. In ***Kleptomania***, a criminal is compelled to steal. Therefore, criminal anthropologists hold that criminals should not be punished. Rather, they ought to be treated in hospitals or reformatories. But the problem is that all crimes are not due to insanity or physiological defects. There are some crimes which are deliberate violations of the moral law and should be punished. Because such crimes are not due to physiological defects. As for instance, we can think about corruptions. It is evident that some businessmen indulge in adulteration of food, black-marketing etc. They deliberately violate certain moral laws. So, they ought to be punished.

B) Again there are some crimes which are due to social inequalities. For instance, theft is a crime. The authority of the moral law demands that the person who is involved in theft should be punished. But if we investigate the case properly we understand that the cause of theft is poverty. Therefore, criminal sociologists view that we cannot think of prevention of crime without improving the social and economic

conditions of the common people. Crimes can be prevented only if the society is reconstructed on the basis of justice and equity. The advocates of this view are called criminal sociologists.

C) This theory is supported by psychologists. They hold that crimes are not due to willful violation of the moral law. Rather, crimes are due to mental disorder or insanity. That is why criminals should not be punished. They should be treated in hospitals or reformatories for reformation. Freud, a famous psychologist views that crimes are due to sex wishes or spite wishes. Therefore, the treatment of the criminal should be educational or medical rather than punishment. But there are some crimes which are deliberate violation of the moral law committed by some people. Therefore, they should be punished. So, punishment prevents others from committing similar crimes. It also can refine the criminal's mind not to take to the wrong path.

It is true that the Reformative theory can work fruitfully in case of reformation of non-habitual offenders. But in some cases it does not work smoothly, because a hard core criminal cannot be reformed. If we accept it then criminals will repeat the same type of offence. That is why, in stead of trying for the reformation of his criminal mind he should be punished. Thus, it can be said that the Reformative theory will be more effective if it is intended to supplement normal punishment, rather than replace it altogether.



CHECK YOUR PROGRESS

Q.6. Fill in the blanks :

a) ..... holds that the aim of the punishment is to reform the criminal himself.

b) The reformative theory does not justify .....

c) ..... holds that crimes are due to mental disorder or insanity.



ACTIVITY : 7.3

1. Does reformative theory justify capital punishment? Discuss.

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2. Is reformative theory satisfactory? Discuss.

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7.7 THE RETRIBUTIIVE THEORY

This theory holds that the evil consequences of a man's deed are not merely evil to others, but the evils in which he is himself involved. It implies that punishment is an end in itself not a means to any end beyond itself. If a man commits a crime, the authority of the law demands that he ought to be punished. The main aim of the punishment is to safeguard the authority of the moral law. If a man commits a crime deliberately, the authority of the law demands that the man should be punished. Through the punishment of a criminal the authority or the supremacy of the moral law is established. If the criminal is not punished by the authority of the moral laws than it loses its dignity, majesty and supremacy. Therefore, if a man consciously violates a moral law he ought to be punished to vindicate the authority of the moral law. Again, this theory views that if a man takes the life of a man, justice demands that the criminal has no right to live. So, he should be sentenced to death. But it can be viewed that this theory justifies capital punishment under exceptional circumstances.

The supporters of this theory are Aristotle, ***Kant, Hegel, Bradley***. Aristotle holds that if a man commits a crime he gets negative reward in return. He deserves to get negative reward because he has committed a crime or violates a moral law. Immanuel Kant points out that if a man voluntarily commits a crime he should be punished. He should not be considered a means for the welfare of others. Rather he should be considered an end unto himself. Therefore, Kant says that moral law is categorical imperative in the sense that moral laws are unconditional. In his Metaphysics of Morals (1797), Kant observed: "Judicial punishment… can never be inflicted simply and solely as a means to forward a good, other than itself, whether …of the criminal, or of civil society; but it must at all times be inflicted on him, for no other reason than because he has acted criminally." Kant argued that a human being should always be treated as an end in itself, and not a means to another's end. This is the supreme principle of morality or the 'categorical imperative'. If an

individual commits a crime, he violates the moral law. So, it shows that the crime commited by a criminal implies that he is responsible for that. None is responsible for his account. Therefore, Kant holds that moral law is imperative or unconditional because it comes from within to restore justice. That is why he beautifully writes that 'If justice perishes then it is no more worth while that man should live upon the earth.'

Hegel also like Aristotle holds that if a man commits a crime, he gains a reward in return for breaking a moral law. Bradley holds that punishment is imposed for the sake of punishment. Punishment is demanded by justice in order to safeguard the authority of the moral law. Emile Durkheim (1858-1917) a French Sociologist formulated social solidarity of punishment which is similar to the Retributive theory of punishment. His view is that crime is a violation of collective conscience, which consists of social values. He viewed that punishment is essentially a ceremonial reaffirmation of social values that are violated and challenged by the crime. In Durkheim's view, punishment of criminals is something like the sacrifice of individuals for the common good. So, Durkheim treats punishment as an end in itself like the Retributive theory.

The Retributive theory has **two** forms. The first one is **rigorist** and the second one is mollified form of punishment. The rigorist theory holds that if the offence is severe, the punishment should be severe. On the other hand, if the offence is light, the punishment should be light. If a person commits a murder, justice demands that the person should be sentenced to death. This form of punishment was found in the **Old Testament** of the **Judeo-Christian Bible**: "When a man causes a disfigurement in his neighbour… …it shall be done to him, fracture for fracture, eye for eye, tooth for tooth…" But the mollified form of the Retributive theory holds that punishment should be inflicted under some circumstances. The circumstances are the age of the criminal, his intention, provoking circumstances etc. There are taken into account when punishment is inflicted to a criminal. That is why this theory will say that if a person commits a murder, he should not be hanged without going through the circumstances under which he has commited the crime. According to some advocates of the retributive theory, men have free will and are capable of making rational decisions. An offender who is insane or otherwise incompetent should not be punished. In contrast to this, a person who deliberately upsets the balance of society should be punished.



Kant : (1724-1804) Immanuel, German philosopher.

Hegel : (1770-1831) George Wilhelm Friedrich, German idealist.

Bradley : (1846-1924) Francis Herbert, Idealist philosopher.

Hence, it can be said that the mollified form of the retributive theory seems to be more satisfactory than the other theories of punishment.

The merit of the retributive theory is that it lays emphasis on the termination of social discrimination. None can get rid of punishment if he/she violates the authority of the moral law. Social status is not the determining factor to inflict punishment on a criminal. But Manu, an ancient law giver, prescribed the different levels of punishment for different castes. Aristotle also suggested the level of punishment. According to him, a slave possesses harsher punishment than a free man on the ground that the 'slave was less sensitive'.

The retributive theory seems to be more satisfactory than the other theories of punishment. John Mackenzie writes that neither reformative theory (for the criminal himself) nor preventive theory (for the welfare of others) can function unless and until it is supposed that punishment is the vindication of the authority of the moral law. It shows that both the theories take the motto of the retributive theory i.e., punishment is given in order to safeguard the authority of the moral law.



CHECK YOUR PROGRESS

Q.7. State whether the following statements are true or false:

a) The retributive theory justifies capital punishment. (True/False)

b) According to the retributive theory, the aim of punishment is to safeguard the authority of the moral law. (True/False)

c) Aristotle, Kant, Hegel and Bradley advocate the retributive theory of punishment. (True/ False)

Q.8. What are the two forms of retributive theory?

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Q.9. What is mollified form of the retributive theory? (Answer in about 20 words)

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Q.10. What is the motto of the retributive theory?

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ACTIVITY : 7.4

1. Do you support the Retributive theory of punishment? Discuss.

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2. Is capital punishment endorsed in the retributive theory? Discuss.

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7.8 DEBATE ON CAPITAL PUNISHMENT

Capital Punishment indicates death penalty under a judicial verdict in accordance with the provisions of law as a punishment for crime. In the recent years most of the countries cast for vote for the abolition of capital punishment. However, it still continues as a part of the Indian penal system even though death is awarded in the rarest of the rare cases it is converted into life imprisonement. Death penalty seems to be rare in the Indian penal system because most of the crimes are converted into life imprisonment. Therefore, the question remains whether the issue of capital punishment should be retained in the statue of books or it should be abolished altogether. An argument against the capital punishment is that as such-crimes as befit death punishment are not inborn criminality on the point of the offender. That is why any crime against the violation of law is subject to scrutinize. It means, we have to see why he has chosen this criminal path. There may be some reasons, like lake of education, proper guidance and wholesome environment etc. On the very occasions factors like these lead to crimes.

From the debate on Capital punishment we can put forward the view that both the reformative theory and mollified form of the Retributive theory go against the capital punishment. Because the Reformative theory lays emphasis on the reformation of the criminal mind without imposing punishment. It undoubtedly helps to rectify a criminal's mind. That is why it is advocated in modern times. But in all cases we cannot accept it

wholeheartedly. Now a days, we encounter the problem of terrorism. Terrorists are not the ordinary illiterate or underprivileged people who commit crime under the stern of circumstances. They are rather a motivated group intent on killing people. In dealing with such criminals we cannot offer. Therefore, Capital punishment must be retained in our statute books in order to fight terrorism and other heinous crimes.



7.9 LET US SUM UP

- The concept of Justification of punishment can be deduced from two approaches. The first one is **teleological approach** and the second one is **deontological approach**.
- Teleological approach holds that any act or policy is judged by its consequences in terms of good produced by it. On the other hand deontological approach indicates that an act is good or right irrespective of its consequences. From deontological approach we can discuss the retributive theory. Again from the teleological approach we can describe the Deterrent and the Reformative theory.
- The theories of punishment can be discussed under two general philosophies: one is utilitarian and the other is retributive. The utilitarian theory of punishment seeks to punish offenders to discourage, or deter future wrong doing. On the other hand, the retributive theory punishes the offenders because they deserve to be punished.
- The Preventive theory of punishment holds that the aim of punishment is to hinder others from committing similar offences.
- The Educative theory or the reformative theory of punishment shows that the aim of punishment is to educate or reform the offender himself.
- The Retributive theory holds that the aim of punishment is to vindicate the authority of the moral law.
- The dictum of the preventive theory is-"You are not punished for stealing sheep, but in order that sheep may not be stolen."
- The reformative theory does not justify capital punishment. Because punishment is inflicted only to educate or reform the criminal himself. Punishment does not always make reform in a criminal. On the other hand, kind treatment sometimes produces a good result than punishment.

- According to the retributive theory, punishment is an end in itself not a means to any end beyond itself. This theory upholds the view that if a man commits a crime, the authority of the law demands that he ought to be punished. The main aim of the punishment, according to this theory is, is to safeguard the authority of the moral law. On the other hand if a man commits a crime deliberately, the authority of the law demands that the man should be punished.
- The Retributive theory has two kinds. The first one is rigorist and the second one is mollified form of punishment. The rigorist theory holds that if the offence is severe, the punishment should be severe. On the other hand, if the offence is light, the punishment should be light. But the mollified form of the Retributive theory holds that punishment should be inflicted under some circumstances. The circumstances are: the age of the criminal, his intention, provoking circumstances etc.
- John Mackenzie opines that neither reformative theory (for the criminal himself) nor preventive theory (for the welfare of others) can function unless and until it is supposed that punishment is the vindication of the authority of the moral law.



7.10 FURTHER READING

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7.11 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1 : a) True b) True c) True d) True

Ans. to Q. No. 2 : a) De-ontological approach b) Teleological approach
c) Sin

Ans. to Q. No. 3 : The term 'crime' is generally used as an offence against society which is recognized by the natural law.

Ans. to Q. No. 4 : There are three theories of punishment. They are respectively :

i) Deterrent theory of punishment

ii) Reformative theory of punishment

iii) Retributive theory of punishment

Ans. to Q. No. 5 : a) True b)True

Ans. to Q. No. 6 : a) The reformative theory of punishment

b) Capital Punishment c) Psychologists

Ans. to Q. No. 7 : a) True b)True c)True

Ans. to Q. No. 8 : Mollified and Rigorous form of Punishment.

Ans. to Q. No. 9 : The mollified form of the retributive theory holds that punishment should be inflicted under same circumstances.

Ans. to Q. No. 10 : The motto of the retributive theory is, punishment is given in order to safeguard the authority of the moral law.



7.12 MODEL QUESTIONS

A) Very short Questions

Q.1. What is teleological approach in the theories of punishment?

Q.2. Write the three principal theories of punishment.

Q.3. What is retributive theory of punishment?

Q.4. State the motto of the deterrent theory.

Q.5. What is mollified form of punishment?

Q.6. Mention the two forms of retributive theory.

B) Short Questions (Answer in about 150 words)

Q.1. Write short notes on:

a) Capital punishment

b) Preventive theory of punishment

c) Reformative theory

d) Retributive theory

e) Crime and punishment

f) Mollified form of retributive theory

g) Rigorous form of retributive theory

Q.2. Briefly comment on the preventive theory.

Q.3. What is reformative theory of punishment? Discuss briefly.

Q.4. Discuss briefly the retributive theory of punishment.

Q.5. What are the two forms of retributive theory? Which one you prefer, briefly discuss.

C) Long Questions (Answer in about 300-500 words)

Q.1. Define Crime? Do you find any distinction between Crime and Sin? Explain.

Q.2. What are the theories of punishment? Explain the preventive theory of punishment? Is it satisfactory?

Q.3. Explain the reformative theory of punishment? Is it satisfactory?

Q.4. Explain the retributive theory of punishment? Is it satisfactory?

Q.5. What is capital punishment? Is capital punishment tenable?

Q.6. What are the two forms of the retributive theory? Discuss.

Q.7. Do you accept the mollified form of punishment? If so, give reasons in support of your answer.

Q.8. Do you find any distinction between Reformative theory and Retributive theory? Discuss.

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