

Religion in Public Life

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In 1965 the Reverend Jerry Falwell chastised fellow clergymen who were taking part in the civil rights movement for neglecting what he saw to be the only appropriate mission of a sacred calling in a profane world: “Believing in the Bible as I do, I would find it impossible to stop preaching the pure saving Gospel of Jesus Christ, and begin doing anything else—including fighting communism, or participating in civil rights reforms. . . . Preachers are not called to be politicians but to be soul winners.” Today, of course, Falwell is better known as the founder of Moral Majority, a Christian activist group lobbying for a sweeping agenda of conservative legislation. Which Falwell provides a better model for the proper relationship between religion and politics?

Although ours has been derided as an age of eroding religious commitment, America remains an almost anachronistically religious society. In a recent study of religion and politics, social scientist Kenneth Wald notes that “by all the normal indicators of religious commitment—the strength of religious institutions, practices, and belief—the United States has resisted the pressures toward secularity.” The proportion of church members aged fifteen and older is virtually the same today (76.9 percent) as it was in 1950 (78.5 percent), and “by overwhelming majorities, Americans have continued to endorse the core assumptions of Christianity—the existence of God, the divinity of Jesus, the reality of an afterlife—and to insist on the importance of these values in their own life.” Levels of religious

belief in America are higher than in Europe and Latin America, and equal to those in the Far East and sub-Saharan Africa. Indeed, our abiding religious faith may be a more salient fact about the United States than our attachment to democratic political institutions: "The proportion of Americans claiming to speak in tongues . . . exceeded the proportion who worked for a party or candidate in 1980."

Nonetheless, one of our bedrock assumptions as a polity is a belief in the separation of church and state. The First Amendment to the Constitution proclaims that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof," thereby establishing a "wall of separation," in Jefferson's metaphor, between religion and politics.

While almost everyone agrees that some line must be drawn between the two domains, however, where and how the line should be drawn is a matter of intense dispute. Almost two centuries after the ratification of the Bill of Rights, church/state wrangles are still alive in the courts and in the headlines. Controversies over school prayer and over the teaching of evolution, Rasputin-like, refuse to die. The unexpected political muscle shown by fundamentalist Protestants in the last two presidential elections, as well as key political pronouncements by leading Catholic clergy, raise for some the specter of religion overstepping its rightful bounds; for others, the hope of religion regaining its rightful place.

As consensus over the proper boundaries between church and state comes under increasing pressure, it may be helpful to look more closely at exactly why we want separation of church and state. What values does it seek to secure? How well does it secure them? What role do we want religion to play in American public life?

Protecting Religion from Government

Some degree of separation between church and state has been sought as a way of both protecting the church from the state and protecting the state from the church.

While many early settlers would have preferred a government that protected their religion and persecuted everybody else's, others recognized the danger that followed upon any government establishment of religion.

Ideally the principle of separation is not intended to denigrate the authority of either sphere, but to codify in legal terms the scriptural injunction to render unto God that which is God's and to render unto Caesar that which is Caesar's. Both concerns played a role in the founding fathers' deliberations at the Constitutional Convention, and both play a role in contemporary debates.

Until recent efforts to purge the public school curriculum of any mention of religion, school children grew up learning that the Pilgrims came to Plymouth Rock to seek freedom of worship. That ours was a nation settled in part by those fleeing religious persecution explains one reason for an early insistence on protecting religious faith from governmental intrusion. While many early settlers would have preferred a

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government that protected *their* religion and persecuted everybody else's, others recognized the danger that followed upon any government establishment of religion. A principle protecting all religions from state interference serves as a guarantee that one's own religion will be protected whatever the prevailing political or theological fashion.

Separation of church and state also ensures that even the majority religion is not dominated by government interference and placed under the legislative control of secular authorities. As the price of its state support, the Church of England has been subject to Parliamentary oversight even on strictly ecclesiastical matters: earlier in this century, a Parliament in which members of the Anglican Church formed a minority twice rejected a proposal put forward by church fathers to revise the Anglican Prayer Book.

A further argument that the church should resist entanglement with the state grows out of a conviction that the church should maintain its sanctity as a sphere apart, a garden in the wilderness, a refuge and sanctuary from worldly strife. By speaking out too vehemently on the matters of this world, the church compromises its commitment to the world beyond. It espouses truths that are not timeless but trendy and runs the risk of estranging many of the once faithful. De Tocqueville, who had much to say about religion in America, cautioned, "As long as a religion rests only upon those sentiments which are the consolation of all affliction, it may attract the affections of all mankind. But if it be mixed up with the bitter passions of the world, it may be constrained to defend allies whom its interests, and not the principle of love, have given to it; or to repel as antagonists men who are still attached to it, however opposed they may be to the powers with which it is allied. The church cannot share the temporal power of the state without being the object of a portion of that animosity which the latter excites."

The institution of religion seems to be strengthened, moreover, by the diversity that flourishes in the

absence of an official, state-dominated church. Wald suggests that "the persistence of religion in the United States can be related to the remarkable diversity of denominations in the country. . . . Pluralism has forced the churches to compete for members and so has encouraged them to adapt to new social realities." The vitality of American religion is striking in contrast, for example, to the lukewarm attachment of Scandinavians to the state-supported Lutheran church that all but a minuscule minority attend only to be "hatched, matched, and dispatched." A persuasive case can be made, then, that a separation of church and state invigorates religion.

Protecting Government from Religion

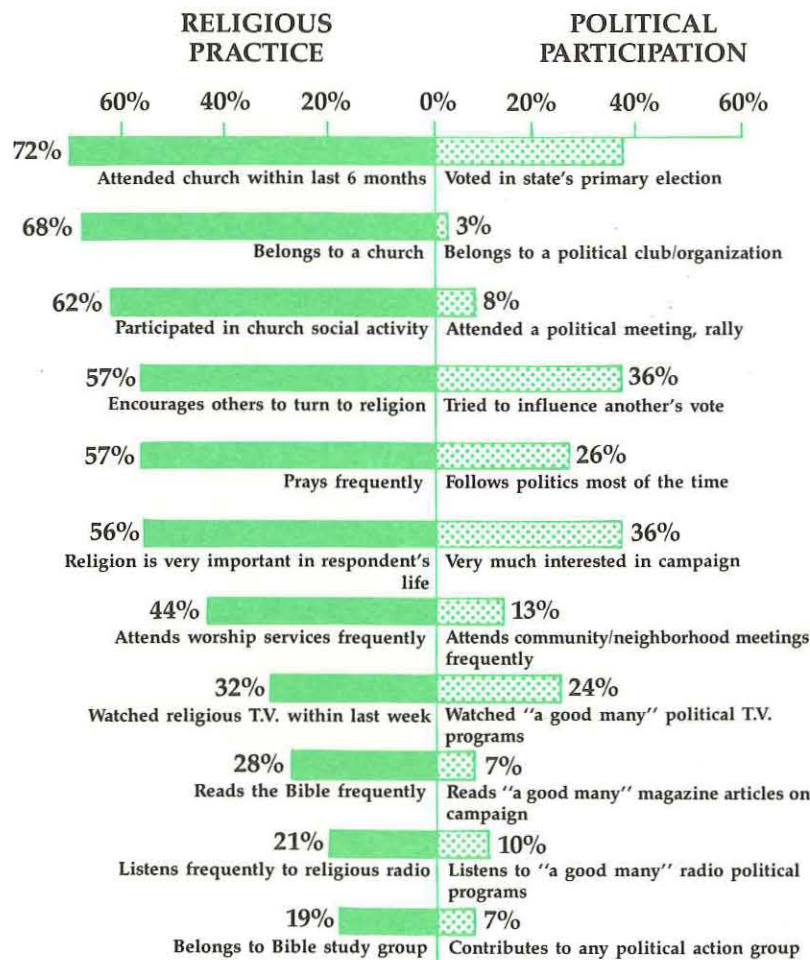
It has been even more widely accepted that some insulation between church and state is essential to protect government from religion. Democratic politics are based on the art of compromise, prospects for compromise are brightest if deeply held passions are given limited sway in the public arena, and no passions are more intemperate than those grounded in religious zeal. Sectarian strife in India, Lebanon, and Northern

Ireland serves as a searing reminder of how religious hatred can erupt in political discord. In our own history, religious fervor against the institution of slavery fanned the flames of civil war. Today the religiously fueled abortion debate is among the most intractable issues on the public agenda.

Religious convictions are not only too intense to be safely contained within democratic debate; they are arguably inappropriate not only in degree, but in kind. Public decisions must be made by arguments that are public in character; religion, however, draws upon deeply private sources of faith.

Robert Frost once observed that good fences make good neighbors. Both religion and government have been held to benefit from some clear boundary between their respective spheres. The contours of this boundary have been shaped by a doctrine of government neutrality both among competing religions and, as the First Amendment has increasingly been interpreted since the Second World War, between religion and irreligion. Reciprocally, religion has exhibited its own stance of neutrality toward government, buttressed by provisions of the tax code that bar churches from political lobby-

Religious and Political Participation in the United States



Source: Kenneth D. Wald, *Religion and Politics in the United States*

ing and outright political endorsements on penalty of losing their tax-exempt status.

Of late, however, churches have chafed under this political neutrality. The Catholic Church has petitioned Congress to lift tax-code restrictions on political activity by religious groups, in the wake of public chastisements by Catholic clergy of pro-abortion candidates for public office. Protestant fundamentalists are preparing to take an aggressive role in the 1988 presidential election, as signaled by the declared candidacy of television evangelist Pat Robertson. When charged with rupturing the established covenant of reciprocal neutrality, church leaders in many cases insist that they are only defending themselves against repeated governmental attacks on religion and religious values. Religion is becoming less neutral about government, they say, as government is becoming less neutral about religion. How should we understand these claims?

Neutrality as a Liberal Smokescreen

The branch of government most often accused of undermining state neutrality toward religion is the Supreme Court. Critics charge that numerous landmark decisions embody not neutrality but outright hostility toward religion. In the 1963 case *Abington Township School District v. Schempp*, which barred Bible reading in Pennsylvania public schools, even several Supreme Court justices expressed worry that the trend toward secularism would be carried too far. Justices Goldberg and Harlan, though voting with the majority, warned against "a brooding and pervasive devotion to the secular and a passive, or even active, hostility to the religious." Justice Stewart, in dissent, argued that "a refusal to permit religious exercises... is seen, not

as the realization of state neutrality, but rather as the establishment of a religion of secularism."

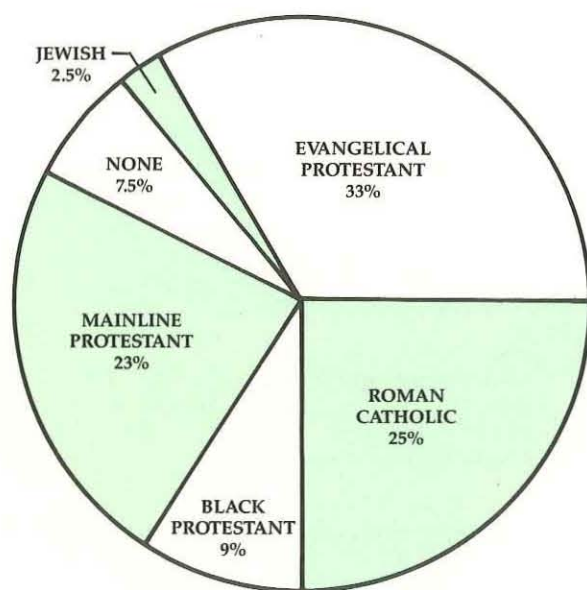
Religious groups, particularly those that emphasize traditional moral values, have begun to challenge protestations of liberal neutrality as a smokescreen behind which the state advances liberal ends. Thomas Nagel, professor of philosophy at New York University, calls attention to doubts that professions of government impartiality "are made in good faith. Part of the problem is that liberals ask of everyone a certain restraint in calling for the use of state power to further specific, controversial moral or religious conceptions—but the results of that restraint appear with suspicious frequency to favor precisely the controversial moral conceptions that liberals usually hold." Those who argue most vociferously against school prayer often turn out to be crusading atheists; those who argue against the restriction of pornography or homosexuality on the ground that the state should not attempt to enforce religiously based standards of morality often don't think there is in fact anything wrong with pornography or homosexuality. Thus the suspicion is raised "that all the pleas for toleration and restraint really disguise a campaign to put the state behind a secular, individualistic, and libertine morality—against religion and in favor of sex, roughly."

William Galston, of the Roosevelt Center for American Policy Studies, likewise notes that Supreme Court decisions on pornography, school prayer, and abortion are hardly viewed by religious traditionalists as marking out a neutral government stance on the issues in question. They reject the argument that the state acts neutrally on, e.g., abortion by leaving individuals to choose for themselves. "To permit a certain class of actions," as Galston explains their argument, "is to make the public judgment that those actions are not wrong. No one denies that the state should prohibit murder. To permit abortion is therefore to determine (at least implicitly) that abortion is not murder. But this is precisely the issue between proponents and opponents of abortion. Permitting abortion cannot be construed as neutrality, because it rests on a substantive moral judgment that is anything but neutral."

Religious groups thus maintain that since the state has already launched its own campaign against religious values, by taking an active political role to defend those values they do no more than redress the imbalance. But evident in their new partisan stance is also a challenge to the very ideal of religious disengagement from politics.

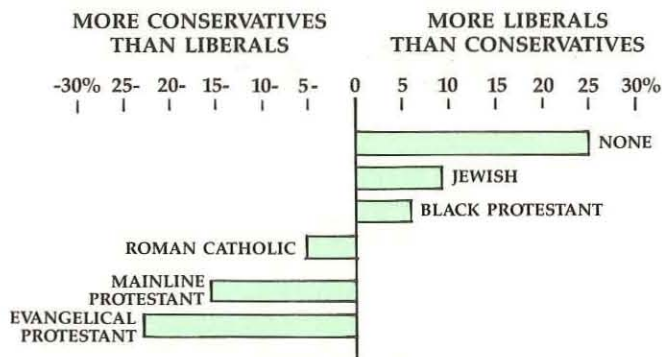
Religious adherents may reject the argument that their most deeply held convictions would be unduly disruptive of public debate. To insist that public debate be purged of all passion results only in a public conversation that is terminally bland. The emphasis on avoiding controversy at all costs, Galston suggests, flows from the twin liberal goals of avoiding oppression and preserving civil tranquility. But while "tranquility is an important good, ... it is not the only good.

U.S. Religious Preferences in the 1980s



Source: 1980-84 General Social Survey

Ideological Self-Description by Religious Preference (Percentage Difference Between Liberals and Conservatives)



Source: 1980-84 General Social Survey

And it is not oppression [in the eyes of the religious believer] when right conduct is commanded and wrongful acts prohibited." Even the potential for civic disruption inherent in religious controversy need not pose a definitive objection to a vital religious presence in public life: "How many Americans believe that the Civil War was too high a price to pay for the abolition of slavery?"

Religious adherents may also challenge the argument that private faith has no legitimate place in public debate. The claim that religious conviction is essentially private seems to imply that religious truth is subjective, arbitrary, simply a "matter of opinion," not truth at all. But if religious conviction is grounded in some truth of the matter, why not give this truth expression in public as well as private spheres? Nagel asks how we can be asked to cordon off beliefs that we hold to be true in determining acceptable public policies: "If I believe something, I believe it to be *true*, yet here I am asked to refrain from acting on that belief in deference to beliefs I think are false." Government impartiality toward religion seems to rest on a skepticism about the possibility of religious truth. And that skepticism the faithful reject.

Neutrality Defended

Can we locate a rationale for keeping distinctively religious convictions out of politics that doesn't rely on dismissing the seriousness with which they are held as true by the believer—and the possibility that they may indeed *be* true? One answer, in Nagel's view, lies in looking more closely at the special features of *political* dialogue and action. Political dialogue is special, for it takes place against the background of the state's coercive power; it shapes policies that all will be compelled to support. This element of state coercion, Nagel suggests, "imposes an especially stringent requirement of objectivity in justification."

Nagel proposes that we need to draw a distinction between what justifies an individual's own beliefs and what justifies appealing to those beliefs in support of the exercise of political power. The latter requires a higher standard of objectivity, an impersonal justifica-

tion that, if not universally convincing, is at least accessible to all who share a stake in the political outcome. This means that we must look at even our most deeply held convictions "from the outside," and ask of them whether they can be justified to another in impersonal terms. That some of our beliefs cannot meet rigorous tests of impersonal justification does not mean that these are not true, but only that their truth cannot be argued for impersonally.

Nagel holds that this requirement of impersonal justification calls for a "preparedness to submit one's reasons to the criticism of others" and to accept the possibility that rational consideration of the evidence will reveal that one is mistaken. "This means that it must be possible to present to others the basis of your own beliefs, so that once you have done so, *they have what you have*, and can arrive at a judgment on the same basis. This is not possible if part of the source of your conviction is personal faith or revelation. . . ." The fundamentalist insistence on a personal "born again" experience as the only avenue to religious truth, for example, limits the possibilities for dialogue between politically active fundamentalists and their adversaries.

Second, in arguing that those who do not share your views are *wrong*, one should be prepared to give an explanation of their error which goes beyond the mere assertion that they do not believe what you hold to be the truth—an explanation in terms of identifiable errors in their evidence or in their arguments from it. "A disagreement which falls on objective common ground must be open-ended in the possibility of its investigation and pursuit, and not come down finally to a bare confrontation between incompatible personal points of view. I suggest that conflicts of religious faith fail this test, and most empirical and many moral disagreements do not." Thus, Nagel concludes that religious convictions are rightfully excluded from the public stage when whatever truth they contain cannot be justified impersonally and impartially.

Conclusion

That explicitly religious arguments should not ground the claims that we make against one another does not mean, of course, that religious groups cannot join with all others in arguing about the issues of the day on their merits. But it does suggest caution in indulging openly religious rhetoric in the halls of Congress or in election-year debates. Where religious convictions give rise to clearly defined moral views that can be examined in their own right, these latter should certainly be a subject of shared public scrutiny. But the principle of insulating religion from politics and politics from religion seems to remain one well worth honoring.

Sources quoted in this article are: Kenneth D. Wald, *Religion and Politics in the United States* (New York: St. Martin's Press, 1987); Thomas Nagel, "Moral Conflict and Political Legitimacy," *Philosophy & Public Affairs*, vol. 16, no. 3 (Summer 1987); and William A. Galston, "Public Morality and Religion in the United States," *PS*, vol. 19, no. 4 (Fall 1986).

What's Wrong with Eugenics?

Eugenics, as traditionally understood, was an effort to improve the human race by applying the wisdom of animal breeders. If people of good quality were to mate with each other and people of bad quality were not to reproduce, the result would be more people of good quality. As Thomas Schelling nicely puts it, traditional eugenics was an effort to select parents. Of course, there were a number of problems with this effort. Illusions about what is inheritable and a failure to calculate how slowly gene frequencies would change by this method are two straightforward problems. Above all, we would like to say, eugenics is morally objectionable since any effective method of selecting parents would involve objectionable intrusions in a private matter if not downright coercion. No one questions the horror of the Nazi eugenic programs so there is no need to labor the point.

Traditional eugenics was an effort to select parents. Modern eugenics is an effort to select children. Or better yet, to design them. Biotechnology opens up the possibility of directly altering the genetic makeup of our descendants. This is not a mere possibility: the technology is expected to be available within a couple of decades. When that time comes a child's genetic makeup will no longer be limited to that of his or her parents and the natural lottery. Parents with Huntington's chorea, beta thalassemia, or sickle cell anemia will be able to stop the inheritance of these diseases and have healthy children. But we needn't stop there. Short people can have tall descendants, black people can have "white" descendants, and bald people can have hirsute descendants. Is there anything wrong with this?

While some of us might think so, articulating that thought is by no means easy. Certainly, the problems with traditional eugenics offer no guidance. No one need be coerced. Indeed, eugenics might appear to be just a part of reproductive and parental autonomy. If we do not object to couples deciding when to have children and how many children to have, should we object to their designing their children?

Two Side Worries

In order to focus the discussion, I would like to mention two worries concerning eugenics only to set them to one side. Eugenics, like any medical therapy, involves some risks. Not only might an actual genetic manipulation fail, causing injury to the patient, sterility, or deformed progeny, unsuspected linkage among genes might have undesired consequences. For example, sup-

pose memory capacity were genetically manipulable, but it was sadly discovered that such manipulation resulted in, say, mentally unstable children. Such worries, by no means unimportant, are worries over cases in which eugenics *fails*. Unless we think that eugenics is impossible, such worries do not guide us in thinking about cases in which eugenics *succeeds*.

A different worry about eugenics concerns its connection with abortion. As things look now, the likely gene therapy techniques would involve detaching a few cells from the embryo within the first week before there is any cell differentiation, analyzing their genetic composition, and then performing the desired therapy on the remaining cells. As a result of the analysis, the detached cells would be destroyed. Because these detached cells are undifferentiated, they could have developed into a complete fetus on their own. Thus, the procedure of human gene therapy could involve techniques that some people would find morally equivalent to abortion, and they would object accordingly. But the worry here is not so much one over eugenics as over a side effect. It is by no means clear that eugenics will have to use such procedures.

The Interests of the Child

How should we think about modern eugenics? If we think about it in one way, eugenics is always in the interests of the child, or, at least, always believed to be so by the parents. This is plain for the case of removing uncontroversial genetic defects, but it also holds for the so-called enhancement therapies. Given studies showing that 6'3" males do better in our society than 5'3" males, it would clearly seem to be in a male child's interest to be the taller height. In general, any property that is a plausible candidate for eugenics is one that prospective parents reasonably believe confers an advantage to the child. Any advocacy of eugenics will start with this thought.

This thought hardly needs to be argued, for it follows from the definition of "eugenics"—which is, having as its object "the production of fine offspring" (OED). Of course, with developing technology this leaves open the possibility of directly altering the genetic makeup of a child for *non-eugenic* reasons. A couple might want a boy for no other reason than that they have a girl and they want to experience something different; or they might just want to ensure that their child has eyes that match the bedroom walls. These are cases where genetic manipulation is being performed to meet the parents' interests or desires, not the child's. In some

cases the manipulation might strike us as innocuous, in others as foolish and irresponsible. But in any case, the reasons behind non-eugenic manipulation will seem weak when compared with the reasons behind eugenic manipulation.

Claiming that eugenics is nearly always in the child's interest may seem too quick. Who is to say what is in that child's interest? How do we know that it wouldn't be better for that child to be short and weak or even handicapped with a genetic disease? Despite these shortcomings, perhaps because of these shortcomings, he or she may have a happier life. In fact, what we regard as shortcomings may be no more than local prejudices. After all, it wasn't that long ago that being left-handed was regarded as a handicap. How can this generation presume what is good for later generations?

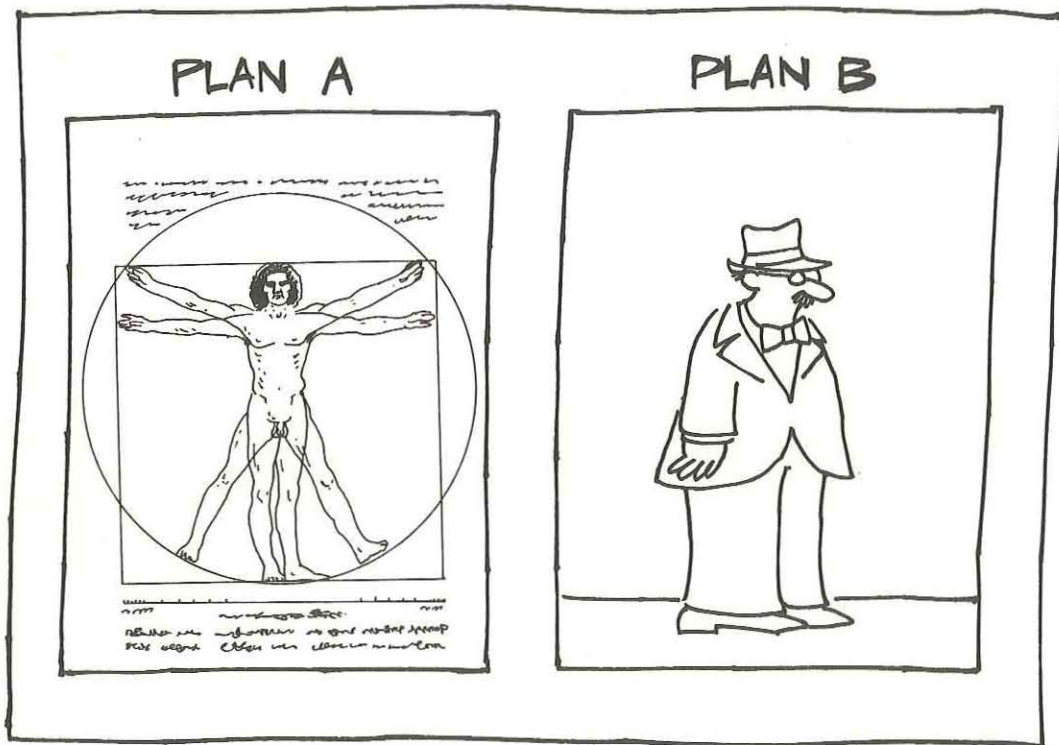
Taken out of context, these questions can easily be overwhelming. But placed in their proper context, they are quite mundane. We typically empower parents with the authority to decide what is in their child's interest. For the most part, this authority rests on the belief that parents are the best judges of their child's interest. As an epistemic judgment, parents are held to know, on the basis of a presumed intimacy and concern, what is in their child's interest. As a regulative judgment, parents are held to have the authority, derived from the institution of the family, to inform if not determine some of their child's interests. Although parental authority is not absolute and has often been challenged, these challenges are usually against the

parents' competency—they have false beliefs about what is in their child's interest—and not against the idea that such authority should exist. Even radical challenges to the family question only the placing of this authority, not its legitimacy. Consequently, individual exceptions aside, a eugenic decision on the part of parents is fully in keeping with how we think a child's interests should be acknowledged.

Nevertheless, although eugenics is always in the child's interest, a number of people have tried in various ways to dismiss or deny its benefits. For example, some have objected that eugenics amounts to "playing God." However, without making some controversial assumptions in theology, this protest does not distinguish eugenics from any other medical intervention. Who would object to modern public health efforts, such as the elimination of small pox, on such grounds? While there have been times when some people did claim that an epidemic was God's judgment and that trying to control the disease, by inoculations or other preventative measures, was wrongly trying to avoid God's punishment, such claims are no longer taken seriously.

The secular or naturalistic counterpart of the "playing God" objection is that eugenics amounts to tampering with the wisdom of evolution. The result of millions of years of natural selection is a delicate balance of fragile structures and processes, which direct gene manipulation would upset. The reply to this objection is the same. On this Panglossian reading of evolution

Drawing by M. Stevens; © 1983
The New Yorker Magazine, Inc.



M. STEVENS

any attempt to eliminate a disease or affect morbidity rates would be objectionable. Medicine must be viewed as an unnatural and destructive interference. It is difficult to believe that this accurately articulates what worries people about eugenics.

The Interests of Society

Up till now I have tried to present the case for eugenics—eugenics is typically in the interest of the child. Consequently, if we wish to find a way to identify the sort of considerations that oppose eugenics, we need to look beyond the child's interest. A frequent thought has been to point to the consequences of everyone, or at least most people, designing their children. To fix ideas, let us consider the case of choosing the sex of children. If people were allowed to determine the sex of their children, so the worry goes, the result would be a catastrophic sex-ratio imbalance, favoring males.

The reasoning in this worry is weak. The claim that more male children would be born if a choice were available is based on surveys reporting that people prefer their first child to be male. Of course, it does not follow that if someone prefers A over B, then that person would actively bring about A if he or she could. But, for the sake of argument, let us swallow this assumption. Since surveys report that couples prefer having an equal number of boys and girls, the source of sex-ratio imbalance would be from couples who have an odd number of children, with single-child couples having the greatest impact on the imbalance. To get some sense of the numbers involved, suppose that *all* single-child couples use sex-selection techniques and all decide on male children. The resulting sex-ratio imbalance would then be approximately 60 percent males to 40 percent females. What is the harm in that?

One reply might be that, making the obvious assumptions, the number of families would decrease by 10 percent, with the population decreasing accord-

... what is prima facie wrong with determining that the sex of a child be male is that it insults the dignity of women; it demeans the value of being female.

ingly by 10 percent. This is not clearly a bad consequence. Indeed, people who worry about overpopulation would have to regard this result as a good thing.

A different reply might be that having an equal number of men and women is simply an important value for us. But I doubt that this is true. Even a casual look at population statistics shows that we tolerate all sorts of sex-ratio imbalances. Consider all of the people over the age of 65. Here there is a sex-ratio imbalance of 60 percent to 40 percent, but of women over men.

In fact, if we are looking for striking sex-ratio imbalances, we need only consider the group of single people over the age of 45, for there the sex-ratio imbalance is not 60 percent to 40 percent but rather 80 percent to 20 percent: a four-to-one ratio of women to men! Nevertheless, no one, I think, would suggest that these imbalances should be corrected by direct compensatory actions such as having preferred health care, better Medicare coverage, or even major research specifically in the health problems of elderly males.

We can thus see the problem of eugenics as a conflict between two values. On the one hand, we have the value of benefiting the child's interests by altering certain of his or her characteristics; on the other hand, we have the value of the original, untreated condition.

I don't wish to suggest that there is nothing wrong with choosing the sex of one's children. However, I don't think that what is wrong with it lies in some harmful consequence of the sex-ratio imbalance itself. Rather, what is *prima facie* wrong with determining that the sex of a child be male is that it insults the dignity of women; it demeans the value of being female. The designer by his or her actions is saying, in effect, that whatever the value of being female is (or whatever the value of the child's original sex is), that value is second-rate.

This objection does not turn on any hypotheses regarding the popularity of eugenics. The other two objections do not identify anything wrong in a single case of sex selection; their worries turn on the consequences of how it could be used and an assumption that its use would likely be widespread. This invites the defender of eugenics to reply that these worries show only that eugenics efforts can be abused, but this hardly distinguishes eugenics from any other technology. Consequently, the most these worries can recommend is that eugenics efforts should be regulated to prevent any harm that might occur from their aggregate use. But if sex selection for male children denigrates the value of being female, then it does so even in a single case.

This objection can be easily generalized to cover cases of genetically altering the racial or ethnic features of one's progeny, and, so generalized, it identifies what we would find troublesome about such cases. This suggests that we might generalize even further: eugenics involves saying that whatever the value of the child's original condition, that value is second-rate.

We can thus see the problem of eugenics as a conflict between two values. On the one hand, we have the value of benefiting the child's interests by altering certain of his or her characteristics; on the other hand,

we have the value of the original, untreated condition. How the matter will resolve depends upon the particulars. Suppose the original condition were a generally recognized disease, such as Huntington's chorea. Since there is presumably little if any value to be attached to such conditions, the interests of the child would be decisive. However, in cases where we hold that it is important not to treat the value of the original condition as second-rate, such as in the case of sex or racial selection, the interests of the child, unfortunately real though they may be in our society, may not be decisive. We do not want to treat those conditions as being of little value, as if they were diseases. The coherence of our values might not tolerate it.

Old Eugenics vs. New Eugenics

Despite the differences, the new eugenics involves the same kind of conflict that underlay the old eugenics, but with the positions reversed. The old eugenics pitted an alleged state interest in the quality of the genetic composition of the community (the gene pool) against individual rights and liberties over reproduction, i.e., the value of improving the gene pool versus the value of individual reproductive autonomy. The case for the old eugenics foundered on false empirical assumptions. Wild claims were made regarding what sort of conditions are inheritable, among which were "nomadism," "shiftlessness," and "thalassophilia" (love of the sea). In addition, false claims were made regarding how much gene frequencies are affected by selective breeding. A standard calculation from population genetics shows that reducing the frequency of a

recessive gene from 5 percent to 2.5 percent, even with a vigorous eugenics program, would take over 200 generations! I wish I could say that the violation of individual rights was decisive in the downfall of the old eugenics, but neither history nor the courts support that view. When the public health is at stake, individual rights are seen as luxuries. Exposing the false empirical assumptions contributed to the view that the quality of the gene pool is not a public health problem, and so contributed to the repudiation of the old eugenics.

In contrast, the new eugenics pits the alleged interests of an individual against the value the state would find in not having certain human conditions manipulated—against a concern for the stability and harmony of the community. Admittedly, the ways in which a particular case of eugenics could constitute a threat to that concern will not always be entirely clear. Indeed, when the genetic condition to be altered is unquestionably defective, the state's interest will coincide with the child's interest since reducing the frequency of such genes is in the interest of public health. There is a danger here, however. If genetic diseases are once again held to constitute a public health problem, modern eugenics could very well share the moral collapse of the old eugenics.

—Robert Wachbroit

This article is adapted and condensed from "Designing the Goods," a talk prepared for a workshop on Teaching Philosophy and Public Policy, sponsored by the Center for Philosophy and Public Policy, held at The Catholic University of America, June 24–26, 1987.

Racist and Sexist Jokes: How Bad Are They (Really)?

In 1976 Earl Butz, President Ford's popular secretary of agriculture, fell from grace with almost unprecedented abruptness. On a flight to California after the Republican National Convention, he committed an offense so unforgivable that the public outcry drove him from office less than seventy-two hours after the story broke. The offense: telling a racist joke. Two administrations later, James Watt, the embattled secretary of the interior whom critics had unsuccessfully tried to unseat over a host of environmental issues, finally made his fatal misstep: he remarked jocularly that his coal advisory commission boasted the impeccably balanced mixture of "a black, a woman, two Jews, and a cripple." The joke precipitated Watt's forced resignation.

What did Butz and Watt do that was so terrible? How

can two prominent officials lose their jobs over *jokes*? Doesn't that seem a kind of joke itself, laying bare our national oversensitivity and humorlessness? Millions of us tell racist, sexist, heterosexist, or ethnic jokes; millions of us are offended by their telling—especially if the joke hits too close to home. And when members of the target group take offense, the question comes: What's the matter? Can't you take a joke? Where's your sense of humor?

"It's Only a Joke"

Few presumably would defend racist, ethnic, and (hetero)sexist jokes as cultural treasures, but many of the jokes are cleverly constructed, such as the infinite variations on "How many so-and-so's does it take to

change a lightbulb?" which deftly caricature alleged group characteristics. "How many Jewish mothers does it take to change a lightbulb?" "None: 'Don't mind me, I'll just sit here in the dark.'" In a grim world, maybe anything to laugh about is cause for celebration.

Ronald de Sousa, professor of philosophy at the University of Toronto, asks whether humor generally can be the object of moral censure. After all, it could be claimed that humor is too trivial to merit moral condemnation; the propriety of telling or laughing at certain jokes is a matter only of good or bad taste, with the duty to refrain from racist jokes "merely a minor social duty, like the duty not to fart or burp." De Sousa concedes (which many others would not), that "laughter...does not have very significant consequences." But he counters that laughter—how a person laughs and what he or she laughs at—nonetheless yields insights into character. Even the sound of someone's laughter can be revelatory: "Imagine a man whose habitual sound of laughter is a *cackle*, or a *snicker*. Would you like your daughter to marry him?" But is such a reaction merely an aesthetic one? De Sousa concludes not. We judge laughter as a symptom not only of personal style but of moral character as well—"There are cases in which we say: 'If you can laugh at something like that, you must be insensitive [or] cruel.'" In the case of racist and sexist jokes, a natural judgment is "If you can laugh at something like that, you must be a racist or a sexist."

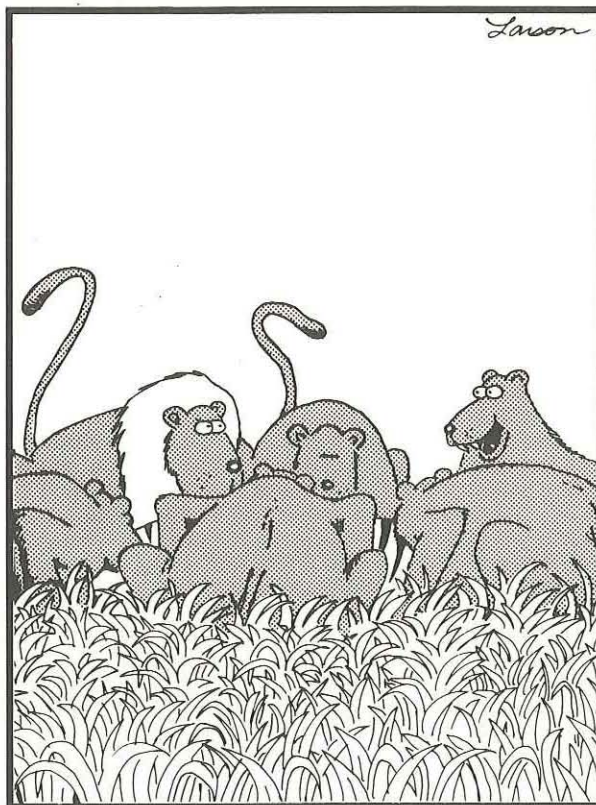
Philosopher Merrie Bergmann explains what sexist jokes show about character by appealing to one standard theory of humor: "the source of funniness in a humorous episode is the incongruous," attended to or contemplated in fun. The theory applies to sexist humor in this way: "Sexist humor is humor in which sexist beliefs, attitudes, and/or norms either must be held in order to perceive an incongruity or are used to add to the fun effect of the incongruity." She gives as an example a supposedly comic postcard, showing an attractive female sunbathing with a newspaper across her midriff; the headline reads, "Today's Sport." Bergmann observes, "Perceiving an incongruity here depends upon having a sexist attitude toward women. In our culture, there is nothing incongruous in a newspaper resting on the body of a sunbather. Nor is there anything incongruous in a newspaper's having a page headed 'Today's Sport.' What is incongruous is that the newspaper headline should refer to, or label, the body that is shaded by the paper, that is, that 'Today's Sport' is the female body in question. And perceiving this incongruity depends on seeing the female's body as a sex object." De Sousa argues that to laugh at such a joke is to show that one shares the underlying sexist assumptions that are necessary to "get" its humor. To laugh at a joke like this one, de Sousa says, "marks you as a sexist. It's not a convincing defense to say: 'I was merely going along with the assumptions required to get the point of the joke.' Such a joke 'makes us laugh only insofar as the assumptions

on which it is based are attitudes actually shared."

Is it true that people who tell racist and sexist jokes thereby show themselves to be racists and sexists? It seems, on Bergmann's and de Sousa's theory, that someone truly concerned about racism and sexism can enjoy racist and sexist jokes only at a meta-level, where the laughter is directed not at the intended butt of the joke, but turned on the jokers themselves, who are ridiculed for being the kind of people who find a joke like that funny. There is something comical, for example, in a male boss who jokes to a roomful of female secretaries, "Why did God make women? Because sheep can't type!" and then wonders why no one else is laughing.

Can't derogatory jokes also be enjoyed by someone who, while no racist or sexist, nonetheless takes a sly pleasure in puncturing liberal pretensions and poking fun at societal pieties? The very outrageousness of determinedly tasteless humor can be oddly refreshing. This species of pleasure in racist and sexist jokes, however, seems parasitical on a prior recognition that the jokes are morally suspect. There is no naughty fun

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"Hey, Sid! Remember that time last summer we were all gathered around the kill like this, someone told a leopard joke, and you laughed so hard an antler came out your nose?"

in shouting obscenities without a prior shared recognition of what counts as obscene.

Make Jokes, Not War

One might defend racist and sexist jokes by arguing that while the jokes may express racist or sexist attitudes, in humor these are given a harmless outlet. Konrad Lorenz, in *On Aggression*, characterizes humor as aggressive behavior held in check by reason. Laughter, according to Lorenz, "is never in danger of regressing and causing the primal aggressive behavior to break through. . . . Barking dogs may occasionally bite, but laughing men hardly ever shoot." If racist and sexist jokes are not harmful, we may welcome them as an escape valve for aggressive energies that might otherwise erupt in less socially acceptable ways.

The trouble is that racist and sexist jokes are in themselves harmful. They reinforce and give social legitimacy to the racial and sexist beliefs they presuppose. Joseph Boskin, writing on the enduring comic Sambo stereotype of blacks, blames it for helping whites "in their attempt to preserve a social distance between themselves and blacks, to maintain a sense of racial superiority, and to prolong the class structure." Richard Mohr, a philosopher at the University of Illinois, charges that anti-gay jokes are similarly pernicious: "When people know few or no gays and have fag jokes as their earliest and main source of information about gays, the stereotypes which fag jokes endorse and perpetrate, by portraying and belittling gays as dizzy, flighty, unreliable, self-indulgent, sex-crazed, and plague-bearing, are especially likely to have unfortunate effects on prospective employers and on any public policy decisions affecting gays. In this way, fag jokes harm gays."

Racist and sexist jokes are vehicles not only of injury, but of insult as well. Bergmann likens the person who finds fun in sexist humor to a person who enjoys the

Much non-racist and non-sexist humor is undeniably malicious (else why would we laugh when the fat man slips on a banana peel?); it might be said that the offense given by a joke is a mark not of its immorality but of its success!

spectacle of watching a passer-by slip on a banana peel—after having first placed the banana peel on the sidewalk: "both contribute to the stage-setting for the fun." For without the contribution of the requisite sexist beliefs, there is no fun in sexist humor. The insult of finding fun in sexist humor "is the insult of finding fun in an episode when part of the stage-setting that we have contributed to the episode, and that is necessary to the fun, hurts someone." It is an insult, Mohr

explains, "for it fails to take others' pains into account as one would expect one's own pains to be taken into account by others."

Is this a special failing of racist and sexist jokes, however? Much non-racist and non-sexist humor is undeniably malicious (else why *would* we laugh when the fat man slips on a banana peel?); it might be said that the offense given by a joke is a mark not of its immorality but of its success! The distinctive wrong of racist and sexist jokes is that the stereotypes they evoke and help to maintain are so deeply implicated in our

The distinctive wrong of racist and sexist jokes is that the stereotypes they evoke and help to maintain are so deeply implicated in our society's long history of injustice to disadvantaged groups.

society's long history of injustice to certain disadvantaged groups. The injury and insult they cause is not an isolated or fleeting phenomenon; it is part of a pattern of systematic harms and humiliations directed by the empowered against the powerless.

Can't You Take a Joke?

A final strategy for defending racist and sexist jokes is to take the offensive against members of the target groups offended by them (a strategy used more often with sexism than racism). An analogy is drawn to the attitude we expect an individual to have when a joke is told on him personally. It is considered a sign of good nature to be able to laugh at oneself, to appreciate a joke told at one's own expense. Those who can't are seen as stuffy, pompous, self-righteous. If how one tells a joke shows character, how one takes a joke shows character as well.

Even in the individual case, however, we draw a distinction between laughing *with* someone and laughing *at* someone, where the one grows out of affection, the other out of derision. Dignified silence, not shared laughter, is the appropriate response to being laughed *at*. And there is a crucial difference between laughter focused on an individual and laughter focused on a group. One can relish a joke on oneself if it is truly a joke on *oneself*, if it calls amused attention to one's own distinctive traits and foibles, as cartoon caricatures do. There is a pleasure in being observed carefully enough by others that teasing is possible, as long, once again, as the teasing is affectionate.

The victim of a racist joke, however, is expected to laugh at a joke allegedly about himself that he doesn't perceive as a joke about *himself* at all. The whole idea of a *racist* joke is that nothing distinctive about the individual person himself is involved. As Mohr observes

about heterosexist humor: "The individual as distinctive is erased, dissolved into a prejudged type which determines in society's eyes all of his or her significant characteristics. The jokes... presume that a gay person is nothing but his sexual orientation and its efflorescences." The woman expected to laugh at a sexist joke, packaged as a joke about herself, wants to protest, "But this isn't a joke about *me*." Even this reaction is parodied in the joke where the husband says to the wife, "Women always take everything so personally," and the wife replies indignantly, "I don't."

How are we to react, then, when a racial or ethnic joke is told by a member of that race or ethnic group? How can racist or ethnic jokes be so terrible if individuals are willing to tell these on themselves? Ethnic jokes are told on oneself in a variety of contexts. Sometimes one plugs one's own ethnic group into an all-purpose ethnic joke to be able to "get away with" telling it, without giving offense. In such cases the joke itself appeals to no distinctive stereotype of the group chosen—it satirizes, say, garden-variety stupidity—and so the punchline carries no sting. Occasionally ethnic jokes told by ethnic-group members may provide genuine examples of affectionate self-directed humor, where the joke teasingly plays on some ethnic trait the group itself recognizes, half-affectionately, half-ruefully, as its own. But too often self-told ethnic jokes show only self-directed ethnic hatred. Boskin points to cases in which blacks themselves have adopted the Sambo

stereotype as self-image: "Entrapped within the illusion, the stereotyped person runs the risk of succumbing to it." That a negative stereotype, repeated and reinforced in countless ethnic jokes, can become so culturally dominant that members of the despised group at last come to internalize it is one of the most egregious wrongs that such jokes perpetrate.

Conclusion

Returning now to Mr. Butz and Mr. Watt, exiled from public service for jokes that took only a moment in the telling: did their punishment fit or exceed their crime? If racist and sexist jokes are evidence of a racist and sexist character, cause pain and harm to blacks and women, and insult and affront the dignity of blacks and women as individuals, it would seem that public administration can do without the services of those who cannot refrain from telling them.

—Claudia Mills

The sources quoted in this article are: Ronald de Sousa, "When Is It Wrong to Laugh?" in *The Philosophy of Laughter and Humor*, edited by John Morreall (Albany: State University of New York Press, 1987); Merrie Bergmann, "How Many Feminists Does It Take to Make a Joke? Sexist Humor and What's Wrong with It," *Hypatia*, vol. 1, no. 1 (Spring 1986); Konrad Lorenz, *On Aggression* (New York: Bantam Books, 1963); Joseph Boskin, "The Complicity of Humor: The Life and Death of Sambo," in Morreall, ed., *The Philosophy of Laughter and Humor*; and Richard Mohr, "Fag-ends and Jokes' Butts," from *Gays and Equal Protection*, unpublished manuscript.

Teaching Philosophy and Public Policy

The Menace of Moral Relativism

Every college teacher whose classes require some discussion of values or morality has a common frustration: students who are moral relativists. Despairing professors want to know how to respond to moral relativism, how to deal with it, how to defeat it.

"Moral relativism" is not just something some of our students believe in. It is now also the fashionable explanation for our cultural distempers. Allan Bloom's new book, *The Closing of the American Mind*, identifies moral relativism as the main culprit behind the decline of American intellectual life. President Reagan and Education Secretary Bennett likewise see our social problems stemming from a baneful relativism and values-neutrality in our schools. Relativism is the legacy of 1960s liberalism, of the abandonment of standards, of bad educational theories, of intellectual loss of nerve, of secular humanism: these and other sources are offered as explanations for the current reign of relativism.

In the following comments, I want to suggest several

theses, for which I can offer no more support than twenty years' experience of trying to teach philosophy to a broad range of college students. The first thesis is that our students' relativism isn't an artifact of the 1960s or 1970s and not the product of "values clarification" and other bad educational theories in our schools. (Not that there aren't bad educational theories in our schools.) The second thesis is that our students' relativism is an irritant to us but not a menace to society. This is because they aren't really relativists and their moral instincts are generally sound.

Students didn't first become relativists in the 60s and 70s. (In fact, most of mine became Maoists and Moonies; and in the 80s they became Christians and Republicans.) Relativist students abounded in the 50s and before, and their proportion probably remains more or less constant over time, not many more now, proportionately, than forty years ago. The reason this is so is because relativism grows out of the common

experience of students, not out of the changing winds of cultural fashion, political ideology, or educational theory. This is my third and main thesis and the one I want to develop at some length.

Relativism as a Theory

Students are attracted to relativism because it seems to them a cogent account of their moral experience. It expresses certain of their moral intuitions or feelings. As children, they first encounter morality in the form of authoritative rules. Parents, teachers, and other adults tell them what to do and punish them for

"Who's to say?" the student asks, deflating your carefully crafted argument . . . and leaving you wondering what to do next.

failures. As children grow older they begin to question the rules they must go by and be alienated by some of the rules-enforcement they encounter. When pressed by children to justify their rules and punishment, parents and teachers often become uncomfortable, react defensively, and fall back on sheer authority. Moreover, they often use their authority in ways that strike young people as unfair and inequitable. Adults in authority respond in uptight, rigid, and insensitive ways to rule infractions and resort to petty and mean-spirited discipline.

So young people—not all of them, of course—become suspicious of authority and rules. They have moral responses to instances of authority abused or insensitively used—they sense something detestable about such instances—but they don't know how to frame those moral feelings in words. After all, if morality is identified with rules and authority, then the terms of morality itself constrain the criticism of rules and authority. Not unnaturally, many students seize upon a different vocabulary: relativism. It is by means of this vocabulary that they express central moral responses to authority and rules.

The vocabulary—not in any sense a coherent and systematic language—offers a number of protective devices. "Who's to say?" the student asks, deflating your carefully crafted argument about a moral issue and leaving you wondering what to do next. "That's just your opinion," responds another, reducing argument to autobiography and making you wish you had a loaded gun. "It's wrong to condemn other people," admonishes yet another student, condemning your condemning other people. "If it's right for him, it's right," offers a fourth, unlimbering the concept philosophers dread most: right-for-him.

As much as these protective devices may shorten the lives of philosophy teachers, they do not betoken insensitivity in the students but insight. "Who's to say?" and

"That's just your opinion" are clumsy ways of rejecting the idea that moral judgments derive their validity just from their being said by authorities. "It's wrong to condemn others" is a reaction against the bullying tactics of judgmentalism, incautiously directed at judgment in general. "If it's right for him, it's right" is a recognition of the plurality of the good (although misleadingly framed in terms of the right.)

The more clever and articulate student may subsume these various devices under a more general proposition. "Morality is relative," he says, or, "You can't judge another (person, group, country) except by his (its) own standards." He may even offer some rudimentary arguments ("Each person is different"; "Every culture has its own ways") or appeal to philosophical precedent: moral relativism, after all, runs through philosophy from Protagoras to Gilbert Harman.

If pushed to explain and defend their relativism, students will produce pretty feeble and incoherent accounts, accounts that any second-year philosophy graduate student ought to be able to demolish with both hands tied behind her back. It is inevitable, of course, that the students' accounts will be incoherent. They are trying to express certain attitudes or judgments *within* morality (be tolerant, live and let live, do your own thing) by making claims *about* morality (there are no universal standards, each person has his own opinion). But denying that there are any universal moral truths is not a particularly felicitous way to recommend to others the truth of "Do your own thing," or "Respect differences in others," or "Don't be judgmental."

Teaching Against Relativism

It is a funny thing, though: all those clever demolitions we do on relativism don't move our students very much. We can exhibit inconsistencies by the bushel and absurdities by the barrel, and it makes little dent. This

"That's just your opinion," responds another, reducing argument to autobiography and making you wish you had a loaded gun.

is because we usually attack relativism head on, and such a direct attack is likely to fail for reasons that are implicit in the account I've just given. Students are not dissuaded by arguments because they aren't led to relativism by arguments; they are attracted to it because it *explains* their moral experience. It expresses their resistance to authoritarianism, intolerance, and uptightness in general. And, since they see relativism as explaining and justifying tolerance and respect, they think that to give up the first is to abandon support for the second. Show all the inconsistencies in relativism you want; the students will just mark it down

to your cleverness and wordsmithery, because they *know* tolerance and respect are right. As long as students' relativism is an expression of their skepticism about rules and authority, they will not give it up no matter how badly it fares under logical attack.

Thus, any successful attack on relativism must first prepare the way by detaching the connection between relativism and tolerance. There are two strategies available to the teacher, one visible, the other invisible. The first is used in the context of talking about relativism as a philosophical position: instead of arguing against it, you proceed through a diagnosis similar to the one I've given above, showing the student that he uses relativism to express certain moral attitudes and that he doesn't need relativism for this purpose. In fact, using relativism *undermines* the serious expression of these attitudes.

This strategy may be effective if worked at carefully, but it may face problems. One is this: you are an authority figure, too, so you have, in the students' minds, a vested interest in defending authority (and rules). Consequently, even if they follow your diagnoses and your arguments they may still hold on to their relativism. After all, it has worked for them satisfactorily (they think) up to this point, so why give it up for a philosophical pig in the poke?

Thus, the second, invisible strategy may fare better. On this strategy, you try to keep the issue of relativism, and any of its manifestations, from ever arising in the first place. You don't want to talk about it, or have the students talk about it. So you have to frame moral examples and moral discussions in ways that grip or absorb the students' imaginations *directly*, without calling into play their little arsenal of moral theory. And each example or discussion has to reveal, after some exploration, a vivid distinction. After a while, the students will have a repertoire of many distinctions and discriminations, and this is just what they need to be

As [students] accumulate more moral experience on their own, their powers of moral discrimination will improve. . . . For most of our relativist students, the relativism will go away on its own, like acne, disappearing with age and maturity.

able to put their moral feelings into words that (from their own point of view) are more precise, subtle, powerful, and persuasive. As they become habituated to a new vocabulary, they drop, without being aware of it, the protective devices of relativism they were prone to call on in tight spots. Relativism just melts away, its disappearance unnoticed.

Of course, this second strategy is a slow and long-

range affair. It can't be executed in a couple of class periods, or even in several months of classes. In contrast, the first strategy can be put to work at any time you have a few hours for discussion. However, just because the first strategy is negative, it is not likely to produce permanent results, even when it is effective. Relativism, for the students, is a habit that responds to a need; it is not likely to go away until they acquire a new way of serving the need.

Our relativist students threaten only the peace of mind of their teachers. They were put on earth to torment us and keep us humble.

Relativism—A Menace?

There is a certain sense in which the second strategy works itself out on its own, even if we don't intervene in the students' learning. As they accumulate more moral experience on their own, their powers of moral discrimination will improve. They will come upon useful and clarifying distinctions and find better ways to express their moral feelings than by invoking the protective devices of relativism. Among the most important experiences they will have, of course, is that of becoming authority figures themselves and having to lay down and enforce rules. They will marry, become parents, take jobs with supervisory requirements, embark on large-scale cooperative projects, become involved politically. They will come to have, as a result, more refined and complex views of rules, rule-systems, and authority than they once had. For most of our relativist students, the relativism will go away on its own, like acne, disappearing with age and maturity.

This is because, as I said at the outset, our students never were relativists anyway. Their relativism is largely epiphenomenal; it arises out of their moral experience but doesn't shape their moral responses. It is a way—inadequate and confused, to be sure—of trying to give voice to certain of their moral intuitions, and it is those intuitions that actually govern their moral behavior. Sooner or later, most of them find a more adequate moral language to go with greater experience and more complex intuitions. Is moral relativism a menace to society? It would be if there were any moral relativists, but real ones are hard to find. Our relativist students threaten only the peace of mind of their teachers. They were put on earth to torment us and keep us humble.

—Robert K. Fullinwider

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