

Module 1: Vice, Crime, and American Law: Concepts and Relationships

Introduction

When beginning any discussion it is important to first understand what we are discussing. Certainly everyone hears and uses terms such as “vices” “crime” and “laws.” However, take a moment and ask yourself: What is a vice? What is a crime? What is a law? Do you have clear definitions of these concepts? If you do not, you are not alone as most people (even those who frequently use these terms) cannot offer much of an answer to these questions either. Therefore, our first task is to come to some understanding about these and other concepts relevant to the course. By the end of this module you should have a clear understanding of several terms, concepts, and theories which we will employ during the rest of the course.

Pre Course issue poll: The following twelve questions will survey your initial views concerning the subject matter of this course. All students' answers will be displayed together anonymously so you can see how the class as a whole views these issues. At the end of the course you will be asked to answer these questions again to see if any of your views have changed as a result of our inquiry into these subjects. Those final results will also be displayed anonymously as a class.

You will be using the same login information in both the pre and post course issue polls, so please remember the account information you input here.

Part 1: Definitions of Vice, Crime, and Law

What is a Vice?

A vice is a bad or undesirable character trait. The opposite of a vice is a virtue, which is a good or desirable character trait. For example, honesty is a virtue and dishonesty is a vice. There are many vices. Some of the most commonly referred to vices include greed, anger, lust, envy, gluttony, pride, and sloth (laziness). Each of these is a character trait we find in people which is, on the whole, undesirable. By comparison we can list some virtues including loyalty, bravery, honesty, compassion, humility, generosity and temperance. The language of virtue and vice goes back at least to the ancient Greeks who, as we will see later, spent a great deal writing about them. Much of this language is also employed in a religious context where it is said that there are “seven deadly sins” or vices and “seven heavenly virtues.” Wherever our familiarity with virtues and vices comes from what is in general agreement is that vices are character traits that we want to avoid and virtues are character traits that we should want to promote or cultivate.

One confusion which should be addressed is that a vice is not an action. This confusion arises in our use of ordinary language. For instance, Bob might say “smoking is my biggest vice.” Yet, smoking is an action, not a character trait. Smoking may be a symptom of vice, but it is not itself a vice. So what would be the vice which leads Bob to the act of smoking? Most likely the vice is Bob's “weakness of will.” Bob's statement is an admission of a character flaw (weakness of will) which leads him to smoke even when he realizes he shouldn't. If we took away Bob's vice, then he would be able to resist the urge to smoke cigarettes.

In this course we will be looking at several issues including gambling, hate speech, pornography, and drug use. Each of these issues relates to vice as it is said to be vice which leads to each of these things. For instance, the vices of greed, anger, and lust lead to gambling, hate speech, and pornography. As we shall see, the perception that vice motivates these sorts of behaviors is, in large part, why these behaviors are such contentious legal issues.

What is Crime?

Technically a crime is a violation of criminal law. However, this definition doesn't offer us any explanation as to why a type of lawbreaking is considered criminal whereas other lawbreaking is not. Crimes range broadly from something as simple as traffic violations to actions as serious as murder. In *Board of Trade v. Owen (1957)* the court considered the definition of a crime to be:

“A crime is an unlawful act or default which is an offence against the public and renders the person guilty of the act or default liable to legal punishment.”

Though this is but one of many definitions of a crime, it does bring out two essential features of a crime. First, a crime is considered an “offense against the public” even if it only affects a single person. For example, suppose Jones assaults Smith, but Smith is

willing to forgive Jones for his transgression. The state may still prosecute Jones for his criminal assault as if Jones had assaulted the state. Second, a crime is punished in some manner by the state. Criminal punishments range widely from fines to execution.

One of the central questions we will explore in this course is: “What ought to be a crime?” Should the state view Jones as a criminal even when Smith (the victim) does not? Should an act be considered a crime even if no one else is harmed? Should an act be considered a crime when everyone harmed by an action consented to partake in the action? These are the sorts of questions that will reappear throughout this course. Now that we have a basic idea what a crime is, we need to say something about the law itself.

What is Law?

This question is a bit harder to answer as there is serious disagreement about what the law is whereas there is general agreement upon what vice is. Students in a philosophy of law course might spend most of the semester on the question what is law. However, for our purposes, an understanding of two competing theories of law will allow us to come to a minimal understanding of what the law is. The two theories of law that we will mention are legal positivism and natural law.

Legal Positivism

Legal positivism views the law in terms of power. Law is a threat or command backed by force and issued by a person in authority. For example, the legal positivist would describe American tax filing laws with the statement: “Pay your taxes by April 15 th or else!” Something is law if and only if it has been “posited” correctly. In other words, law is an artificial human product. If a command backed by force is issued in the proper way, by a properly understood person of authority, then it is law, regardless of the content or any moral judgment about it. This does not preclude the existence of an immoral law; in fact, it allows it by holding a separation of law and morality. In short, the legal positivist says “the law is a command backed by force given in the proper way by a person with proper authority.” In America , this would mean that whatever a duly elected congress properly passes as a command to citizens is law.

There are two objections offered against the legal positivists account of what the law is:

Objection #1: Not all laws fit this model. How is contract law or me writing a will the result of commands backed by force? Who is making the command? What is the force for non-compliance? Positivism works well with criminal law, but law appears to do more than positivism allows.

Objection #2: Hitler was the sole legal authority in Germany ; therefore, every order he gave was lawful. The Nuremberg court said the defense “I was only following orders” is unacceptable. Wouldn't positivism have to say that Hitler's orders were in fact law, thus producing a legal duty to obey them? This is a consequence of legal positivism we should attempt to avoid.

Natural Law

Natural lawyers view the law in terms of morality. Understanding law requires an understanding of the nature of morality. The purpose of law is to enforce the core of morality, to encourage morality in citizens, to discourage immorality, and to promote the common good. A “law,” even if issued in the proper way, by a proper authority, is not a law if it conflicts with morality. Therefore, Hitler may have issued commands in the proper form backed by force, but when they conflict with morality, they were not laws. For example, Hitler's traffic code may have been law, but many other policies were not law.

There exists one serious objection to the natural lawyer's description of what the law is:

Objection #1: So what is the natural moral order? How do we know it? Is running through hot coals naked with friends in my own backyard while drinking (a moderate amount) of wine a moral violation? Is the natural moral order just the majority moral opinion? If so, what if the majority of citizens are Nazis? Clearly the natural lawyer owes us a complete theory of morality, which is itself a more contentious issue than the disagreements about law.

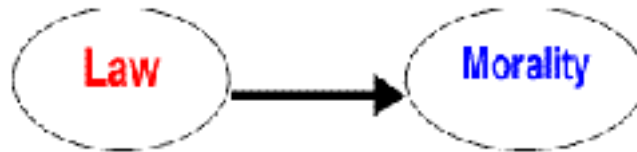
We are left with a quandary here between the legal positivist, who views law as entirely separate from morality, and the natural lawyer, who views law as entirely identical with morality. As neither theory is completely compelling, we ought to look for some third viewpoint. This third view should be generally tolerable to both naturalists and positivists, it should explain law, and it should explain the role of morality in the creation of law. So, what might the legal positivists and natural lawyers agree upon?

Part 2: The Minimal View of Law

The disagreement between the positivist and naturalist primarily concerns the relationship between law and morality. Positivists hold that they are separate spheres (perhaps overlapping by coincidence). Naturalists hold that they are mostly the same (though some laws may be morally neutral). Without resolving this difference, there still seems to be (at least for our purposes) some room for agreement between the naturalist and positivist. Both can agree that a view of morality and law which holds that we can identify something as **right** or **wrong** based upon whether or not it is **legal** or **illegal**, is false.

For example, Jones is starving and steals a loaf of bread from a store. Upon hearing this Smith claims that Jones was morally wrong to steal. If we were to ask Smith why Jones was morally wrong to steal the bread he might say something like: “We know it is morally wrong to steal because it is illegal to steal.”

We might represent this view that the law informs morality as follows:



Hence since what the law says yields morality, then because stealing is illegal stealing is also morally wrong. There are numerous counterexamples to this view of equating what the law says about an action with what morality says about the same action. For example, if one were to hold that we can determine what is morally right or wrong by appealing to what is legal or illegal, then one would be committed to the proposition that **slavery** was morally right because the law said it was legal. Though I cite just one example here, for further examples consider how some of the laws from history as well as current laws square with your intuitions of what is morally right and wrong.

Positivists would reject the above because they believe law is separate from morality. Naturalists would reject it because the above description entails that no law can be immoral. So what might both agree on about the relationship between law and morality? First, they would agree that what law states is not *sufficient* to tell us what is morally right or wrong. Second, both could agree that law making in practice accomplishes two different functions.

1. The law solves problems of coordination.

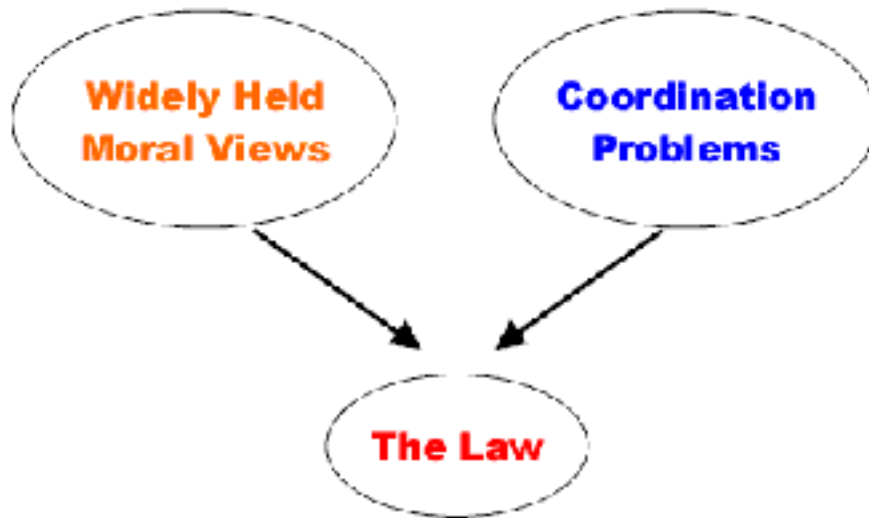
For instance, the law tells us to drive on the right side of the road. Notice, this sort of law has nothing to do with morality as it is no more moral for the law to tell us to drive on the right side of the road as it would be if the law said to drive on the left side of the road (as in England). A great deal of laws are of

this first sort. They do not reflect any moral views whatsoever but simple provide guidelines to solve non-moral problems like which side of the road to drive on.

2. The law reflects the very core of our moral views.

For example, laws against murder and theft are informed by a deeply and widely held moral belief that it is wrong to murder. In this way the law acts as a way for us to formalize our moral views and give them “teeth” such that violators are identified and punished. This is not to suggest that all moral views become laws, but rather that those moral views that are widely accepted tend to be reflected in the laws.

We might represent this view of the law's function as follows:



In a democracy like the United States , we can identify many laws that derive from moral beliefs. For example, in many areas it is illegal to buy liquor before 1 p.m. on Sundays. Clearly, laws such as this do not solve coordination problems as there is a supply of liquor, a demand for liquor, and stores willing to sell liquor on Sunday morning if the law allowed. Laws such as the prohibition of liquor sales on Sunday morning were the result of a widely held moral view that it is wrong to buy or consume liquor on a day when one should pay respect to religious worship. This is not to say that the law currently reflects a widely held moral view (many people do not think it is wrong to buy liquor on Sunday morning), but this was the origin of the law and the motivation of the law makers. As a practical matter, laws that derive from widely held moral views historically will change after the moral view changes.

This minimal relationship says that some laws are solutions to coordination problems and that other laws are derived from widely held moral views and therefore the fact that something is the law is still subject to the question “Is this law moral or immoral?” One further issue to point out concerning this relationship between law and morality is the limited nature of the relationship. Though many of society's widely held moral views do

become law, this is not to say that every widely held moral view ought to become law. In other words, we might all agree that behavior X is immoral, but still hold that X is not the sort of behavior that should be illegal (even the natural lawyer can admit this). We might conclude this for any number of reasons, including the practical difficulty or cost of enforcing a law against X. For instance, we may conclude that adultery is immoral, but that it is impractical to try to enforce a law against it.

For the natural lawyer, this view is minimally acceptable because it accepts and allows that many laws are informed by morality. For the positivist, this view is minimally acceptable because it does not require any connection between morality and law. Instead, it simply acknowledges that the motive behind many laws is a moral view. I suggest here that both would accept this minimal view of the law because this depiction is silent on the issue of disagreement. While both can admit that some law is a response to coordination problems and other laws are motivated by moral views, they will still disagree on what this means. The positivist will still assert that something can be law even if it conflicts with moral views accepted by 100% of the citizenry, and the natural lawyer will still assert that nothing is law if it conflicts with morality. For our purposes this minimal view bridges (or perhaps glosses over) this disagreement and provides an understanding of what law is and how it relates to morality. To review this minimal view of law admits the following about the relationship between law and morality:

1. What the law allows or prohibits is not conclusive on what is morally right or wrong. Each law is still subject to the question of whether it is a moral law or an immoral law.
2. Widely held moral views are often reflected in laws that enforce those moral views. Hence, if something is deemed moral or immoral, it gives some reason for us to change laws to reflect what we should or shouldn't be allowed to do.
3. Determining something is immoral does not necessarily mean that it ought to be illegal. Though law does reflect widely held moral views, law making must take into account the practical costs and difficulties of enforcement in determining if something should be illegal.

Part 3: What is Morality?

One question we have not asked is: **What is morality?** Since morality informs law to some extent and since a crime is a violation of law, we should say something about morality. Morality has to do with right and wrong. For our purposes the terms *moral*, *right*, and *ethical* are all equivalent. Conversely, the terms *immoral*, *wrong*, and *unethical* are equivalent. Beyond this it is difficult to define morality due to the diversity of moral theories. The only commonality between all moral theories is that they attempt to answer at least one of the following questions:

1. What is the right thing to do?
2. What is the right sort of person to be?

When we talk of morality we are talking about **what is right** and **what is wrong** in regards to either an action or a character trait. Though we speak of things as either right or wrong, there are actually three different answers. For example, suppose Alf is driving down the road when he sees Betty injured and bleeding on the side of the road. Alf considers three possible actions.

- First, he could ignore Betty and drive past.
- Second, he could stop, call 911 on his cell phone, and wait for help.
- Third, he could stop, use his shirt to lessen Betty's bleeding, put her in his car, and drive her to the hospital (as that would be quicker than waiting for an ambulance, but it would mean getting blood stains in his car).

We might analyze Alf's options morally as follows: First, to drive by leaving Betty to bleed to death when he could at least call for an ambulance is **immoral**. Second, to stop and call for an ambulance is **satisfactory** (it may not be the best action Alf could take but it certainly passes as the moral minimum). Third, to stop and put himself out to help Betty at the cost of his shirt, time, and damage to his leather interior might be “**supererogatory**” (above and beyond the call of duty). We might display the range of actions Alf might take as follows:

<u>Immoral</u>	<u>Moral Minimum</u>	<u>Supererogatory</u>
Leaving Betty to Die	Calling for Ambulance	Putting Himself Out

As we can see, we can categorize actions and character traits as being in one of three categories. Part of the controversy in morality is where to draw the boundaries between immorality, the moral minimum, and supererogatory actions and character traits. For example, there are those who think that meeting the minimum conditions of morality requires an awful lot. Such persons might depict Alf's dilemma as follows:

<u>Immoral</u>	<u>Moral Minimum</u>	<u>Supererogatory</u>
Leaving Betty to Die & Calling for Ambulance	Putting Himself Out	Putting Himself Out & Paying Betty's Medical Bills

On this sort of interpretation the moral minimum requires much more of Alf. Although it might place “calling for an ambulance” in the immoral category along with “leaving Betty to die,” this only means that neither option is a moral solution. It might still be that calling for help is “better” than leaving Betty to die, but neither is a morally acceptable on this view. To have a supererogatory act requires much more on this view (paying her bills in addition) than on the previous view. We could also adopt a moral view that requires less of the moral minimum such that even calling for an ambulance is a supererogatory action. A good part of determining what ought to be a crime will revolve around figuring out what the **moral minimum** requires because once we know what the moral minimum is, then we can ascertain what sorts of immorality ought to be criminalized.

Attempts to explain the boundaries between immorality, the moral minimum, and supererogation are known as **moral theories**. A moral theory will attempt to explain how we know what is moral and immoral. What we will find is that our view of morality will inform our view of the law, which will in turn tell us what a crime is (and isn't). As this is not a course in moral theory, we will not focus on these questions except for three brief depictions of moral views, which are often used to inform the law through the political process.

Utilitarianism

Utilitarianism begins with Jeremy Bentham and continues through modern day thinkers. However, arguably the most influential utilitarian thinker was John Stuart Mill (whose writings will be of special significance in this course beyond utilitarianism). Utilitarianism is a moral theory which has had a huge influence on the law and therefore on crime. We can boil down utilitarianism's moral code as follows: To determine right from wrong obey these principles:

1. What makes an action right or wrong are the **consequences** of the action.
2. The only consequence that matters is **happiness**.
3. No person's happiness **counts** more than anyone else's.

In other words, utilitarians claim that whatever action brings about the most happiness for everyone involved is the **right** one. Utilitarian arguments are quite common, though they may not call themselves utilitarian. Often utilitarians will defend their views with phrases like: We must do X for the **greater good** *or* We must do what brings about the **greatest happiness** for the greatest number *or* The end justifies the means.

Utilitarianism only demands that we do what brings about the greatest happiness for all affected; beyond this no action is intrinsically right or wrong. As a result the law must be flexible enough to handle a variety of cases and determine how to maximize the greatest happiness overall. A utilitarian will admit that as a **rule of thumb**, lying, stealing, and killing are not conducive in achieving the greatest happiness for all involved; but there may be cases where lying, stealing, or killing are the correct solution and the laws should reflect this.

Concerning crime and the law, the utilitarian holds that laws should achieve the greatest happiness for the greatest number of citizens. If criminalizing a behavior will yield the greater happiness, then it should be criminalized. If criminalizing a behavior just leads to

less happiness, then it should not be criminalized. Given this, a utilitarian may or may not wish to criminalize a vice depending upon the consequences of criminalization. As we shall see, this allows that some vices might be crimes where others are not. For instance, a utilitarian might have supported alcohol prohibition due to the negative consequences caused by alcohol (domestic violence, accidents, etc.), but the same utilitarian could later oppose prohibition on the grounds that the negative consequences caused by criminalizing alcohol (speakeasies, Al Capone's booze crime wave, etc.) was even worse than allowing the vice to continue legally.

Aristotle: *Nicomachean Ethics*

For Aristotle, morality is not a matter of action but of character. Being a moral person means developing virtues. Immorality is demonstrated by vices (character flaws). Virtues are those qualities that are in accord with living a life of reason. Virtues are rarely *intrinsic*; they are learned and developed through practice. As a result, Aristotle says virtues can be taught. Society can train people to be virtuous if they are brought up correctly. This view is common even today as a great many people think that schools and government need to do more to encourage “virtues.” (Two examples of this are: President Bush's plans to fund “character education” in schools and Hillary Clinton's book, *It takes a Village to raise a Child*. Both imply that society can and ought to teach virtues).

The opposite of a virtue is a vice. For Aristotle, virtues tend to be the “**mean**” or balance between the extremes of excess and deficiency. Aristotle believed that reason required a life of moderation. Too much, or not enough of something is often a **vice**, whereas the right amount is a virtue. It is clear how not enough honesty or bravery is a vice (dishonesty and cowardice), but Aristotle also indicates that too much honest or bravery is a vice. Imagine living with someone who was 100% honest about everything they thought. They tell you whenever you are being stupid or whenever your outfit makes you look fat, etc. Do you view their 100% honesty as a virtue or a vice? Being physically fit is a virtue, but too much or too little exercise is a vice. Courage is a virtue; too little courage and you're a coward, too much and you're foolhardy (see cartoon below).

Aristotle applied this moral view to law by holding that the purpose of government is to promote virtues in citizens. Virtues can arise in citizens in three ways. **First**, virtues can arise in nature. Aristotle thinks this is rare, but admits that some people are blessed with a virtuous nature. **Second**, for those who are not virtuous by nature we can teach them the virtues through education and upbringing. Aristotle thinks that education, proper rearing, and arguments will fail to persuade those “who live as passion directs.” **Third**, those who are not virtuous by nature and who are not persuaded by arguments or education must be made virtuous by the force of law. Even the person who is full of vice will be motivated by the force of law to act virtuously for fear of punishment. This means that Aristotle is advocating a **paternalistic limitation** upon our liberty.

What is Paternalism?

Paternalism: Society may restrict our liberty for our own good.

Paternalism can be taken in two ways and in varying degrees. First, paternalism can mean

that society can prevent us from doing things that cause us harm (swimming in a raging river). Second, paternalism can mean that society can require us to do things for our own good (wearing a seatbelt). A restriction on liberty is only paternalistic if it is done strictly for our own good.

Aristotle would be considered a **paternalist** of sorts because for Aristotle the role of the state (government) is to create better people (promoting virtue in citizens). A good society promotes **virtues** whereas a government that does not promote virtues fails to be a good government. Given this view of the role of government, it is easy to see how Aristotle would support paternalism. If something is a **vice** (not good for you, it is the role of the state to encourage you to avoid it. Conversely, if something is virtuous (good for you), it is the role of the state to encourage you to take part in it.

Aristotle recognizes that “one size does not fit all.” In other words, Aristotle does not believe that there is a single path to the virtuous life that works for everyone. Aristotle would say that yes, the law ought to promote virtues, but that the law must not be overbearing and must take into account the relevant differences of the people. For instance, Aristotle points out that a teacher (in his case, a boxing coach) does not teach the same style of fighting to each student because each student has unique talents and needs. What this means for Aristotle's theory of government is that paternalism is justified to promote virtue and discourage vice through criminal law, but government must only do so when it is practical to do so and after considering the diverse needs and talents of the people.

Libertarianism

Who owns you? This question is the starting point for libertarian moral theory. According to libertarians, each rational adult in effect owns themselves. As a result, there is a moral right to liberty that serves to inform the law. The state has no justification to restrict liberty through law for our own good as this is a violation of self-ownership. Broadly speaking, libertarianism is the view that:

1. The purpose of the law is to protect the individual rights of citizens (most notably life, liberty, and property).
2. Rights are entirely (or almost entirely) negative in nature.
3. The use of force (without the consent of those being forced) is only justified to prevent a harm to others.

While many thinkers adopt some of these principles, libertarians accept them all. Libertarianism stands in stark contrast to the paternalism of Aristotle. Where Aristotle thinks the law should promote virtues (sometimes through paternalism), libertarians reject this as a violation of self-ownership. For libertarians, if we want to ruin our own lives by perusing vices instead of virtues, that's our business. Only when we harm someone else can law intervene. It is improper for government to employ paternalism or to criminalize activities simply because they are associated with vice. Regarding libertarians' view on rights, it is necessary to make a distinction between **positive** and **negative** rights.

Positive rights : are claims about what society owes the individual.

They take the form, “I have a right to X because it is owed to me.” Examples of positive rights would be the right to welfare, health care, and the right to vote. Each claims that society owes the individual and thereby must provide something to the individual (food, a free clinic, or a voting booth and ballot).

Negative rights : are claims about what society cannot do to the individual.

They take the form, “I have a right to X because it is wrong to interfere with my X-ing.” Examples of negative rights would be the right of life, free speech, and property. Each of these are claims about what society cannot do to, or interfere with (it cannot kill me, it cannot stop me from speaking, and it cannot take or damage my property).

Often people will argue for one type of right and against the other. It is also useful to make this distinction as we can speak of some rights as either positive or negative, each carrying a different meaning. For instance, where a **negative right** to free speech means that society cannot stop me from speaking, a **positive right** to free speech means that society owes me an opportunity to speak (perhaps providing me a stage with a megaphone or providing TV time for me to speak my views). A positive right to life might mean that society owes me food, clothing, shelter, and other things necessary for me to live. Whereas a negative right to life means only that you can't kill me. Certain political philosophers will adopt a strictly negative view of rights while others endorse positive rights.

Utilitarianism, Aristotle, and Libertarians have each offered a moral theory which says something different about the topic of vice and crime. We will keep these three theories in mind when we look at the issues of what should constitute a vice and what should constitute a crime. In our next and final section of this module we will take a closer look at the assigned reading as well as our first discussion exercise.

Thought Question: Which Moral Theory is best?

Though this is not a course in moral theory students should consider which, if any, of the moral theories presented here is the best one? Or, if none are sufficient then which would they choose? What do you see as the strengths and weaknesses of each theory? There will be many thought questions like this one in the course. Students are asked only to think about them and, if interested in them, post their response to the “Open Forum.”

Part 4: Lysander Spooner

WEBLINK: Begin by reading Spooner's Article. [Click here to view the article.](#)

Lysander Spooner was a nineteenth century lawyer, abolitionist, entrepreneur, legal theorist and political radical of his day. His writing, “Vices are Not Crimes—A Vindication of Moral Liberty” (1875), is quite relevant to the subject matter of this course. Below is a brief synopsis of this assigned course reading.

Spooner describes vices and crimes as follows:

“Vices are those acts by which a man harms himself or his property... Vices are simply the errors which a man makes in his search after his own happiness. Unlike crimes, they imply no malice towards others, and no interference with their persons or property... Crimes are those acts by which one man harms the person or property of another.”

By his account, what makes crime different from vice is that crime involves a plan or intent to injure someone else. Given this distinction, he thinks that it is a mistake for the state to punish vice as if it were a crime. For Spooner virtues and vices are agent-relative such that what is a virtue and leads to happiness for one person may be a vice leading to unhappiness for another. This idea is similar to Aristotle, who held that different people required different paths to virtue. Unlike Aristotle, Spooner thinks that the lines between virtue and vice are so dependent upon the individual that we are best served by leaving it to each individual to draw the lines rather than the state through criminal law. Aristotle's position is an admission that different people achieve virtue in different ways, Spooner's claim is that different people have entirely different sets of virtues.

Spooner's primary concern is to counter anyone who declares that they have determined the virtues and vices for everyone. Such a claim is the foundation for criminalizing vice and is for Spooner a form of tyranny and rejection of freedom. Spooner argues that it is a legitimate function of government to punish crimes as each person has a right to defend themselves against the transgressions of others, but it is not legitimate for government to punish vice as that is an infringement upon our basic freedom to pursue happiness. Where punishing crimes is protecting me from others (which government should do), punishing vice is protecting me from myself (which government has no business doing).

This course will look at a variety of topics relating to the limits of government power to criminalize behaviors associated with vice. Though we won't formally look at vice crime issues until the end of module 2, the following video touches on several of the topics covered in the course (and a few not covered).

Part 5: Virtual Philosopher

DIRECTIONS. Play this online exercise to participate in your first experience of ethical dilemmas, then complete the discussion assignment. [Click here to enter.](#)

Discussion assignment

Your discussion assignment is to post your transplant recipient decision for “the liver problem” to the course discussion board. In your post explain your decision and what ethical reasoning led you to that conclusion. Then engage the postings of other students, probe their reasoning for ethical weaknesses. Be prepared to defend your answer as other students post objections to your reasoning.

Assignments

Activities so far

As you proceeded through Module 1, you should have participated in the following online activities: discussion forum, you decide poll, and the virtual philosopher.

If you have not, please make sure you go back and complete these before proceeding. Further activities for this unit are listed below.

- Pre Course Issue Poll
- READING : “A Vice is Not a Crime” by Lysander Spooner
- Virtual Philosopher

Discussion Forum

Be sure to complete the Discussion Forum assignment at the end of the Virtual Philosopher. The instructions are repeated here:

The results of your selections have been noted in the course database. Be sure to check the database to see how your answers compared with those of your classmates. Your discussion assignment is to post your transplant recipient decision for “the liver problem” to the course discussion board. In your post explain your decision and what ethical reasoning led you to that conclusion. Then engage the postings of other students, probe their reasoning for ethical weaknesses. Be prepared to defend your answer as other students post objections to your reasoning.