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**Moral Reasoning and Homosexuality: The Acceptability of Arguments about
Lesbian and Gay Issues**

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Moral Reasoning and Homosexuality: The Acceptability of Arguments about Lesbian and Gay Issues

Abstract

In the political arena, lesbian and gay issues have typically been contested on grounds of human rights, but with variable success. Using a moral developmental framework, the purpose of this study was to explore preferences for different types of moral arguments when thinking about moral dilemmas around lesbian and gay issues. The analysis presented here comprised data collected from 545 students at UK universities, who completed a questionnaire, part of which comprised a moral dilemma task. Findings of the study showed that respondents do not apply moral reasoning consistently, and do not (clearly) favour human rights reasoning when thinking about lesbian and gay issues. Respondents tended to favour reasoning supporting existing social structures and frameworks, therefore this study highlights the importance of structural change in effecting widespread attitude change in relation to lesbian and gay rights issues. The implications of the findings for moral education are also discussed.

Moral Reasoning and Homosexuality: The Acceptability of Arguments about Lesbian and Gay Issues

In the international political arena, lesbian and gay issues have recently received an unprecedented amount of attention in the quest for equality of lesbians and gay men with heterosexuals. For the most part, these issues have been contested on grounds of human rights, but with variable success. In the UK, for example, whilst some issues (e.g. the lifting of the ban on gays and lesbians in the military; equalising the age of consent for sex between males with that for heterosexual sex) have been won on grounds of human rights, others (e.g. same-sex marriage; the removal of Section 28 of the Local Government Act¹; partner benefits for same-sex couples) have not.

If we are to successfully achieve positive social change for lesbians and gay men, we need to better understand the types of arguments people favour when thinking about lesbian and gay issues, in order to decide how best to develop strategies to achieve that change. One way of gaining insight into the arguments people favour, is to look at people's reasoning about lesbian and gay issues when these are framed within a moral-developmental approach: that is, when presented as moral dilemmas.

Typically, studies adopting a Kohlbergian approach to moral reasoning have focused on exploring correlates of moral reasoning (e.g. Lapsley et al., 1984; Lonkey et al., 1984); investigated the moral reasoning of specific groups, such as young offenders (e.g. Aleixo & Norris, 2000; Mullis & Hanson, 1983), or have explored gender differences in moral reasoning (e.g. Galotti et al., 1991; Wark & Krebs, 1996). Predominantly, these studies have focused on categorising individuals according to their level (or stage) of moral reasoning, rather than investigating the *types* of arguments favoured by the collective to reason about particular issues.

According to Kohlbergian moral developmental theory (Kohlberg, 1981; 1984), there are six dominant ways in which people argue about moral issues. At stage 1 of Kohlberg's model, reasoning orients towards punishment and obedience, whilst at stage 2 reasoning is concerned with instrumental hedonism and concrete reciprocity (fair exchange for personal gain). Moral reasoning at stage 3 centres around mutual interpersonal relationships, and at stage 4 around a concern for maintaining social order, and obeying fixed rules and legitimate authority. In contrast, stages 5 and 6 are characterised by rights-based reasoning, human rights featuring at stage 6 of the model (see Kohlberg, 1984 for a detailed outline of each stage). Although rights-based reasoning is characteristic of both stages 5 and 6, reasoning at stage 6 is distinct from stage 5 reasoning. Fundamentally, reasoning at stage 5 is based on maintaining a sense of community through previously agreed rules (social contract) and is oriented towards what is in the best interests of the majority – there is, therefore no basis for universal agreement. Conversely, stage six reasoning is founded on universal principles of justice, equality, and respect for the individual/person, which are applied to all situations, even when laws might suggest otherwise (see Kohlberg, 1981; Colby & Kohlberg, 1987).

Whilst a small number of studies have investigated people's reasoning in relation to specific issues, such as euthanasia (e.g. see Lee et al., 1996; Rogers, 1996); the death penalty (e.g. Ellsworth and Gross, 1994); environmental issues (e.g. Kahn, 1997); and AIDS (e.g. Schwalbe & Staples, 1992), a moral developmental framework does not appear to have been previously used specifically to explore reasoning about lesbian and gay issues. Like reasoning about AIDS issues (e.g. see Schwalbe & Staples, 1992), people presumably draw on some moral principles to guide their thinking about lesbian and gay rights. The purpose of this study, therefore, was to explore preferences for different types of moral arguments when thinking about moral dilemmas involving lesbian and gay issues, with a view to establishing the extent to which Stage 6 (or human rights) reasoning is employed. As a small-scale

exploratory study, the present research investigated thinking in relation to two dilemmas focused explicitly on lesbian and gay issues.

Method

Participants

The analysis presented here comprised questionnaire data collected from an opportunity sample of 545 students from 14 universities across the UK (a return rate of 49%).

Questionnaires were distributed to social science (e.g. psychology, sociology, human geography) students in lectures/seminars by lecturers, some of whom were professional contacts of the researcher (or the contacts of colleagues) and others of whom were recruited through letters and advertisements to cognate groups (e.g. The Psychology of Women and The Lesbian and Gay Psychology Sections of the British Psychological Society) to carry out distribution on the researcher's behalf. Student participation was on a voluntary basis. As would be expected from a sample of social science students, the majority of participants were young (81% were under 25), white (89%), and female (84%). Ninety-three percent were undergraduate students.

Measure

Based on the premise that people have a limited ability to articulate the underlying principles of their judgements, but can recognise preformulated arguments congruent and incongruent with their own views (cf. Schwalbe & Staples, 1992), a structured measure of cognitive moral reasoning was employed in this study. Numerous psychological studies on moral development have been published exploring moral reasoning using well-established measures such as the

Moral Judgement Interview (MJI) (see Colby and Kohlberg, 1987) or the Defining Issues Test (DIT) (Rest, 1979). However, these measures have explored reasoning in relation to moral issues generally, and studies employing them ultimately aim to categorise individuals into moral developmental stages.

In contrast, moral dilemmas specifically about lesbian and gay issues were employed in the present study to elicit preferences for different types of moral arguments. In this particular study two dilemmas from the DIT were adapted, to form a measure of moral reasoning oriented to lesbian and gay human rights issues. So, for example, the focus of one dilemma was changed from racial discrimination to lesbian and gay discrimination: All mentions of "orientals" were replaced with the words "gay men and lesbians", and the words "...but he was Chinese" became "...but he was gay". In addition, as this questionnaire was to be used in a British context, American-specific language was replaced with the nearest British equivalent ("petrol station" rather than "gas station"). In every other respect, the dilemmas were kept intact.

Following Lind & Wakenhut's (1985) and Schwalbe & Staples' (1992) work, the hypothetical moral dilemmas employed in this study took the form of vignettes, the first concerning student protest around the failure of a university to institute a lesbian and gay issues awareness programme, and the second, employment discrimination against a gay man. Of the range of dilemmas published in other measures, these two dilemmas were chosen because, (1) they made conceptual sense when adapted into moral dilemmas around lesbian and gay issues, (2) they were comprehensible to the population being sampled, and (3) they encapsulated specific human rights issues.

The first vignette read as follows:

At Anytown University a group of students, called the Students for Lesbian and Gay Rights (SLGR), believe that the university should have a lesbian and gay issues awareness programme.

SLGR students are against harassment and discrimination against lesbians and gay men, and want a programme to be created to educate staff and students about lesbian and gay issues. The SLGR students demanded that Anytown University should institute this programme as an official university course. This would mean that Anytown students could take lesbian and gay issues awareness training as part of their regular course work, and get credit for it towards their degrees.

Agreeing with the SLGR students, the lecturers at Anytown agreed to implement the programme as a university course. But the Vice Chancellor of the university stated that he didn't want the programme on campus as a course. The SLGR students felt that the Vice Chancellor was not going to pay attention to the faculty vote or to their demands.

So, one day last April, two hundred SLGR students walked into the university's administration building, and told everyone else to get out. They said they were doing this to force Anytown University to institute the lesbian and gay issues awareness programme as a course.

This vignette, called *Student Take-over*, entails the dilemma of a conflict between obedience to a legitimate authority, and the right to freedom of expression of lesbians and gay men and their advocates (and their rights of access to information and education).

Like the MJT, the measure used in this study was designed to gain an indication of the kinds of arguments people find compelling in evaluating the action taken in hypothetical moral dilemmas around lesbian and gay issues (cf. Schwalbe & Staples, 1992; see also Lind & Wakenhut, 1985 for a theoretical discussion around the benefits of this method).

Consequently, the framework of the MJT (dilemma followed by rating scales for each of the six Kohlbergian type arguments) was adopted for this study also. So, after reading the vignette, respondents were first asked to indicate (on a 7 point likert-type scale, from -3 through 3) the extent to which they agreed or disagreed with the actions of the students. Respondents were then presented with six arguments *in favour of* the students' actions, and asked to indicate how acceptable (on a 9 point likert-type scale², from -4 through 4) they found each of these arguments. The arguments presented were

because they weren't breaking any rules by doing it.	Stage 1: punishment-obedience
because the Vice-Chancellor had committed an injustice first, the students were justified in acting the way they did.	Stage 2: Instrumental hedonism and concrete reciprocity
because most students would approve of their action and many of them would be happy about it.	Stage 3: Interpersonal relations of mutuality
because they were restoring the equal opportunities policy which had been agreed to by the university.	Stage 4: Maintenance of social order, respect for law and authority
because the students saw no legal means of revealing the Vice-Chancellor's misuse of authority.	Stage 5: Social contract
because equality for all counts more than any other consideration.	Stage 6: Universal ethical principles (human rights)

The arguments were ordered as for the MJT, and therefore not presented in stage order, nor labelled. Stage labels have been included here for the reader's benefit.

After indicating how acceptable they found each of these arguments, respondents then rated the acceptability of six similar arguments (also on a 9 point scale) *against* the students' actions:

because they could get themselves into a lot of trouble, maybe even expelled from university.	Stage 1: punishment-obedience
because it is unwise to risk being expelled from university because of other people.	Stage 2: Instrumental hedonism and concrete reciprocity

because one does not take over a building if one wants to be considered a decent and honest person. Stage 3: Interpersonal relations of mutuality

because law and order in society would be endangered if everyone acted as the students did. Stage 4: Maintenance of social order, respect for law and authority

because the students didn't exhaust the legal channels at their disposal and in their haste committed a serious violation of the law. Stage 5: Social contract

because when no universally valid principles justify doing so, it is wrong to violate such a basic right as the right of property ownership and to take the law into their own hands. Stage 6: Universal ethical principles (human rights)

In the second vignette, called *Webster*, the central dilemma encapsulated a conflict between a gay worker's employment rights (non-discrimination), and a manager's business rights. The vignette read as follows:

Mr. Webster was the owner and manager of a petrol station. He wanted to hire another mechanic to help him, but good mechanics were hard to find. The only person he found who seemed to be a good mechanic was Mr. Smith, but he was 'out' as gay. While Mr. Webster himself didn't have anything against lesbians and gay men, he was afraid to hire Mr. Smith because many of his customers didn't like lesbians and gay men. His customers might take their business elsewhere if Mr. Smith was working at the petrol station.

When Mr. Smith asked Mr. Webster if he could have the job, Mr. Webster said that he had already hired somebody else. But Mr. Webster really had not hired anybody, because he could not find anybody who was a good mechanic besides Mr. Smith.

As with the first vignette, after reading this vignette, respondents were first asked to indicate (on a 7 point likert-type scale) the extent to which they agreed with the manager's (Mr Webster's) actions, then to indicate how acceptable (on a 9 point scale) they found six stage-specific arguments *in favour of* the manager's actions:

because Mr Webster would open himself to the possibility of damage to his property from anti-gay behaviour.	Stage 1: punishment-obedience
because he must do what is in the best interests of his business by paying attention to his customers' wishes.	Stage 2: Instrumental hedonism and concrete reciprocity
because he means nothing personal in refusing Mr Smith the job.	Stage 3: Interpersonal relations of mutuality
because the law does not state explicitly that employers should not discriminate on a basis of sexual orientation.	Stage 4: Maintenance of social order, respect for law and authority
because a majority of people in Mr Webster's society feel the same way as his customers.	Stage 5: Social contract
because Mr Webster had to act according to his conscience.	Stage 6: Universal ethical principles (human rights)

Respondents then indicated how acceptable they found six stage-specific arguments *against* the manager's actions:

because Mr Webster might expose himself to retribution from the gay community.	Stage 1: punishment-obedience
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because hiring a good mechanic is in the best interests of his business.	Stage 2: Instrumental hedonism and concrete reciprocity
because he should show compassion for Mr Smith, knowing how badly he needs the job.	Stage 3: Interpersonal relations of mutuality
because the law is meant to protect people from discrimination in employment.	Stage 4: Maintenance of social order, respect for law and authority
because most people would agree that it is wrong to act out of prejudice.	Stage 5: Social contract
because upholding an individual's equal right to employment is more important than any legal or business considerations.	Stage 6: Universal ethical principles (human rights)

Employing the format of asking respondents to rate arguments both for and against the actions of those in the enables us to establish how much weight (or rhetorical force) is given to a particular form of moral argument, regardless of whether the appeal supports or contradicts the respondent's own position (Schwalbe & Staples, 1992; see Lind & Wakenhut, 1985 for a detailed theoretical discussion of this procedure). To do this, an analysis of responses (using SPSS for Windows) for each of the six types of arguments was calculated using the squared mean score of the four responses (i.e. the pro and con position for each of the two dilemmas) applying to each type of argument. This resulted in six stage scores - one for each of the Kohlbergian stages³. An analysis based on the mean score for each independent item was also undertaken.

Results

Unlike traditional Kohlbergian studies of moral development, the approach to analysis employed in studies which use the MJT (e.g. see Lind et al., 1981-82) of aggregating the data, rather than assessing participants individually on their moral reasoning was adopted here. For the present sample, the mean agree/disagree score, on a 9-point scale from -4 through to $+4$, for the first dilemma (Student Take-over) was -2.71 , and for the second dilemma (Webster) -1.53 . Respondents therefore tended to disagree with the actions of the students in the first dilemma (i.e. opposing a pro-rights stance), and to also disagree with the actions of Mr Webster in the second dilemma (favouring a pro-rights stance), indicating inconsistency in support for lesbian and gay rights for these two dilemmas.

The combined analysis for the dilemmas suggested that respondents found stage two (Individualism, instrumental purpose, and exchange), stage four (maintenance of social order, and respect for authority) and stage five (social contract) reasoning the most acceptable when faced with moral dilemmas involving lesbian and gay issues, favouring these arguments over ethical principles and human rights reasoning characteristic of stage six. However, a more nuanced picture emerged when the dilemmas were considered separately, for both stage and argument. The mean scores for each of the six stage-specific arguments (pro and contra) for both dilemmas are presented in table i.

[insert table i about here]

Two things can be deduced from these data. First, stage six (human rights) arguments are much less favoured in both the pro or the contra position for both dilemmas, than are most

other arguments. Second, arguments for all stages are not favoured consistently across the pro and contra positions, or across the two dilemmas.

For the ‘Student Take-over’ dilemma (dilemma 1) participants as a whole used similar reasoning in both the pro (the students’ actions *were* justified) and contra (the students’ actions were *not* justified) positions, with the exception of the stage which was most favoured. For the pro position, the stage four argument (“they were restoring the equal opportunities policy which had been agreed to by the university”) was clearly favoured, whilst in the contra position the stage 5 argument (“the students didn’t exhaust the legal channels at their disposal”) was favoured. For this dilemma, stage 4 and 6 arguments were rated significantly more favourably in the pro condition (stage 4 [$t = 6.09$, $df = 606$, $p < 0.001$] Stage 6 [$t = 6.00$, $df = 602$, $p < 0.001$]), whilst stage 5 arguments were rated significantly more favourably in the contra condition ($t = 3.47$, $df = 605$, $p < 0.001$). (see table ii)

[insert table ii about here]

For the ‘Webster’ dilemma, on the other hand, reasoning was clearly divergent, in that with the exception of stage one arguments, respondents consistently rated arguments in the con position (that Mr Webster’s actions were *not* justified) more highly than the arguments in the pro position (that Mr Webster’s actions *were* justified). Consequently, significant differences were not found between the pro and contra positions for stage one arguments. However, significant differences were found for stage two through stage six arguments, arguments in the contra position being rated significantly higher than those in the pro position were (see table ii). This finding suggests that for this dilemma, responses evidenced a bias towards seeing opinion-compatible arguments as more legitimate. In the pro position, respondents favoured the stage two argument (“because he must do what’s in the best interests of his business”) over all other arguments. In the contra position, both the stage two

(“hiring a good mechanic is in the best interests of his business”) and the stage four (“the law is meant to protect people from discrimination in employment”) arguments were more favoured.

Discussion

The findings presented here suggest that (at least to some degree) respondents, collectively, were inconsistent in their application of moral arguments, employing different arguments to different situations. In addition, respondents appeared to favour human rights arguments less than they favoured other types of reasoning (i.e. individualism, legal duty, and relativism) when thinking about lesbian and gay human rights issues.

In the present analysis respondents appeared to apply different types of reasoning to the first dilemma, which pertained to social rights, than to the second dilemma, pertaining to employment rights. However, when the responses were aggregated across the dilemmas and the pro and contra positions (via the calculation of the stage scores) stage two, four, and five arguments (i.e. instrumental hedonism and concrete reciprocity; maintenance of social order, respect for law and authority; and social contract, respectively) appear to be favoured by respondents for justifying actions when faced with moral dilemmas involving lesbian and gay issues.

On the other hand, when the dilemmas and pro and contra positions are assessed separately, a slightly different pattern emerges. For ‘student take-over’ (dilemma 1) the stage four argument (“because they were restoring the equal opportunities policy which had been agreed to by the university”) is favoured in the pro position, yet the stage five argument (“because the students didn’t exhaust the legal channels at their disposal and in their haste committed a serious violation of the law”) is favoured in the contra position. However, for

'Webster' (dilemma 2) the stage two argument ("because he must do what is in the best interests of his business by paying attention to his customers' wishes") is favoured in the pro position and the stage two ("because hiring a good mechanic is in the best interests of his business") and stage four ("because the law is meant to protect people from discrimination in employment") arguments in the contra position. For neither dilemma nor pro/con position were stage six (human rights) arguments favoured.

The predominance of a relativist-individualist reasoning (inherent to the arguments of each of these stages) is hardly surprising given the current political ethos that promotes individualism and encourages a complacent (or apolitical) 'live and let live' approach to thinking about social issues. However, the present findings suggest that the types of argument people find most compelling when faced with moral dilemmas involving lesbian and gay issues may depend on the issue they are faced with, and whether they are arguing for or against a particular course of action (i.e. moral reasoning appears to be context-dependent). These findings concur with those reported in Schwalbe and Staples' (1992) study of reasoning about AIDS related dilemmas, where stage two, four, and five arguments were also favoured overall, but differentially employed across dilemmas and across the pro and contra positions.

The findings in Schwalbe and Staples' and the present analysis, however, appear to run contrary to those of (traditional) moral reasoning studies using the MJT where a near-linear relationship has typically been found between stage of arguments and acceptability of arguments, with stage six (human rights) arguments consistently being favoured most highly (e.g. see Lind et al., 1981-82; Lind, 1985). The incongruence in findings may be partly explainable in terms of the different types of dilemmas used in the MJT as opposed to those used in this study and that of Schwalbe and Staples: that is, the MJT includes a 'life and death' dilemma, whereas this study and Schwalbe and Staples' study do not. Whilst this difference may suggest that people apply different types of reasoning to different moral issues, including lesbian and gay issues, some caution should be exercised in drawing this

conclusion, as there are other factors which may have contributed to this difference. For instance, the socio-cultural context in which each of the studies was undertaken, varies: The Lind studies were undertaken in Germany (although replicated in several other European countries), whilst Schwalbe & Staples undertook theirs in the US, and I in the UK.

It is however, potentially valuable to know what kinds of arguments are favoured when thinking about particular issues, in order to determine what type of arguments are likely to be politically persuasive when attempting to work for positive social change. Knowing how people are thinking about lesbian and gay human rights issues is essential for designing effective education programmes for changing attitudes and (mis-)understandings about human rights for lesbians and gay men. Like Schwalbe and Staples' study, the findings presented here suggest that it cannot be assumed that the same principles or concerns that are salient for one issue will be so in regard to another issue.

Employing different moral arguments in different situations, however, is not in itself problematic, and is indeed often effective in producing social change. Rather, it is the *type* of arguments favoured, and the comparative absence of reasoning based on human rights arguments which is problematic for the advancement of positive social change for lesbians and gay men. Most importantly, the close alliance between existing social structures and frameworks (as constructed in stage 4 and 5 reasoning) and people's reasoning about lesbian and gay human rights issues highlights the importance of structural change (i.e. changes to policy and practice) in effecting widespread attitude change. The reliance on arguments based on existing social and legal frameworks is, however, problematic for the realisation of human rights for lesbians and gay men, in that such frameworks often reinforce or even legitimate prejudice and discrimination against lesbians and gay men. Some moral arguments therefore do not lend themselves well to facilitating positive social change.

The predominance of arguments grounded in a relativist-individualist approach to moral reasoning presents perhaps the greatest challenge to the moral educator. Whilst this

approach dominates students' thinking about lesbian and gay issues, a human rights approach is unlikely to be effective in creating positive social change. Moral education, therefore, has a vital role to play in contributing to positive social change for lesbians and gay men. In considering lesbian and gay issues, it is important that students have the opportunity to reflect on the wider implications of the arguments that they and others (including 'authority' figures) use to think about moral issues. In particular, we can help students to understand how some types of moral reasoning liberate people (e.g. reasoning based on universal human rights), whilst others reinforce or maintain oppression (e.g. reasoning based on existing social structures). Consequently, students need to be encouraged to challenge existing social and legal structures and to not see those structures as inherently (or necessarily) benevolent.

In a climate where lesbian and gay issues are specifically being promoted as human rights issues in the public and political arena, it is surprising that human rights arguments were less favoured than other arguments by the students in the present sample. Given the preference for other arguments, this may suggest that the human rights argument is 'lost' among the (currently) more dominant voices of moral rhetoric (cf. Ellis & Kitzinger, 2002). There is therefore a need to place human rights firmly on the moral education agenda. Thus, education aimed at promoting social change for individuals and groups within society, including lesbians and gay men, needs to *explicitly* focus on human rights. In so doing, educators can become agents of change in the fight for equality for all groups within society, including lesbians and gay men.

Notes

¹ Section 28 of the Local Government Act states that a local authority shall not “intentionally promote homosexuality or publish material with the intention of promoting homosexuality” or “promote the teaching in any maintained school of the acceptability of homosexuality as a

pretended family relationship” (Trade Unionists Against Section 28, 1989, p. 27). This law was repealed in Scotland in 2000, but still stands in England, Wales, and Northern Ireland.

² A 9-point scale was employed for the acceptability ratings, whilst a 7-point scale was used to indicate agreement with the actions, as this is the format used in the MJT.

³ Calculations were based on those used for the MJT (see www.uni-konstanz.de/ag-moral/mut/mjt-engl.htm).

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Table i**Mean Scores for Acceptability of Arguments by Stage for each Dilemma (N = 545)**

Stage represented by argument	Dilemma 1: Student Take-over		Dilemma 2: Webster	
	Pro	Contra	Pro	Contra
1	.14	.15	-.34	-.37
2	-.12	-.30	.42	2.38
3	.27	.14	-1.30	.44
4	1.28	.46	-1.61	2.14
5	.53	1.00	-1.06	1.84
6	1.03	.23	-.94	1.18

Table ii

T-test of statistical significance of differences in acceptability ratings for the pro and contra positions of each dilemma.

Stage represented by argument	Dilemma 1: Student Take-over			Dilemma 2: Webster		
	t	df	Sign.	t	df	Sign.
1	- 0.08	600	ns	- 0.36	583	ns
2	1.48	602	ns	16.6	589	P<0.001
3	- 0.89	603	ns	-14.18	588	P<0.001
4	6.09	606	P<0.001	29.36	590	P<0.001
5	3.47	605	P<0.001	-22.89	582	P<0.001
6	6.00	602	P<0.001	-15.91	580	P<0.001