

A Grave Dilemma

The cemetery near Jade’s house has a sign posted at its entrance stating that dogs are not allowed on the premises. In fact, according to the sign, this is the law: a city ordinance prohibits residents from using cemeteries for a variety of recreational purposes—including walking or playing with their dogs.

Still, Jade does walk her dog there occasionally. It’s the only green space within walking distance of her house, and Jade’s dog really appreciates the exercise and the exposure to something besides concrete. She always picks up after her dog, and doesn’t allow him to dig up grass or destroy any plants. Besides, the cemetery is a historical one. No one has been buried there for decades. Jade has rarely seen anyone besides herself visiting the cemetery; and the other people she has seen there have all seemed to be walking the grounds to get exercise or to check out the old gravestones and mausoleums. As far as she can tell, she has never seen anyone visiting the cemetery to visit a deceased loved one.

If anyone asked her and her dog to leave, Jade would definitely comply. But given that the law was probably written to respect family members’ grief, and to enable them to honor their loved ones in peace, it seems that the spirit of the rule doesn’t really apply in this case. Moreover, Jade believes that she isn’t being disrespectful to those who are buried there, and she certainly isn’t causing any harm. In fact, she figures that it’s better that the space gets used and appreciated for something, even if that’s walking her dog.

STUDY QUESTIONS

1. Is there anything inherently wrong with using cemeteries for recreational purposes? Why or why not? If it depends, what does it depend on?
2. Does someone have a moral obligation to obey the letter of the law even when the spirit of the law does not seem to apply? Why or why not?
3. Is Jane right that walking her dog in the cemetery is not causing any harm? Can something harmless also be wrong?