

FANCIFUL EXAMPLES

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Abstract: This article defends the use of fanciful examples within the method of wide reflective equilibrium. First, it characterizes the general persuasive role of described cases within that method. Second, it suggests three criteria any example must meet in order to succeed in this persuasive role; fancifulness has little or nothing to do with whether an example is able to meet these criteria. Third, it discusses several general objections to fanciful examples and concludes that they are objections to the abuse of described cases; they identify no special problem with fanciful examples.

Keywords: described cases, moral intuitions, moral reasoning, thought experiments, wide reflective equilibrium.

“Fact, fact, fact!” said the gentleman. And “Fact, fact, fact!” repeated Thomas Gradgrind. . . . “You must discard the word Fancy altogether.”
—Dickens, *Hard Times*, chap. 2

A broad range of philosophical arguments turn on described cases. Described cases come in a variety of forms: real-world examples extensively documented by historians or journalists (*Lest Innocent Blood Be Shed*, *Bad Blood*), compressed or condensed real-world case studies (common in biomedical ethics), and rich fictional examples such as episodes and characters from great novels and classic films (*Middlemarch*, *The Adventures of Huckleberry Finn*). And some arguments turn on *fanciful* examples: short, wholly invented scenarios or characters that range from unlikely to wildly imaginative.

Should those who acknowledge a role for described cases in moral philosophy avoid fanciful examples? Are examples that depend on flights of imagination or heavy stipulation of unlikely scenarios less useful than real-world, historical, journalistic, or rich literary examples? In our experience some students, on first contact with fanciful examples, respond with Gradgrind-esque indignation. But not just students. A number of professional philosophers have articulated general

objections to the use of fanciful examples. We argue that general objections to fancifulness fail; a careful look at the role described cases play within the method of wide reflective equilibrium reveals that all examples, whether fanciful or realistic, succeed or fail according to a straightforward set of criteria that is, itself, independent of fancifulness.

1. Described Cases Within the Method of Wide Reflective Equilibrium

Perhaps the most common use of described cases in philosophy is as material from which to begin or advance the process of wide reflective equilibrium (WRE).¹ It is the value of fanciful examples employed within the method of WRE that we defend here.²

The method of WRE seeks to develop a robust fit (or equilibrium) between specific judgments and general principles by, first, looking for instances of poor fit—instances where principles, beliefs, and/or considered judgments about cases are in tension with each other. Instances of poor fit are resolved by modifying either the principles or the judgments in question, and the process begins again. The result is that the coherence and internal justification of our set of beliefs improves over time, and we can reasonably hope that such incremental improvements move us closer to the truth (McDowell 1998, 36; Hursthouse 1999, 165–66). In sum, WRE is an iterative process by which we seek to achieve coherence between pretheoretical considered judgments about particular cases, the theoretical principles that systematize, explain, and justify those considered judgments, and other relevant background knowledge about ourselves and our world (Rawls 1951; Daniels 1979 and 2013; Cath 2016).

Described cases play a central role within this method by providing vivid considered judgments that can be used to test the plausibility of specific beliefs; they are a kind of custom-built tool for illuminating the ill-fittingness of a target belief. Two classic examples (both of them, incidentally, fanciful) will suffice to illustrate the role described cases typically play in philosophical arguments employing the method of WRE.

¹ An alternative and unobjectionable use of described cases is as concrete illustrations of general claims, as when Kant illustrates the good will by means of the shopkeeper example (*Groundwork*, Ak 397) or Peter Singer illustrates his minimal principle of beneficence with the example of a child drowning in a shallow pond (1972, 231).

² The method of WRE is not entirely uncontroversial. Prominent critics of the method include (or would include) Immanuel Kant (*Groundwork*, Ak 408–9 [2003]), Peter Singer (2005, 345), Richard Brandt (1990), and others. We won't address these general rejections of the method. Our target audience is people who accept WRE as a philosophical method but are skeptical that *fanciful* examples can be *good* or *useful* examples within that method.

Many people, at least at first blush, believe that farming animals for meat needs no moral justification. Animals are animals, after all, and their meat tastes good. Alastair Norcross's "Fred's Basement" example targets the belief that eating factory-farmed meat is morally permissible (Norcross 2004). Norcross narrates the story of Fred, a man who can only enjoy the taste of chocolate if he first primes his taste buds with a hormonal extract prepared from the glands of tortured puppies. So Fred tortures and slaughters puppies in his basement so that he may enjoy the taste of chocolate. Norcross expects most readers will form the judgment that Fred's behavior is morally wrong. But this judgment about the described case is in tension with the target belief that consuming factory-farmed animals is morally permissible: if contributing to serious suffering for mere gustatory pleasures is wrong in the one case, why is it not wrong in the other? This tension between the target belief and our judgment about the described case can be resolved in various ways. Perhaps we should conclude that Fred *isn't* doing anything wrong and work to adjust our gut reactions accordingly. Or perhaps we could find some relevant difference between Fred's behavior and the behavior of meat eaters. Norcross, however, argues that the tension should be resolved by jettisoning the target belief that consuming factory-farmed meat is morally permissible.

Judith Thomson's "Famous Violinist" example (Thomson 1971) follows the same pattern. Many people believe that if fetuses have a right to life, then that "right to life is stronger and more stringent than the mother's right to decide what happens in and to her body, and so outweighs it" (Thomson 1971, 48). The violinist example targets this belief. Thomson sketches a story in which you are kidnapped by the Society of Music Lovers and connected to the bloodstream of a famous violinist. If you remain connected to him for nine months, he will recover and go about his life. If you disconnect, he will die. Thomson expects most readers will share a reaction to this case: the violinist does not have a right to use your body to sustain his life (though it would of course be kind of you to let him use you). This belief about the described case is in tension with the target belief that a fetal right to life entails a fetal right to use its mother's body: if the violinist's right to life doesn't imply a right to use your body to sustain his life, then shouldn't we say something similar about the fetus's purported right to life? There are various ways one might resolve this tension. Perhaps we should revise our judgment about the described case and accept that the violinist does indeed have a right to use our kidneys. Or perhaps we could identify a morally relevant difference between unplugging from the violinist and terminating a pregnancy. Thomson, however, argues that the tension should be resolved by jettisoning the target belief and accepting that it is not the case that a fetal right to life entails a right to be carried to term.

Described cases intended to function as persuasive devices within WRE generally follow this pattern. An author expects a described case to elicit a specific belief among many or most of the people in the intended audience. That response is designed to be in tension with a target belief, which puts the reader into a kind of disequilibrium. The author argues that the response to the example is more reliable than the target belief, and so equilibrium should be restored by revising or rejecting the target belief.³

2. The Common Features of Good Described Cases

If this is a fair characterization of the core persuasive role described cases play within the method of wide reflective equilibrium, then *all* examples, whether drawn from journalism, classic literature, or flights of fancy, are subject to the same criteria of success. We suggest three criteria any described case must meet in order to be successful; fanciful examples are at no special disadvantage in meeting these criteria.

2.1 Most People in the Intended Audience Are Able to Form a Definite Belief in Response to the Described Case

Derek Parfit's "Fifth Earthquake" is a described case that probably fails to meet this criterion. Parfit intends this example to tell against a moral principle he paraphrases from Susan Wolf. Thus, the belief "Fifth Earthquake" targets is relatively complex: "If we harm people, without their consent, as a means of achieving some aim, we thereby treat these people merely as a means, in a way that is always to be regretted, and that, if other things are equal, makes our act wrong" (2013, 2:145). Against this principle, Parfit sketches the following case: "You and your child are trapped in slowly collapsing wreckage, which threatens both your lives. You could save your child's life by using Black's body as a shield, without Black's consent, in a way that would destroy one of her legs. You could also save your own life, by causing Black to lose her other leg. But you believe that this act would be wrong, since it is only the saving of a child that could justify imposing such an injury on someone else. Acting on this belief, you save your child's life by causing Black to lose one leg" (145). Is it wrong to sacrifice your life to save Black's leg, while simultaneously sacrificing

³ Our characterization of the role of described cases within WRE is compatible with Tamar Szabó Gendler's descriptive psychological account of effective thought experiments: "Thought experiments recruit representational schemas that were otherwise inactive. . . . Thought experiments can be expected to produce responses to the target material that remain in disequilibrium with responses to the same material under alternative presentations. . . . When thought experiments succeed as devices of persuasion, it is because the evoked response becomes dominant" (Gendler 2007, 69).

Black's other leg to save your child's life? We find ourselves helpless to answer. The example is simultaneously complicated and underdescribed. There are many possible outcomes, with each desirable end constraining the others in the fashion of a rickety Jenga tower. And yet, for all that, we are also denied information that seems relevant to evaluating the case: Black's reasons for refusing to sacrifice her own legs, especially, might be important to know.

Parfit presents "Fifth Earthquake" in the expectation that it will elicit from his readers two beliefs that, taken together, make it impossible to accept Wolf's principle: (1) saving your child's life at the expense of Black's leg is morally wrong and (2) your chosen course of action does not use Black merely as a means. If *anyone* other than Parfit clearly and confidently forms that pair of beliefs in response to "Fifth Earthquake," we would be mildly surprised. If the example works for most people in Parfit's target audience, we would be shocked.⁴ But it isn't the *fancifulness* of "Fifth Earthquake" that is the problem. The problem is its intricacy and underdescription.

As evidence that it's perfectly possible to form a definite belief in response to a fanciful example, consider a semi-original described case more fanciful than "Fifth Earthquake." This example, which we'll revisit in section 3.3, targets the belief that moral standing is contingent on biological species membership.

Alien Snout-Thing Encounter. A spaceship lands, and a huge septapede with a snout waddles down the gangplank. It asks if you could point it toward the nearest library, because it wants to learn everything it can about human culture, in order that it may better grasp the cultural context of the episodes of *Ally McBeal* that have recently arrived at its homeworld. Is it morally permissible to kill and eat the snout-thing to see if its tissues taste good?⁵

The fanciful nature of "Alien Snout-Thing Encounter" presents no difficulty at all. Our imaginations are easily able to accommodate its

⁴ Parfit, of course, has different expectations of his audience. "Most of us would believe that, in saving your child's life by destroying one of Black's legs, you would be acting wrongly. This, I assume, would also be Wolf's view. But Wolf's Principle supports this view only if we can truly claim that you are treating Black merely as a means. And as I have said, that claim is false, since you are giving up your life for Black's sake" (2013, 146).

⁵ We expect you believe it would be morally wrong to kill and eat the snout-thing. That's why similar examples appear in Mary Anne Warren's and Don Marquis's abortion papers and James Rachels's work on duties to animals. See Warren 1973; Marquis 1989, 191; Marquis 2001, 183. We further acknowledge our debt to episode 12 of *Futurama*, "When Aliens Attack," for first suggesting probable interstellar interest in *Ally McBeal*.

appeals to imaginary septapedes, flying saucers, and '90s television, because the scenario is simple and, though quickly sketched, includes the key information we require to form a judgment.⁶ Given how hard it is to form definite judgments about many real-life scenarios, it is unlikely that fanciful examples are more at risk than real-life examples of leaving their intended audience unsure how to respond. In fact, it is presumably the relative ease of forming judgments about well-designed fanciful cases that leads some philosophers to prefer them to subtler, more complicated, real-world cases. No matter what, when fanciful examples fail to meet the first adequacy criterion, they fail as persuasive tools for the same reason many real-life examples fail: we in the audience are sometimes unable to form an initial judgment about some described cases.

2.2 The Definite Belief Formed in Response to the Example Is a Belief One Is Willing to Stand Behind—It Is, After a Bit of Reflection, a Credible Judgment

There are at least two reasons we might hesitate to endorse an initial response to a described case. First, we might, on reflection, decide that our initial clarity was illusory. Second, we might, on reflection, decide that our initial response depends on widely recognized cognitive, social, or implicit biases, and so is not the sort of response we should rely on. Whatever the underlying cause, a low-credence judgment about a described case is of little value for WRE.

An example of a described case whose initial clarity is probably illusory is Parfit's "Future Tuesday Indifference." Parfit intends to target a belief partially constitutive of Humeanism about practical reason: "If a desire or pattern of concern does not involve theoretical irrationality, it cannot be open to rational criticism" (1987, 125). Against this belief, Parfit offers a delightfully wild described case:

A certain hedonist cares greatly about the quality of his future experiences. With one exception, he cares equally about all the parts of his future. The exception is that he has *Future-Tuesday-Indifference*. Throughout every Tuesday he cares in the normal way about what is happening to him. But he never cares about possible pains or pleasures on a *future* Tuesday. Thus he would choose a painful operation on the following Tuesday rather than

⁶ Readers of speculative fiction already know that the problem with examples like Parfit's can't be their fancifulness. Authors of speculative fiction regularly spin elaborate flights of fancy that nevertheless elicit powerful reactions from readers. Two of our favorite examples are Wyndham's *Day of the Triffids* (2003) and Butler's "Bloodchild" (2012). These stories are stranger than most described cases in philosophy, and yet readers' imaginations are nimble enough to generate emotionally and morally intense reactions in response to them.

a much less painful operation on the following Wednesday. . . . This indifference is a bare fact. When he is planning his future, it is simply true that he always prefers the prospect of great suffering on a Tuesday to the mildest pain on any other day. (1987, 123–24)

Parfit expects readers to form the belief, in response to the case, that this hedonist's preferences are irrational. "Future Tuesday Indifference" is well designed to generate that response. But that initial response is one that, on reflection, readers should treat with a relatively low level of confidence. The problem is that the act of empathic projection that Parfit asks of his readers—to imaginatively occupy the perspective of a man with Future-Tuesday-Indifference—is much harder than it appears on the surface.

Sharon Street (2009) makes this case at length, and we highlight here but one aspect of her discussion. In "Future Tuesday Indifference," Parfit invites us to imagine an unfamiliar kind of temporal preference discontinuity. When the clock strikes midnight on Tuesday morning, our hedonist's preferences instantly reshape themselves from a set that is indifferent to Tuesday pain to one that includes aversion to Tuesday pain. Imagine how such a scenario must play out: the non-Tuesday time slices of our hedonist will try to dump all future pain onto the Future-Tuesday time slices, indifferent to the knowledge that those Future-Tuesday time slices will suffer terribly and try to rebel against the plans of the non-Tuesday time slices. Parfit stipulates that the man with Future-Tuesday-Indifference has no false beliefs about personal identity, but that stipulation is difficult to square with oscillating preferences that leave different time slices struggling against each other.

On reflection, the task Parfit sets for us is more challenging than it first appeared; it is downright hard to imagine what it would be like to prefer to schedule future pain in a Tuesday-indifferent way, while having no false beliefs about personal identity. *Is* the preference set of our hedonist intrinsically irrational? Or are his preferences instead callous, even hostile, toward strangely alienated time segments of his future self? Until we have an answer to that question, we should hesitate to assign the level of credence to our judgment about the case that is required to usefully employ it in WRE.

Parfit anticipates the objection that this example is unreliable because it is "so bizarre" (1987, 124). But its *fancifulness* is not the proximate cause of the trouble. The trouble with the example is that the empathic projection required to evaluate it is difficult. In this case it's true that the strangeness of the example is what accounts for the difficulty of the empathic projection. But a wide variety of factors, including real-world cultural differences, differences in social position, and differences in lived experience, can render a specific empathic

projection difficult to carry out (Draguns 2007).⁷ It is, for instance, difficult for most Americans today to imaginatively occupy the perspective of someone born into slavery (Coates 2011). A described case that required readers to imaginatively occupy that perspective would also be a case we should be cautious about relying on, not because it is fanciful—many real people really were born into slavery—but because it is hard to be confident that one has succeeded in the required imaginative task.

There is a second circumstance in which it is appropriate to assign a low degree of confidence to a definite belief we form in response to a described case: when we recognize that the case involves appeal to widely understood cognitive or social biases. Fanciful examples are probably less vulnerable to this problem than real-world or rich literary examples, for the reason that fanciful examples can be (and usually are) tuned to avoid or exclude the kinds of details that are recognized as inviting biased responses. But fanciful examples are not immune. For example, we believe that judgments formed in response to Jeff McMahan's "Aphrodisiac" should be assigned a low level of confidence.

McMahan targets a conjunction of two beliefs commonly held by disability rights activists: (1) prenatal screening for the purpose of eliminating disabled fetuses is morally wrong and (2) disability is a form of diversity; disabilities are mere differences that do not make a person intrinsically worse off. McMahan argues that people who hold this pair of beliefs "seem to be committed to accepting the permissibility of deliberately causing disabling prenatal injury, even for frivolous reasons" (2005b, 129), and he sketches the following case to illustrate why this is problematic:

Suppose there is a drug that has a complex set of effects. It is an aphrodisiac that enhances a woman's pleasure during sexual intercourse. But it also increases fertility by inducing ovulation. . . . In addition, however, it has a very high probability of damaging the new egg in a way that will cause any child conceived through the fertilization of that egg to be disabled. The disability caused by the drug is not so bad as to make life not worth living, but it is a disability that many potential parents seek to avoid through screening. Suppose that a woman takes this drug primarily to increase her pleasure—if it were not for this, she would not take it—but also with the thought that it may increase the probability of conception; for she wants to have a child. She is aware that the drug is likely to cause her to have a

⁷ In other cases, implicit biases prevent us from seeing when we've failed to take another's perspective. For instance, evidence suggests that health care professionals' failures of empathy (likely mediated by implicit racial bias) result in worse pain care for African American patients (Drwecki et al. 2011), and physicians often self-report lower levels of bias than they actually exhibit (Sabin et al. 2009).

disabled child, but she is eager for pleasure and reflects that, while there would be disadvantages to having a disabled child, these might be compensated for by the special bonds that might be forged by the child's greater dependency. (2005a, 90)

McMahan expects that you'll judge that it is wrong for the woman to take the aphrodisiac, and that judgment is designed to be in tension with the implications of the conjunction of beliefs he's targeting.

As Elizabeth Barnes argues, one avenue of response for the disability rights advocate is to question the credibility of the judgment that taking the aphrodisiac is wrong.⁸ Barnes notes that "Aphrodisiac" invites readers to endorse problematic social attitudes toward potential mothers, toward the value of women's sexual pleasure, and toward disabled children (2014, 108). Barnes herself seems unsure what to make of the case (for her, "Aphrodisiac" fails to meet our first adequacy criterion) (109). But even for readers who do form the definite belief McMahan expects, "Aphrodisiac" is not a useful case, precisely because it so clearly has the potential to elicit well-known biases. We should hesitate to stand behind that judgment with the level of confidence required to employ it in the process of WRE.

"Aphrodisiac" is fanciful, but that isn't the problem with it. The problem is that it is difficult to disentangle our responses to it from biases we might hope to disavow. This is not a special problem for fanciful examples—real-world and rich literary examples (much like the real world itself) sometimes invite biases we hope to disavow. The appropriate response to all such cases is to reduce the degree of confidence we attribute to our judgments about them, which in turn undermines their value as destabilizers in the process of WRE.

2.3 The Belief Formed in Response to the Described Case Is Genuinely in Tension with the Target Belief

A described case that probably fails to meet this criterion is James Rachels's "Smith and Jones." Rachels's ultimate target is the belief, enshrined in the American Medical Association Code of Ethics, that active euthanasia (directly causing the death of a person to give her a good or peaceful death) is always wrong, but passive euthanasia (indirectly causing the death of a person death to give him a good or

⁸ An alternative strategy is to accept McMahan's judgment about "Aphrodisiac" but argue that the wrongness of taking the aphrodisiac isn't genuinely in tension with the belief that disabilities don't intrinsically make a person worse off. Barnes, for instance, argues that if it's wrong to take the aphrodisiac, it is not wrong because it causes disability that makes you worse off but instead because it causes disability for bad reasons.

peaceful death) is sometimes morally permissible. Rachels suggests that people often adopt this position on the basis of the underlying belief that “killing [is], in itself, worse than letting die” (1975, 79). He directly targets this latter belief (which we could call the intermediary target belief) with “Smith and Jones,” consisting of two parallel stories of men with malign intent:

In the first, Smith stands to gain a large inheritance if anything should happen to his six-year-old cousin. One evening while the child is taking his bath, Smith sneaks into the bathroom and drowns the child, and then arranges things so that it will look like an accident.

In the second, Jones also stands to gain if anything should happen to his six-year-old cousin. Like Smith, Jones sneaks in planning to drown the child in his bath. However, just as he enters the bathroom Jones sees the child slip and hit his head, and fall face down in the water. Jones is delighted; he stands by, ready to push the child’s head back under if it is necessary, but it is not necessary. With only a little thrashing about, the child drowns all by himself, “accidentally,” as Jones watches and does nothing. (Rachels 1975, 79)

Does “Smith and Jones” elicit a clear response? For us, yes: Smith and Jones act equally badly. Do we stand behind that reaction on reflection? Yes, we do. The problem, here, is that the paired examples are not genuinely in tension with either Rachels’s intermediary or ultimate target beliefs.

Rachels introduces “Smith and Jones” to target the intermediary belief that, all else being equal, killing is worse than letting die. He suggests that because killing is not intrinsically worse than letting die in “Smith and Jones” it is therefore not intrinsically worse than letting die in other cases—including instances of active and passive euthanasia. But, as Shelly Kagan has argued, this inference is fallacious: it falsely assumes that “if variation in a given factor makes a difference *anywhere*, it makes a difference *everywhere*” (1988, 12).

Other well-known bare-difference cases make it clear that examples like “Smith and Jones” do not generalize to the universal claim that “killing is never, in itself, worse than letting die.” Consider first Philippa Foot’s paired rescue cases (1984, 179). In “Rescue I,” a rescue worker speeds down a narrow access road toward the beach to save the lives of five people who are about to drown in the onrushing tide. Along the way, a desperate man on the side of the road asks for life-saving help. The rescue worker is aware that if she stops to rescue him, the five on the beach will die. So she drives on to save the five, leaving the one to die. In “Rescue II,” a man is trapped in the middle of the access road. The rescue worker is aware that the five will die if she stops to free him and drag him to the side of the road. So she runs him over, killing him, and drives on to save the five.

Or consider Kagan's paired boating cases. In the first case, "Ludwig sees Sylvia drowning, but since the rocks beneath the water would do extensive damage to his boat, he decides not to rescue her." In the second, "Ludwig sees that his boat is about to hit Sylvia, but since avoiding her would mean steering into the rocks, which would do extensive damage to his boat, he decides not to change course" (1988, 7–8).

Foot and Kagan expect readers will agree that the behavior displayed in their killing scenarios is morally worse than the behavior displayed in their letting-die scenarios, even though the killing/letting-die distinction is the only difference between them. There is no reason to suppose these judgments are inconsistent with Rachels's judgment that killing is *not* worse than letting die in "Smith and Jones"; it is perfectly possible that killing is intrinsically worse than letting die in some cases but not in others.⁹ But if this is true, then the mere fact that the bare difference between killing and letting die is morally irrelevant in "Smith and Jones" does not imply that the distinction is irrelevant everywhere.

The trouble for Rachels is that there is no reason to suppose that people in his target audience typically hold the belief that killing is, always and everywhere, morally worse than letting die. Supporters of the American Medical Association policy, who accept passive euthanasia while rejecting active euthanasia, are apparently committed to the belief that killing is worse than letting die in the context of doctors treating terminally ill patients. "Smith and Jones" does nothing at all to destabilize *that* belief.

The problem with "Smith and Jones" is not that it is fanciful. The problem is that it is miscalibrated and not genuinely in tension with the belief(s) Rachels intends it to target. We can be sure that the problem isn't the example's fancifulness because, for people who do indeed come to the table with the belief that killing a person is in every case intrinsically morally worse than letting that person die, "Smith and Jones" is an effective example.

3. Misguided General Objections

In order to be effective as persuasive tools within the method of wide reflective equilibrium, any described case must elicit a judgment that is clear, credible, and in tension with the target belief. In section 2 we argued that fanciful examples are at no disadvantage in satisfying these criteria; in fact, their popularity might be due in part to the fact that they can be built, from the ground up, to satisfy them. In this section

⁹ Foot argues that plausible accounts of rights to noninterference and rights to service can explain why the difference between killing and letting die is intrinsically relevant in some cases but not others (1984, 182–83).

we turn to general objections to the use of fanciful examples. We argue that complaints developed in terms of fancifulness tend to be, at bottom, complaints about confused or misguided uses of described cases in general.

3.1 Fanciful Examples Make for Bad Practical Guides

Objection. Thus says the objector: we should avoid fanciful examples because when we try to import lessons from fantasyland to the real world, we are likely to err. Perhaps nowhere is the problem clearer and more consequential than in the use of ticking-bomb scenarios to justify torture. When asked to imagine a fanciful scenario in which we know that torture is the only way to generate reliable testimony that will certainly save thousands of lives, many people judge that, in such a scenario, torture is morally permissible. The use of fanciful ticking-bomb scenarios thus leads us morally astray when we import that conviction back to the real world, where bomb plots are rarely of the ticking variety, suspects are difficult to identify, and torture doesn't generate reliable testimony (Luban 2005).

Henry Shue spells out the problem this way:

Why are imaginary examples like ticking-bomb hypotheticals so badly misleading about how to plan for real cases? They mislead in two different ways that compound the error: idealization and abstraction. Idealization is the addition of positive features to an example in order to make the example better than reality, which lacks those features. Abstraction is the deletion of negative features of reality from an example in order to make the example still better than reality. Idealization adds sparkle, abstraction removes dirt. Together they make the hypothetical superior to reality and thereby a disastrously misleading analogy from which to derive conclusions about reality. (2005, 231)

It is considerations like these that led Shue to conclude, all the way back in the 1970s, that “artificial cases make bad ethics” (1978, 141). This is not a narrow point about ticking-bomb scenarios; the vast gulf between idealized, abstracted examples and the real world should raise “serious doubts about the wide range of work that approaches moral and political dilemmas by attempting to uncover moral intuitions about exotic cases of the kind never or rarely encountered in ordinary life” (Sunstein 2005, 541).

Reply. This objection identifies an abuse of a philosophical tool and concludes the tool is the problem.

It would of course be bad practice to base public policy on fanciful examples instead of real-world facts. If we must decide whether to

increase the reimbursement rate for Medicare, we cannot settle the question by asking if an increase would be efficient in an idealized and abstracted world with a single nonprofit hospital. It would similarly be bad practice to seek personal moral guidance from fanciful examples. If you want to know whether to blow the whistle on shenanigans in your workplace, you cannot read the answer off an idealized and abstracted world in which your boss is the only boss and he is eager to root out corruption.

Properly employed, ticking-bomb scenarios light up a tension with the belief that “torture is always, in principle, wrong.” Accepting this neither provides practical guidance for CIA agents nor settles any public policy question. One can reject the absolutist principle in light of ticking-bomb scenarios and still hold the belief that “torture is overwhelming likely to be, *in practice*, morally wrong.” It is poor practical reasoning to import lessons from an idealized and abstracted world directly to the real world, but it is perfectly good philosophy to use an idealized and abstracted world to light up the boundaries of beliefs.

Examples of theft illustrate the same point. We have a rich literary example of a morally permissible act of theft in *Les Misérables*. (There are undoubtedly many real-world examples of morally permissible or morally required thefts as well.) Such examples show that nearly everyone believes that theft is sometimes permissible. They certainly don’t show that there’s nothing wrong with theft. It would be a mistake to read *Les Misérables* and conclude that, because Jean Valjean was right to steal the bread he needed to feed his nieces and nephews, theft is generally permissible and should be legal. But the mistake is in the reasoning—the transfer of a norm from a rich literary case to a real-world situation it little resembles. Within the method of WRE, Jean Valjean’s case is useful for establishing the implausibility of the overbroad moral principle that “theft is always, in principle, wrong.” It is hardly the fault of this rich literary example if, in the wrong hands, it can be abused as a confused defense of petty crime.

Shue himself is sensitive to the difference between the method of reflective equilibrium, which can usefully employ fanciful examples, and the direct importing of norms and practices from fantasyland to the real world. This is why, in 2005, he amended his slogan from “artificial cases make bad ethics” to “do not base any institutional preparations on imaginary cases” (2005, 233). This clarified form of the slogan is exactly right. To base policy directly on imaginary cases would be an abuse of imaginary cases. To endorse *that* claim concedes nothing about the value of such cases as a tool of philosophical introspection and persuasion (Davis 2005; Spino 2012; Beck and de Wijze 2015). Fanciful examples help us improve our moral beliefs by testing them against clear-cut cases. Those beliefs, *conjoined with the real facts of the real world*, are what should guide our decision making in the real world.

3.2 *Fanciful Examples Yield the Wrong Kind of Data for Theory*

Objection. Shoemaker characterizes the method of fanciful examples in this way: “Many of us deploy [thought experiments] as our version of the scientific method. They isolate some feature of our experience and evoke intuitions about it, and these revealed verdicts enable us to adjust relevant theories in light of what we find” (Shoemaker 2015).

When an author describes a fanciful case, the resulting “data” are supposed to consist in the reaction to the case. But these could only be *useful* data if the reaction is the characteristic response of reliable moral knowers pointing their moral sensing apparatus at a potentially interesting case. There are, of course, concerns about how we could identify reliable moral knowers.¹⁰ But even if we had a focus group of infallible moral knowers, pitching them fanciful cases would be a waste of time, because fantasyland is not what we want data about.

Shoemaker notes, by way of illustration, that fanciful examples in the domain of moral responsibility (Frankfurt cases, for instance) are designed to generate stable and clear reactions about the presence or absence of freedom. These clear responses are *totally unlike* our gut reaction to attributions of freedom in the real world. The “data” we get in response to Frankfurt cases are clear cut, while the “data” we get from our reactions to questions of responsibility in the real world are usually murky.

The stark difference between our reactions to fanciful versus real-world examples should be a red flag indicating that, when we investigate fanciful examples, we gather data about fantasyland. Even rock-solid, reliable moral observers can’t generate useful data for real-world theory by pointing their moral lenses at fantasyland. That would be the equivalent of using a well-calibrated electron microscope to investigate cartoons of insects. Such a boondoggle would teach us nothing about real insects.

Reply. Consider Thomson’s “Transplant” case: you are a transplant surgeon with five terminal patients in need of five different organs. Just as the five are on the brink of death, you have an opportunity to kill and harvest the organs from a healthy young man who has entered

¹⁰ Compare the case of observations in empirical science: data generated by an electron microscope are only useful if we know the microscope is well designed and functioning properly. We can test the reliability of microscopes; we have no way to test the reliability of reader reactions to described cases. In fact, we know that reader reactions to the same described case can vary widely (Knobe 2003; Nichols and Knobe 2007). Who, then, is the reliable source of “data”? Section 3.3 gives our answer: it doesn’t matter; moral expertise is not a prerequisite for participating in WRE.

your clinic for unrelated reasons. Surely it is *not* permissible to kill him in order to save the dying five (Thomson 1985, 1396).

Many people teach Thomson's "Transplant" case in way that encourages analogies to the scientific method: total welfare utilitarianism is a theory of ethics (a hypothesis) that makes prescriptions (predictions) about what is right in particular cases, and Thomson's "Transplant" is a thought experiment (lab experiment) in which the theory clearly yields the wrong prescription (prediction). "Transplant," one might be tempted to say, provides us with new data that falsifies the hypothesis of total-welfare utilitarianism.

Though it's fun to talk this way, we should keep in mind that the analogy is loose, at best. "Transplant" doesn't give us data in the scientific sense. There is not a hard fact of the universe that we observe through the apparatus of "Transplant." Rather, the described case, like all the others we've discussed, is intended to put pressure on a target belief. In this case, the target belief is potentially theory linked.

A freshman, entirely innocent of the study of utilitarianism, could walk into a classroom already committed to the principle that morality requires us to do everything we can to save the greatest possible number of lives. Thomson's "Transplant" puts pressure on that belief by illuminating a tension between it and the student's belief about the described case. When "Transplant" is offered to an avowed total-welfare act-utilitarian, it is intended to function in exactly the same way. In neither case is "Transplant" offered as a fact—a data point—the theory fails to prescribe. In both cases it is offered to supply the audience with a vivid belief about the case that is in tension with the (potentially theory-linked) target belief.

To speak in scientific terms is misleading; the role of described cases is to illuminate internal tensions within a set of beliefs, not to turn a lens on the external world. Thus, the fact that fanciful examples do something other than faithfully represent the external world is no weakness. They can still help us work—individually and, through discussion, collectively—toward a more coherent and better justified set of beliefs.

3.3 *Fanciful Examples Stipulate Away Moral Expertise*

Objection. Moral expertise in the real world consists, in large part, in two abilities: the ability to tell which of the various values and interests at play in a given situation are the salient ones and the ability to generate creative solutions that reduce conflict between various interests and values. Call these abilities perceptiveness and resourcefulness.

Part of what makes fanciful cases fanciful is that they stipulate away all sorts of real-world messiness and complication. In a trolley problem,

for example, the stripped-down sketch of the situation exhaustively catalogs (so the story goes) the morally relevant features of the situation. *Perceptiveness*, in other words, can play no role in trolley land. And the other feature of trolley problems—that the author stipulates two options as the only available courses of action—likewise banishes *resourcefulness* from trolley land (O'Connor 2012).

The same sidelining of real-world moral expertise is evident in a wide range of fanciful examples. Concerning some of Parfit's imaginary cases, Philip Kitcher writes: "Readers are pitched into a fantasy world, remote from reality, in which our natural reactions are sharply curtailed by authorial fiat" (Kitcher 2012). In such a world, in which real-world moral expertise is stipulated into uselessness and the experience of real-world moral tensions is distorted beyond recognition, we can learn nothing of value (Wolff 2015). In trolley land, or any other tiny universe of fanciful examples, the kind of moral wisdom we respect and seek cannot exist.

Reply. Consider again the belief that biological personhood is morally decisive—creatures with human DNA are sacrosanct, and creatures without it are fair game. This is not a belief characteristic of a moral expert.¹¹ One of the virtues of "Alien Snout-Thing Encounter" is that it is useful as means of philosophical persuasion for an audience of moral *non*-experts. It can help anyone who genuinely engages with it to see that "human DNA is what makes you matter, end of story" is not a belief that can withstand reflective scrutiny.

That fanciful examples assume no moral expertise (and in most cases sideline it entirely) would matter a great deal if the beliefs of moral experts were important to their persuasive role. But that is not how described cases work. Described cases, whether fanciful or realistic, are intended to persuade people into changing their minds, not by showing them that their beliefs are in tension with the beliefs of an expert, but rather by showing them that their *own* avowed beliefs are in tension with their *own* beliefs about the described case. Improving our set of moral beliefs in this way is worth doing, even though this effort is distinct from (or not sufficient for) the development of the virtues of perceptiveness and resourcefulness that are characteristic of moral experts in the real world.

4. Conclusion

When described cases are properly employed as tools of introspection and persuasion within the method of wide reflective equilibrium, their

¹¹ It is of course possible to find among philosophers defenders of some version of this belief (Cohen 1986).

degree of fancifulness plays little role in determining their success. It is only when they are misemployed that fancifulness is a weakness. General dismissal of fanciful examples thus distracts attention from a project that is important and remains unfinished: a careful analysis of the typical features of philosophically useful described cases.¹²

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¹² For some useful work on described cases, see Gendler 2000 and Chambers 1999.

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