

# Perspective on Ethics: The Elephant in the Room

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While the field of bioethics is increasingly equated with medicine and healthcare, the purview of bioethics actually includes human interaction with all things biological—whether those interactions are with other humans, other sentient and non-sentient entities, even the very earth itself, since it is, after all, one of those necessary conditions for the very possibility of our existence. Much like our cohorts in medicine and healthcare, those of us currently laboring in the field of bioethics pay lip-service to the importance of developing at least a

biopsychosocial—if not also environmental—perspective when addressing problems or issues. But when advocating for such an “all-things-considered” perspective we, again like our cohorts in medicine and healthcare, tend to ignore the material conditions, the biological, psychological, social and the environmental, that actually spawn and/or aggravate the complex, chronically occurring, and broadly (though often subtly) interconnected problems or issues we address. This leads to a myopia, it prevents us from being able to helping to identify the broadest range of possible solutions to the problems we focus on, or in some cases the consequences of our proposed solutions.

A case in point: bioethicists continue to stress the importance of autonomy while, at the same time, we fail to point out how basic economic and political arrangements actually set the framework for any meaningful understanding of autonomy to occur. Take, for example, the increasing availability of insurance-subsidized IVF in the US, a nation where the official poverty rate in 2009 was 14.3 percent (20.7% for children under 18 years of age), and where the percentage of people without health insurance coverage increased from 15.4 percent to 16.7 percent over the same period.<sup>1</sup> What does *autonomy* effectively mean for the couple seeking IVF? For the child

in poverty? For the person without health insurance? They all live in the same country, under much the same social or political arrangements, arrangements that have helped to create and now perpetuate the ability of some to fulfill not only their basic needs, along with their wants and desires. Yet at the same time, many of their basic needs will go unmet.

Loosely paraphrasing John Dewey, we might ask how a country that hoists the banner of the ideal, autonomy in this instance, can march in the direction of

continual disregard concerning not only such basic inequities, but also such pressing issues as over-population, pollution on a global scale, global warming, the likely extinction of various flora and fauna. All of these things drastically impinge on the long-term robust autonomy of *all* for what might be the very short-term benefit of a select few.<sup>2</sup>

Autonomy has rightly become the backbone of discussions in bioethics in the US. But we might now initiate meaningful discussion about what that *autonomy* means and how best to secure it. This would move us past the thought that autonomy is an abstract ideal, and towards the idea that it can reveal a reality lived, not just by some, but every biologically, psychologically, socially and environmentally situated self.

## Notes:

<sup>1</sup> Available at: [http://www.census.gov/newsroom/releases/archives/income\\_wealth/cb10-144.html](http://www.census.gov/newsroom/releases/archives/income_wealth/cb10-144.html); most recently accessed: 4 October 2010.

<sup>2</sup> Dewey J. “The Quest for Certainty.” *John Dewey: The Later Works, 1925–1953*. vol. 4: 1929. Edited by Jo Ann Boydston (Carbondale and Edwardsville, IL: Southern Illinois University, 1988), p. 224. The actual quotation: “Men [sic] hoist the banner of the ideal, and then march in the direction that concrete conditions suggest and reward.”



# Two Puzzles in Metaethics

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Contemporary metaethics has, in part, grown out of attempts to understand the logical relation between moral judgments and purely factual judgments. Whatever we may conclude about whether moral judgments represent the facts and therefore are 'truth-apt,' there is something special about them that generate two puzzles, one noticed by David Hume, the other by G. E. Moore.<sup>1</sup> Here I'll suggest that the solutions to both puzzles resides in the normativity of moral judgments, a distinctive feature that's absent in purely factual judgments. In saying that a judgment might have 'normativity' I have in mind something akin to what J. L. Austin called 'illocutionary force': the power that moral judgments have to prescribe that certain actions ought (or ought not) to be done, or to endorse (or criticize) something as having features that deserve praise (or blame).

The first puzzle, the Humean one, arises from the apparent impossibility of deducing a judgment's Ought-force from purely factual judgments, often called 'Is-sentences.' This logical gap between Is and Ought seems to affect any piece of moral reasoning, even arguments that include Ought-sentences among their premises. Moral arguments often have a general moral principle as a premise, which is a generalization about what one ought or not to do, or what counts as right or wrong, good or bad. An example would be the principle that an action with both good and bad effects is justified, provided that the agents are doing their best to bring about the good results, and to avoid the bad that are foreseen but unintended.

This is the so-called Principle of Double-effect. But since a principle of this sort is an Ought-judgment, if there is an Is/Ought gap of the kind that troubled Hume, how can it be deduced from Is-premises alone? That is, any argument offered to deduce a moral principle from Is-sentences alone would seem to lack entailment, which amounts to our saying that the argument could have true premises and a false conclusion. It would be possible to accept such an argument's premises and reject its conclusion without

logical contradiction. Consider the following argument:  
Premise: Punishing those who most people think are guilty of a certain crime increases the total amount of pleasure for those aware of the crime.

Conclusion: Punishing those who most people think are guilty of a certain crime is always morally right.

Assuming that there is a clear divide between fact and norm, the premise comes out as an Is-premise. After all, whether or not punishment increases the total amount of pleasure for those aware of the crime amounts to a claim about the facts. All the while, the conclusion seems to be an Ought. To say that an action is morally *right* is to at least say that it deserves praise, and perhaps that it *ought* to be performed. Could the premise be accepted and conclusion rejected without contradiction?

If that is possible, it would generate the Humean puzzle, namely, that of explaining why Ought-judgments cannot be deduced from Is-judgments alone. To show that this puzzle does arise, we can imagine Betty, who is not only a hedonistic consequentialist but also a transitionalist about justice. Given her hedonistic consequentialism, Betty believes that an action is

right only if it produces, for those affected by it, more overall pleasure or less overall pain than an alternative action would. Therefore, for a punishment to be right, the increase in pleasure that it produces for the aggrieved populace must be greater than the pain it involves. As a transitionalist, Betty thinks that, for the sake of national reconciliation in a country formerly ruled by a despotic regime, some criminals of the deposed regime should be permitted to go unpunished in the interests of facilitating national concord and democracy. This leniency, she thinks, would produce a greater increase of pleasure in the world on the whole than the punishment of a handful of despots and their henchmen. Betty holds, for example, that not all of the members of the military responsible for brutal crimes in Latin America, under the dictatorships of the 1970s, ought to be punished. Punishing them, she believes, would undermine the subsequent efforts to reinstall democracy in the region.



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The rationale for Betty's view is, of course, that in the current political climate the punishment of the guilty might reignite violence.<sup>2</sup> So, after calculating increases and decreases of pleasure on the whole, Betty accepts the argument's premise: punishing those who most people think are guilty of crimes increases the total amount of pleasure *for those aware of the crime*. But she wants to reject its conclusion, since she thinks that *on the whole*, the increase in total amount of pleasure in the world would be greater without punishment in some cases. Those who disagree with Betty could muster a number of reasons against her views; retributivists in particular could present a box-car load of objections. Yet the one thing they cannot do is charge that Betty's position is contradictory.

The Humean puzzle could be regarded as part of a larger, Moorean puzzle that arises when some moral and some purely factual expressions are taken to have the same content. Mooreans agree that there is an Is/Ought gap, so that no Is-judgment could entail an Ought-judgment. But they do not argue for the existence of that Gap. They offer instead the Open Question Argument (OQA) for their view that *no* moral sentence or term could be equivalent in content to purely factual sentences and terms.<sup>3</sup> Mooreans thus attempt to refute *content naturalism*, which is the doctrine that some such sentences and terms are equivalent in content.

A content naturalist may claim, for example, that the moral term 'good' is content-equivalent to the descriptive expression 'increases happiness in the world.' OQA charges that if this is so, then the question, 'Granted, this action increases happiness in the world, but is it good?' would be closed, meaning that it would make no sense to ask it, since it would be precisely equivalent to 'Granted, this action increases happiness in the world, but does it increase happiness in the world?'. Yet the question is open, that is, it does seem to make sense to ask it. Therefore, 'good' is not *synonymous* with 'increasing happiness in the world.' Moreover, according to OQA, the steps of the argument could be iterated for *any other* purported content-naturalist equivalence, showing that *no* moral expressions are synonymous with purely descriptive expressions.

Naturalism is thus taken to be refuted, except that there is now consensus that a Moorean strategy along these lines fails to refute all versions of 'ethical naturalism,' a broad set of metaethical doctrines that attempt to account for moral value by invoking only natural, and even physical, phenomena. Some naturalists claim that there is content-equivalence between moral and factual expressions, for

instance. But for others, the equivalence is restricted to the referents of moral and the factual expressions. These naturalists may, for example, claim that 'good' and 'increasing happiness in the world' refer to the same natural *property*, as do 'heat' and 'molecular motion.' Although this type of *metaphysical* naturalism is unaffected by OQA, the argument has force against content naturalism, a doctrine that has its supporters today.<sup>4</sup>

Content naturalists commonly dismiss OQA by invoking some common objections to it. Prominent among these objections is W. K. Frankena's, that the argument begs the question.<sup>5</sup> Other objections are that OQA invites the paradox of analysis, or that it makes what is at best a calculated guess when it claims that its steps could be iterated for *any* purported naturalistic equivalence of moral and descriptive terms.<sup>6</sup> In spite of such objections, the argument has had a persistent appeal as a refutation of content naturalism.<sup>7</sup> And there is no denying that it raises a puzzle about moral judgments that, like Hume's Is/Ought gap, can be resolved only by pointing to their normativity: a special force in moral judgments that purely descriptive judgments lack.

I submit that normativity accounts for both the reason why Ought-conclusions resist derivation from Is-premises alone (Hume's claim), and the reason moral terms and sentences are not content-equivalent to purely descriptive terms and sentences (Moore's claim). Whether one accepts all the conclusions that Humeans and Mooreans attempt to draw from their arguments, there is no denying that each of these lines of reasoning has shaped the current landscape in metaethics. Nor is there any doubt that lurking behind both lines of reasoning is the semantic phenomenon of normativity.

## Notes

1. See David Hume, [1739] *A Treatise of Human Nature*. London: Penguin, 1985; and G. E. Moore, *Principia Ethica* [1903] (T. Baldwin, ed. Cambridge: Cambridge University Press, 1993).
2. For a position of this sort, see Nir Eisekovic, "Transitional Justice," *Stanford Encyclopedia of Philosophy*, 2009.
3. G. E. Moore 1903, chapter 1, 12.
4. Contemporary content naturalists include Frank Jackson (*From Metaphysics to Ethics: A Defence of Conceptual Analysis*, Oxford: Clarendon Press, 1998), and Michael Smith ("Moral Realism," pp. 15-37 in H. LaFollette ed. *The Blackwell Guide to Ethical Theory*, Oxford: Blackwell, 2000).
5. To Frankena, OQA's contention that naturalistic equivalences are open questions is viciously circular. See his "The Naturalistic Fallacy," *Mind* 48, 192 (1939): 464-77.
6. See, for example, S. Nuccetelli and G. Seay eds., *Themes from G. E. Moore: New Essays in Epistemology and Ethics* (Oxford: Oxford University Press, 2007).
7. S. Nuccetelli and G. Seay "What's Right with the Open Question Argument?" (pp. 261-82 in *Themes from G. E. Moore*).