

## PHILOSOPHICAL CRITIQUE OF BIOETHICS: INTRODUCTION TO THE ISSUE

We did not get what we set out to. But in spite of ourselves, we have ended up with something more helpful than we had hoped for. The criticisms that comprise this issue are thorough, as we had expected, but they are also constructive, which we had not expected. Let us explain.

In conceiving the theme for this issue we believed it would be a timely opportunity to welcome philosophy's critics of bioethics to voice their discontent. It seemed timely because we must be at, or a little past, the twentieth anniversary of the (re)nascence of medical ethics. All along there have been critics claiming either that it is not really philosophy or not really ethics. And actually those were the critics we were hoping to lure into this issue. What do they think some 20 years into the enterprise? Have they changed their views? Has bioethics changed to meet some of their objections? We thought that collecting these explicit criticisms all in one supercharged issue of our *Journal* would be exciting, challenging, and downright therapeutic. But neither the general announcement of the issue's theme nor specific invitations to both known and suspected critics could sufficiently entice the particular brand of commentator we had in mind.

Fortunately, we all along were mindful of another type of critic, namely, the critic from within biomedical ethics. This is one who is part of the field, one who sees its importance and shares its goals, but who is nevertheless critical of some basic philosophical aspects of the field. And as it turned out, this is the type that fills our pages. The results are as thorough and provocative as we had originally expected – just friendlier.

One of the attractive features of biomedical ethics during its first two decades was its *esprit de corps*. This was unusual for a humanities discipline, since they generally seemed marked by an intellectual one-upmanship carried on at meta-levels, indeed often at meta-meta-levels! But unlike those, biomedical ethics had a

clear and important mission. There were practical problems to solve; there were critical human issues in health and medicine to address. This was significantly different from normal life within a humanities discipline. It was a fresh new enterprise; there was much to be done. The problems were practical to be sure, but they contained intriguing conceptual issues as well. No wonder a camaraderie developed, and no wonder there was very little criticism of each other. This is not to say that we were not *thinking* critically of our own work and that of others – it's just that it did not seem quite appropriate to articulate it when there was so much to do and so few to do it. The second-order concerns were displaced by the urgency and excitement of first order problems.

But times have changed. As we enter the third decade it is high time, if not inevitable, that as a field we become more self-critical. This seems to be the path of most new enterprises as they mature. Eventually the stimulation of new found territory subsides, and there is a turning inward, an assessing of methods, foundations, and goals. This is not to say that there has not all along been a concern for these second-order questions. Worry over such matters, after all, is inherently part of being a philosopher. Nevertheless, it was more a lingering doubt than a preoccupation. Those who needed help with first-order, pressing moral problems did not want to hear about "academic" quandaries over methods, foundations, and related systematics. And "ethicists", by and large, obliged.

Our authors in this issue are a gentle but thorough group. Overall the criticisms range from arguing that bioethics is not really anything for which philosophical training can be helpful (Holmes) to arguing that biomedical ethics as practiced for the most part is a collection of conflicting principles without a unified theory establishing their validity or guiding their use or organizing their interrelationships (Clouser and Gert).

James Gustafson's article is an excellent introit to an issue devoted to a critique of bioethics. He widens our vision by reminding us of the diverse interests and agendas falling under the single label "bioethics". He teases out various strands within the field of bioethics showing them to have different foci as well as different methods and goals. Among other things this amounts to an implicit warning that, if we simplistically apply one standard in appraising bioethics, we would seriously misjudge many aspects of the enterprise. Not uncharacteristically, Professor Gustafson's

analysis especially serves the ends of conciliation and understanding within the field.

Robert Holmes argues that philosophical ethics can be no help in solving bioethical problems. The most he would concede is that analytical ethics might bring to bear some clarification. There is no consensus among philosophers as to how any part of philosophical ethics is related to substantive morality. A theory cannot be helpfully "applied" when there is no agreement on which is the correct theory. Neither can there be a way to resolve conflicts between theories. What happens in practice is that a bioethicist simply chooses a favorite theory and, with the unwitting help of fudge factors, arrives at a "solution" that he knew to be intuitively acceptable in the first place. Moral wisdom, Holmes concludes, is what is needed, and philosophy does not train for that.

Baruch Brody, in the course of giving a very constructive criticism of bioethics, provides a wonderful guided tour of the field. He shows us in broad outline the various intellectual enterprises of bioethics and their interrelationships. Then in detail he shows us where each falls short and precisely what would constitute quality work in those very areas of scholarship.

Ronald Green's title succinctly states his message. He examines in some depth the matter of method in bioethics, and he is troubled by what he finds. He finds considerable activity at the problem-solving level, but very little at the ethical theory end of the spectrum. Thus bioethics would appear overactive, but not sufficiently reflective in terms of serious moral theory. There is a heavy reliance on and a contentment with simply "applying" received moral principles. Professor Green tries to account for bioethics' lack of attention to penetrating theoretical analysis.

Loretta Kopelman philosophically explores a key word in the field of bioethics – *apply*. That concept provides – or purports to provide – the linkage between theory and substantive morality. It is woven throughout the discussions of Holmes, Brody, and Green. Kopelman leads the reader through an analysis of that central concept and critically evaluates those positions that argue that *what* is "applied" in applied ethics is certain and hence is not a candidate for being changed by the process of application (which arguably is the meaning of "apply"). What rides on this analysis is whether bioethics (and any of the other "applied" fields of philosophy) are merely and fundamentally derivative undertakings, or whether they are possibly innovative approaches

to addressing philosophical problems.

Clouser and Gert focus on what they claim to be the inadequacy and misdirection of so-called "principles" of bioethics. They argue that in fact the "principles" are not serving as action guides at all. At most they are functioning as checklists of considerations to keep in mind while thinking about bioethical problems. Furthermore, there is no clear relationship among them; they function like competing, incomplete ethical theories. There is no unified theory in the light of which these "principles" are grounded and systematically interrelated. Clouser and Gert then go on to sketch how a unified and adequate moral theory would improve problem solving and make "principles" unnecessary.

Various themes weave themselves through the different articles. Each author reinforces the others in a certain criticism, and yet has an interestingly different slant on it. For example, four of the articles (Holmes, Brody, Green, and Clouser and Gert) attack in various ways the "principles" of bioethics – that they do not really do any work, that they conflict with each other, that they are not grounded in a theory, that their derivation and implications are nebulous, etc. Yet each author draws a different conclusion from these observations – anything from "give it up" to "work harder" to "develop a theory". It may be the unusual reader who would read an entire issue, yet the one who does in this case will be rewarded with an integrated critique of bioethics. Each article bears in some way on each of the others, reinforcing and supplementing certain points and providing different perspectives on others. Their arguments, themes, and criticisms hang together well as a whole, if only by a serendipitous series of family resemblances.