

*Guest Editorial: On Method and Resolution
in Philosophical Bioethics*

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A large tranche of contemporary bioethical inquiry is self-consciously focused on purpose and methodology. Bioethics is a field of disparate disciplines, and it is not always clear what role the philosopher plays in the wider scheme. Even when philosophical reflections can, in principle, find application in the real world (and often, in bioethics, there is too heady a degree of abstraction for this), there can be difficulty in finding sound resolution between the competing perspectives. Where fundamentals differ, we face apparent deadlock, with theorists seemingly able only to talk across each other. Perspectives on this vary. For example, some will argue that the philosopher's role is purely reflective and need have no practical resonance whatsoever. Others may say that philosophers are not equipped to engage with empirical questions or, when they do, they do so on flawed understandings of "the real world"; bad science or science fiction replaces brute fact and emotional, social, and empirical reality. Some may seek to strike a balance by trying to engage the questions within a political framing, allowing both for normative and real-world concerns. Others still will suggest that bioethics is dominated by a particular normative perspective that detaches it so far from defensible morality and practical reality that a gestalt shift is needed. What becomes clear, even from these brief reflections, is the great unlikelihood of finding a methodology for bioethics. It comprises too many analysts from too many backgrounds. This permits a richness in analysis and great scope for multidisciplinary, but it puts beyond reach a unitary method or approach.

Having said this, it is clear that there must be better and worse ways of doing any of the range of activities that occur within bioethics, meaning a call for investigations into methodology is neither hollow nor futile. Matti Häyry's recently published book *Rationality and the Genetic Challenge—Making People Better?*¹ is a good example of methodological self-awareness in philosophical bioethics. In this work, Häyry examines some of the most pressing questions in "genethics" and advocates a methodology that has application both there and more widely within bioethics. In essence, he seeks a means of categorizing alternative moral approaches, which he classifies as distinct "rationalities," and then urges theorists to act as "polite bystanders" engaged in a "non-confrontational" form of reasoning. In so doing, analysts are invited not to contest the fundamental underpinning of any position, but rather to recognize it and check the theory's internal consistency and coherence as a method that is applicable to the real world. Häyry primarily uses six noted authors as case studies: Jonathan Glover, John Harris, Leon Kass, Michael Sandel, Jürgen Habermas, and Ronald

Green. He splits the six into three pairs, taken together to represent three dominant approaches in Western moral philosophy: consequentialism, teleology, and deontology. It is not clear how far adjudication of each position purely on its own terms can take us, as, in practice, we are bound—in effect, if not explicitly—to act in such a way as to affirm some values and deny others. In a previous issue of the journal I have expressed my own views on the strengths and weaknesses of Häyry's methodology.² In the current issue, we have contributions from a wide-ranging collection of theorists, using Häyry's book as a vehicle to begin an exploration of the important questions of reason and method in philosophical bioethics. The papers' application is broad and the inquiries deep. The importance of this reflective investigation is crucial in contemporary bioethics. As the field inexorably expands and the range of expertise in it increases, we have much to learn about the role and space of the normative theorist engaged in social theory. To this end, the current issue, building on questions raised in and provoked by Häyry's book, should be seen as a further development to debates on methodology in bioethics. As I briefly outline here, the contributors speak both to similar and divergent themes and issues, and each finds strength, weakness, and resonance in different questions that have an interesting and useful application to ongoing bioethical discussions.

Søren Holm gives an insightful critique of Häyry's scheme of classification, comparing it with alternative approaches that are used to categorize normative arguments in the bioethics literature. He praises the manner in which Häyry's framing of arguments allows readers to recognize different protagonists' ontological and metaphysical commitments and thereby see the radical opposition between fundamental positions that causes apparent insolubility in debates. Nicky Priaux, by contrast, steps back into a more overarching reflective mode. Her paper adds to the growing calls for people working in bioethics to reflect critically on the nature and purpose of their intellectual endeavors, the source of bioethical concerns, and the solutions advanced in response. She argues against what she perceives as a dominant focus on technologies as the genesis of, and solution to, bioethical problems. Although technology has an important place, Priaux urges a broader engagement with the world as we find it, addressing the "socio-theory gap" that some bioethical approaches ignore.

A parallel set of concerns about philosophical analysis in bioethics is raised by Jan Helge Solbakk and Tom Koch. Häyry's book develops and works from the premise that an analyst can dispassionately step back from ethical disputes and simply test arguments on the strength of their self-defined limits. He claims his "polite bystander's" perspective allows "non-confrontational" assessment of a given position and only permits criticisms of internal incoherence or inconsistency, rather than matters that are beyond rational proof. Solbakk is unconvinced of such a perspective. First, he presses Häyry's selection of key authors and questions the approaches they are taken to represent. In Solbakk's estimation, Häyry is not detached, but speaks from a particular point of view, to which the reader is also necessarily drawn. He pointedly notes examples of alternative normative positions that Häyry does not consider and voices his skepticism of the reality of nonconfrontation in Häyry's own analysis and in bioethics more generally. Rather than finding appeal in nonconfrontation and consensus, Solbakk thinks we should embrace confrontation and diversity. Koch, too, is suspicious of Häyry's selection of approaches and reads between the lines

a stronger commitment than Häyry himself recognizes to John Harris's and Jonathan Glover's perspectives. Koch suggests that a richer understanding would have been provided had Häyry selected authors from alternative, more empirically engaged, and rationally pluralistic approaches. Through his selection of authors, Koch senses that the reader is not guided toward a nonconfrontational methodology, but rather is steered toward specific, exclusive perspectives. Koch laments a technologically driven bioethics that makes dubious claims about scientific possibility and partisan claims about the nature of harm and the values that should be embraced. Read together, his contribution and those of Priaulx and Solbakk give good reason for all analysts to consider the "grounding" of their perspectives and the purpose and application of their normative arguments.

Given the bias that Koch reads in Häyry's book to the consequentialism in John Harris's and Jonathan Glover's works, it is interesting then to read John Harris's own response to Häyry's analysis. Harris is one of the six key authors whose works form a central focus of Häyry's book, and his paper addresses the broad question of philosophical methodology in bioethics and seeks to respond to what he sees as misunderstandings or misrepresentations of his own works. On the question of methodology, Harris is adamant that confrontation is crucial. He describes efforts to avoid it as a "dysfunctional sort of political correctness" and doubts that it conduces to clarity in argument. To overcome evil, and pursue the good, it is necessary to recognize moral truths about the world and work out how to respond to them. Where this involves confrontation, Harris notes, it need not entail offensiveness or hostility, but there is an active role for philosophers in bioethics, and where this requires confrontation, so be it.

Another of Häyry's principal authors, Ronald M. Green, also provides an interesting response to the supposedly nonconfrontational methodology. Like other authors in this special issue, Green speaks to tensions in philosophical methodologies in bioethics. His concerns bite at the point at which the "polite bystander" becomes unhelpful: when ethics becomes a practical discipline. Here, there is necessarily a political aspect to reasoning, and a public form of rationality is called for that of necessity entails a potent normative commitment. Simply agreeing to disagree will sometimes represent a resignation to a practical situation where might becomes right, which is vastly less desirable than establishing a means of applying reason to social disputes. Green suggests instead that at times plural "rationalities" can meaningfully coexist, but only where some higher order level of reasoning permits this as the best result. In elucidation of his own position, Green notes that he understands moral reasoning to be "about public rules of conduct." Seeking some manner of rational agreement through an "omnipartial" approach to reasoning provides an account of public morality that can appeal to a democratic authority, distinguishing it from alternative rationalities that Häyry might consider.

Following from this, it is interesting to think about an alternative approach to achieving a "rational consensus," that of Jürgen Habermas. His work is also considered in Häyry's book and picked up by Vilhjálmur Árnason and Darryl Gunson. Like Solbakk, Árnason wonders about the need for consensus, questioning why we should associate the fact of disagreement with the normative statement that none of the "rationalities" should be "endorsed." Beyond this, Árnason engages closely with Habermasian theory, suggesting that his "communicative rationality" is unique among the approaches to morality that Häyry

discusses. In fact, Árnason suspects that Häyry's own "latent postmodern cynicism" debars him from becoming more confrontational and criticizing alternative positions in accordance with a Habermasian approach. Gunson also considers Habermas's approach to be unique among those that Häyry considers and due special recognition as a theory that can accommodate the other rationalities whereas the others are all self-contained. Gunson's reading of Habermas can be distinguished from Árnason's, but he raises a point that is echoed elsewhere in this collection of papers: Habermas on rationality can be distinguished from Habermas on human genetic engineering, and thus flaws in the latter do not automatically denote flaws in the former. Gunson is much more optimistic of the potential for success in Habermasian moral reasoning. Like other authors here, he notes that, in practice, we cannot all just stand by politely, and Habermas offers a superior approach to practical rational discourse.

By way of practical demonstration of the distinction between the bioethicist qua evaluative analyst and bioethicist qua practical advisor or practical decision-maker, Silvia Camporesi and Paolo Maugeri present a useful case study from genethics: so-called gene-doping in professional sports. They note the important distinction between "private morality" and "public morality," and urge that the latter cannot rest on the passive observations of a polite bystander. Rather, it calls for resolution and, thus, some manner of confrontation. They, too, are less pessimistic than Häyry about the possibility of satisfactorily achieving this. Interestingly, they also address public morality through a democratic decision-making mechanism, in this case advocating a manner of deliberative democracy. Two further papers, one by Peter Herissone-Kelly and one by Tom Buller and Stephanie Bauer, also address practical "genethical" questions and, in so doing, test the limits of a nonconfrontational approach to moral reasoning. Herissone-Kelly develops an argument based on what he labels "reason-holism." Rather than start from a position of "politely" standing by, he suggests that philosophers should not presume that theorists of different "rationalities" cannot in fact engage with one another. Using the conflict between his own work and that of Julian Savulescu to exemplify this, Herissone-Kelly develops a presumptive case in favor of confrontational engagement. Buller and Bauer also take debates on "procreative autonomy" as a point at which to test the scope and potential of bioethical argumentation. Focusing on disputes concerning preimplantation genetic diagnosis, they contrast two "permissive" approaches to embryo selection: Savulescu's, wherein there is a moral obligation to select the best embryo, and the "minimum threshold" approach that they advocate. This latter view is superior, they argue, as it permits greater scope for parental freedom while not denying parental responsibility. As is resonant throughout many of the papers, much appeal is made to the political aspects of decisionmaking as well as the more purely moral issues.

For me, the most interesting theme throughout involves the question of accommodating distinct rationalities within a practically functioning normative system and in a human society rather than simply denying or deferring to any single moral rationality. In other words, moral reflection is important, but perhaps the most pressing normative sphere that we need to engage in is not moral philosophy but rather political philosophy. This, of course, raises its own questions. Some would suggest that political philosophy is just an instance of moral philosophy. Others would suggest that there is no compromise to be had

with morality, and a suggestion to the contrary is naturally abhorrent. Without doubt there is much ground still to be covered, but perhaps a recognition of the forum of disputes will also allow analysts to draw more confidently from well-trodden paths in moral, political, and other social theory. There will surely be further confrontations, disagreements (more and less polite), and attempts at sustaining or refuting different rationalities in future issues of this and other bioethics journals. It is my hope that the reflections found in the following 11 papers will help theorists to develop the level of methodological self-awareness that seems so crucial to the meaningful development of theoretically robust and practically applicable normative arguments.

Notes

1. Häyry M. *Rationality and the Genetic Challenge—Making People Better?* Cambridge, UK: Cambridge University Press; 2010.
2. Coggon J. Confrontations in “genethics”: Rationalities, challenges, and methodological responses. *Cambridge Quarterly of Healthcare Ethics* 2011;20(1): 46–55.

In the next issue of *CQ*, Matti Häyry offers his own responses to various of the criticisms and observations made in reference to his book.