

# Why Do Bioethics?—Two Questions for Professor Solomon

金理哲

In his wide ranging and timely essay (Solomon 2014, 87-117), Professor David Solomon carries out the task of diagnosing what currently ails contemporary bioethics by doing what he does best: sidelining peripheral issues and identifying what lies at the heart of the matter. Solomon forcefully argues that many of the diagnosis of the “contemporary crisis in bioethics” as well as the prescribed remedies misfire in a variety of ways. He offers his own explanation of what lies at the bottom of the current crisis in bioethics, and suggests that its resolution (assuming that this is possible) requires deepening our understanding of the complex relationship between culture and bioethics.

One refreshing aspect of Solomon’s essays is its resistance to shallow explanations of the deep and pervasive conflicts afflicting contemporary bioethics. Instead of seeing the various conflicting voices as merely driven by political or ideological forces, Solomon offers a more compelling, as well as sympathetic, interpretation of the conflict as anchored in complex and deep philosophical disagreements.

I will keep my comments brief and focus on two questions that seem to me are left unanswered in the essay that I would like to see addressed in Solomon’s future works. The first question is this: What is the relationship between culture and the deep normative commitments that undergird conflicting normative theories?

Solomon agrees with the critics of the Bush Council that the Council is, at least in part, causally responsible for generating greater discord in the bioethics community. What Solomon disagrees about, however, is the explanation that best accounts for this shift. While the critics of the Bush Council such as Art Caplan, Jonathan Moreno, Ruth Macklin, and Stephen Pinker claim that conservative political and religious ideologies are to be blamed for the deep rifts among bioethicists, Solomon argues that the

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金理哲，香港城市大學公共政策學系博士後研究員，中國香港。

Bush Council simply helped to reveal the deep and fundamental normative disagreements that had already existed even during those decades preceding the Bush Council. To support his view, Solomon provides a fascinating, and in my view, compelling, account of the transformation of contemporary moral philosophy in the latter half of 20<sup>th</sup> century. There are many complex features of this account, but there are two points that are most relevant to this discussion. First is the way in which the U.S. was marked by significant cultural changes (e.g. the civil rights movement, the feminist movement, challenges to traditional conceptions of the family), which led to the rehabilitation—after decades of narrowly focusing on issues of moral semantics—of substantive normative theorizing. The second is the way that bioethicists, such as Beauchamp and Childress, drew upon contemporary developments in normative ethics to support bioethical theorizing.

These two points are connected in that together they help show why the explanation of the divisive nature of contemporary bioethics that only appeals to political or religious ideologies fails. For on the picture that Solomon offers, the increasingly sophisticated and ingenious developments of prominent normative theories such as consequentialism, deontology, and (later on) virtue ethics, only helped to sharpen the deep and seemingly interminable normative conflicts that had already existed among contemporary moral philosophers. Once we appreciate just how deep the conflicting normative commitments run, we can also see that the divisions in contemporary bioethics are also better explained by appealing to the genuine differences in foundational normative views. As Solomon comments, “What is at the bottom of the highly-charged conflict between them [the members of the Bush Council and their critics] is not that one of them is guided by reason and the other by politics of religion, but that their ethical commitments are in the end in conflict.” (p. 42)

But Solomon suggests that what explains the deep and seemingly interminable disagreements within both normative ethics and bioethics are the “deep cultural divisions” that are a significant feature of contemporary American society. What this answer seems to suggest is that the causal direction moves from cultural values to normative (and therefore bioethical) commitments; the ultimate source of normative disagreements, in other words, is culture. But if this is true, then, are there any significant roles that bioethics or normative ethics can play in our society, except perhaps sharpening our understanding of how deep the cultural disagreements really run? Or can normative theorizing also provide us with genuine normative guidance for helping us to evaluate those fundamental values that arise from different cultures, thereby providing us with a way of criticizing different cultural traditions or values? But how can normative theorizing help us criticize cultures if such theorizing itself is ultimately rooted in conflicting cultural values? To see why these

questions matter it may be helpful to briefly examine a bioethical issue that has polarized American society: the issue of abortion. Here is one way that the disagreement is sometimes described. (I leave aside whether this is the most accurate portrayal of the disagreement.) Those in the pro-choice camp take the right of a woman to control what goes on in her body to outweigh the right to life of the fetus, whereas for those in the pro-life camp, the right to life of the fetus outweighs the right of a woman to control what goes on in her body. On this picture, there are two normative commitments: (1) the right of women to control what goes on in their body, (2) the right to life of the fetus. The opposing sides attach different normative weights to (1) and (2).

(Of course another important issue is about whether the fetus has a right to life at all, but I leave that issue aside since however that issue is decided, the opposing sides of the debate do focus on one of the two normative commitments, and this fact should be sufficient for me to make my point. I also leave aside whether the language of rights is the best way to represent this debate.)

Applying Solomon's diagnosis, this deep normative disagreement between the two camps of the abortion debate is ultimately rooted in cultural divisions. For Catholics, the right to life is deemed more fundamental (as taught by the Magesterium), whereas for liberal feminists, such considerations as the historical oppression of women justify attaching greater normative significance to a woman's right to control her own body. Suppose that these normative commitments really are ultimately rooted in two radically different cultural worldviews, as Solomon suggests. What, then, is the point of normative theorizing? One possible answer is that such theorizing can help us to settle, through rational argumentation, which cultural standpoint is superior to the other. That, however, seems like a very tall order. And judging from actual history, we have little reason to think such rational settlement will be obtained. In fact, Solomon himself seems skeptical of this possibility himself, a point that leads us into our second question.

The second question is closely tied to the previous question: If, at least in our current situation, there is no way to rationally decide which normative theory we should accept, then what is the point of preserving normative argumentation that Solomon (rightly) sees as undermined by the proposals of John Evans and the Progressive Bioethicists? It seems to me that the value of continued normative theorizing requires at least the possibility of a rational resolution. But if, as Solomon himself notes, "Aristotelians, Kantians, consequentialists, and natural lawyers continue to defend their opposing—and seemingly incommensurable—normative theories, with no clear signs of any one theory winning the day" then what reason do we have to not simply give up on normative discourse, as the views of Evans and the Progressive Bioethicists entail? Perhaps, then, the

kind of politicizing methodology adopted by the Progressive Bioethicists is all that there is left to do. There may, of course, be pragmatic reasons to continue giving (what purports to be) reason-based arguments—perhaps doing so increases the likelihood of seeing each other as rational interlocutors thereby at least sustaining a reasonable level of tolerance and peace—but if that's all there is to normative theorizing, it seems quite unsatisfying. So given our current predicament, what would Solomon prescribe as the best course of action? Is it to continue working on normative theories with the hope that, eventually, we will reach rational agreement? If we were to turn our focus back to the abortion debate, at least among bioethicists, there appears to be an impasse. (Or rather, I'm not aware of too bioethicists who have changed their views on abortion because of normative arguments.) It seems, then, that bioethical arguments, while making the debates more sophisticated (just like normative arguments), have done little to convince either side.

From these reflections we may pose the following dilemma. Either normative theorizing can help us reach rational agreement, in which case engaging in bioethics will be justified, or because normative commitments are ultimately rooted in conflicting cultural values, normative theorizing, and therefore bioethics, do not help us achieve rational agreement. The problem is that, as Solomon himself affirms, there does not appear to be sufficient reason to believe that the first disjunct, which would help justify bioethical theorizing, is true. And unfortunately, the second disjunct appears to undermine the justification for engaging in bioethics.

As I see it, there are two possible ways to respond effectively. One would be to show that the dilemma is a false one, and identify a third, more satisfying alternative. The second would be to show why accepting one of the disjuncts does not carry a heavy burden. I would be interested in seeing which route Solomon would take.

## 參考文獻

- Solomon, David. "Bioethics and Culture: Understanding the Contemporary Crisis in Bioethics," *International Journal of Chinese & Comparative Philosophy of Medicine*, XII:2 (2014), pp.87-117.