

**on
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AN
INTRODUCTION
TO ETHICS
ARTHUR J. DYCK

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ON HUMAN CARE: AN INTRODUCTION TO ETHICS

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To
Sylvia, Sandy, and Cindy

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preface

Recently an eminent physician was quoted as saying that "ethics is not a science, it is an expression of the feelings of the majority." However accurately this quotation conveys the outlook of that particular physician, it is representative of some, but certainly not all, of the many physicians and health professionals with whom I have discussed moral issues of mutual concern. Furthermore, such a view is by no means confined to health professionals. What is not commonly recognized among those who think in this way is that they are taking for granted the truth of a particular ethical theory, not the most plausible one, as we shall argue, regarding the nature of ethics. And if ethics is perceived in this way to be in the domain of nonscientific considerations and to be expressive of emotional preferences rather than judgments of what is true and false, there will be little reason to think of ethics as a source of knowledge or enlightenment. What is to be gained from an introduction to ethics when, from this point of view, it is nothing more than an elaborate, rationalized expression of the author's own preferences, coupled with the desire to persuade others to share some of these same preferences? Why not instead read sociology and psychology to learn how most people feel?

This book invites professionals and others to examine ethics and to judge for themselves whether there is not something more to it than a sophisticated tract on behalf of certain emotional and intellectual biases. Indeed, I write with the hope that this book will clarify for its readers in what sense and to what extent ethics is a discipline from which knowledge, however modest, may be gleaned. I would not claim that the theories of ethics can be accepted and rejected with the same certitude some of the other sciences enjoy. Yet ethics is not devoid of precision and evolution in the refinement of its concepts and practical applications.

But there is more at stake in what that physician allegedly said and in what this book is trying to do. If one truly believes and acts upon the belief that ethics is the expression of the feelings of the majority, the implications of that are extremely serious, not only at the theoretical level, but also at the practical level. Held without

qualification, such a view implies, for example, that racial discrimination, or even slavery, would be morally justified when it is an expression of the feelings of the majority, that theoretically, and hence also practically, there is no moral or ethical basis for questioning the will and preferences of the majority. Indeed, such a view provides no moral justification for any constitution that articulates the rights of each individual citizen and the obligation of government to protect such rights against the potential tyranny of individuals or groups. In any event, ethics and this book are concerned with examining the practical implications of particular beliefs regarding what is right and wrong, good and evil. A major purpose of this book is to make people aware of their own most deeply held moral beliefs and the implications of these beliefs for their behavior and the behavior of others.

Ancient religious and philosophical traditions throughout the world have carried on increasingly systematic inquiry into our judgments regarding what is right and wrong and the extent to which we can offer justifications for such judgments. Along the way, methods of inquiry and concepts have developed that may be usefully applied in trying to decide questions of morality and questions of public policy. This book also seeks to acquaint the reader with some of these most basic methods and concepts so that they may be reflected upon and if found worthy, used and applied as the occasion arises.

This book, then, has not less than three purposes: to introduce ethics as a discipline, to acquaint readers with some examples of the extent to which ethics offers guidance for practical understanding and moral decision-making, and to introduce methods and concepts for this purpose. This book intends to stimulate readers to make moral decisions that are congruent with their most deeply held moral values, those they share in great part with other human beings. The author recognizes continuing debate and differences of judgment regarding what these are and how widely they are held. As in any field, the benefits of what ethics has learned are not contingent on complete agreement or lack of controversy. Indeed, every gain in knowledge depends heavily on arguments and counterarguments, especially in ethics.

For accomplishing these purposes, I have used concepts, methods, and substantive thought drawn from both moral

philosophy and religious ethics. In this respect, at least, I think this introduction is rather unique, for it prepares the reader for further study in both these fields without presupposing any prior training in either. I have not limited myself simply to summarizing the views of others, though I try to cover as accurately and fairly as I can a range of thinking on the subjects discussed. Of course, I make no claim to have done this perfectly or to every reader's satisfaction. To encourage debate and thought, I have usually argued the merits of certain points of view so as to engage the reader directly in the enterprise of ethics and also be explicit about the direction of my own thinking.

The substance of this book has in large part been gleaned and refined from over ten years of introducing ethics to undergraduates and to graduate students in the Graduate School of Arts and Sciences, the Divinity School, and the School of Public Health at Harvard. I owe a great deal to all the students with whom I have engaged in so many animated discussions and debates. Many changes that I consider salutary have stemmed from these many contacts with bright, inquiring, and often well-informed young minds. Without the constant encouragement to publish a volume of this sort from so many of my students, this book might never have been conceived or brought to fruition.

The most immediate goad to write this introduction to ethics came from the invitation to provide introductory lectures in ethics for health professionals at Georgetown University, and for military professionals at the War College in Carlisle, Pennsylvania. The effort to expose these professionals to ethics and to provide enough substance to entice them into and prepare them for further ethical reflection meant that I was forced to make the kind of selection out of the vast material of more than two thousand years of ethical reflection that a readable introduction to ethics requires. I doubt whether I could have been persuaded to undertake such a venture without the strong encouragement of Robert Cooke, Eunice Kennedy Shriver, and Sargent Shriver, all of them acting out of personal conviction and on behalf of the Kennedy Foundation, whose idea it was to provide an entrée to ethics for busy but highly motivated health professionals, some of them clinicians, some administrators, some researchers, and most of them teachers in their own respective fields. I would neither have been prepared nor persuaded had it not been the case that Dr.

Cooke himself attended an introduction to ethics I gave at Harvard. His persistent inquiries helped me adapt and refine what I was doing, and his insistence that he had gained something from this experience gave me the courage to undertake that course in Georgetown and ultimately this introduction. I owe him much.

I am equally grateful to Colonels Kermit Johnson and William Rawlinson for their insistence that military personnel at the rank of colonel need to know something about what both of them call "the basics" in ethics. I must say that I have been deeply impressed and inwardly moved by the experience of engaging in serious moral inquiry with military men and women who, more than most of us realize, are deeply concerned that truth and justice prevail within their profession. The frank support of the Commandant of the War College, General Smith, helped dispel my lingering hesitation as an utter novice to the ways of the military.

If this book has an unduly optimistic flavor for some of its readers, I can only confess to a certain exhilaration that I feel in writing a book in ethics that flows out of so much exposure in the past two years to professional men and women of great integrity and of sensitive conscience with whom it has been my privilege to take up the perennial questions of ethics. Behind all the stereotypes, accusations, and crisis-oriented exposés of mistakes and wrongdoing of military and health professionals, there is a relatively quiet but large cadre of honest, high-minded, and responsive professionals who will, I think, be heard from more and more. And like the students who have taught me so much, their language will increasingly be the discourse of morality and ethics, and it will be to a greater extent than ever before an educated and disciplined discourse.

In addition to the spiritual and moral support that the Shivers have been to me, they have through the Kennedy Foundation also assisted me directly in a financial way. The Foundation has supported the most superb secretarial and editorial assistance anyone would hope to have in Ilse Fersing. She has been much more than a rapid and flawless typist and proofreader. She has provided the major source of specific suggestions for making the manuscript clear and readable for those who have never formally studied ethics. These few words hardly express my appreciation for her invaluable aid.

I am profoundly grateful to Richard and Mary Saltonstall. Their warm encouragement and generosity undergird all that I do and make it possible.

Among my teachers, my intellectual debts to Roderick Firth are particularly great and are extended now as colleagues beyond our first encounter in his excellent course in ethics which he continues to offer at Harvard. This is rather evident in chapter 7, but chapter 6 is also heavily dependent upon analyses that Roderick has made, most of these not as yet in published form. James Luther Adams and John Rawls are past and continuing mentors as well. Nor could I detail the countless ways in which the ethicists Paul Ramsey and James Gustafson and my more immediate colleagues Preston Williams, Ralph Potter, Stanley Reiser, and William Curran enrich what I do and think.

All persons owe their own parents a debt they can never adequately repay, namely, the gift of life itself. But I owe my own parents, who I am happy to say are still living, much more. In firm but loving ways, they have insisted that I be moral and that I know why. Everyone should have that kind of introduction to life and to ethics.

And, finally, how can words express my appreciation to my own immediate family, to whom this book is dedicated. The writing of it has been part of the rhythm of play and work established within our family, and it shares some of what we have learned together as a small, intimate community and as part of that larger community that all of us participate in as human beings. With enthusiasm and boundless energy, my twin daughters, Cindy and Sandy, make certain that what I do and what I say from a moral and ethical standpoint is practical, viable, and part of the very fabric of our daily lives together and with others. To share so intimately and completely my life with Sylvia, my companion in marriage, is to assure that ethics is never for me exclusively a scholarly vocation but an extension of life which in turn extends again into life. There is no way for me to know how deeply and extensively her tactful wisdom, example, and insights are part of anything in this book that is good. Of one thing I am sure, I owe her much.

chapter i

introduction

The noted English philosopher A. C. Ewing began his introduction to ethics by addressing his readers as follows:

You, reader, whoever you are, are not a complete beginner in this subject. You already have some idea what "good" and "bad," "right" and "wrong" mean, and you know some acts to be right, others wrong, some things to be good and some bad. Now these are precisely the topics with which Ethics as a subject of systematic study deals.¹

Now I also begin with the view that no one reading this book is a complete beginner in ethics. ~~Many questions that arise constantly in the course of our daily lives are the selfsame questions to which ethics, too, seeks answers.~~ Some of them, in medicine for example, are pressing in upon us with special urgency during the present era. As we shall see, these questions are systematically identified and pursued by ethics from within its major subdivisions—namely, normative ethics, metaethics, and moral policy.

NORMATIVE ETHICS

~~Normative questions are questions about what things are right or wrong, good or bad, virtuous or evil.~~ Perhaps the reader is surprised that such questions are raised in ethics. How, you may ask, do these questions compare with the kinds of questions I ask as a scientist, perhaps, or generally, as a rational human being?

For the ethicist, trying to identify what kinds of things are right or wrong is, in fact, very much like the scientific enterprise of looking for the basic bits of existing matter out of which other matter can be made. And just as the physical world is made up of certain constitutive elements, so also is the world of moral discourse made up of certain constitutive elements.

Now in the search for constitutive elements in ethics, two types of theory have emerged: ~~utilitarian and formalist~~. What divides these two theories is quite analogous to one of the divisions that occurs in the natural sciences. Utilitarian theory, for example, is

quite like atomic theory and is not without considerable attraction because of it. If you look for the basic element or elements out of which all moral assertions or claims can be compounded, then anything that can properly be called right would have this element or these elements. ~~The basic element for the utilitarian is utility.~~ And what constitutes utility? As specified by John Stuart Mill, a leading utilitarian, ~~utility is happiness, that is, the best balance of pleasure over pain.~~ The right act is the act that will bring about the greatest happiness for the greatest number, or the best balance of pleasure over pain on the whole. What makes the utilitarian view so appealing is that it allows us to decide between alternatives simply by quantifying our judgments. How much pleasure and how much pain for how many people will be produced by a given action or policy? It is calculations of this sort—determining the quantity of pleasure and pain produced by realizing one set of values rather than another—that can then be used to decide among conflicting actions or policies.

But the quest for constitutive elements in our moral judgments can also be carried out quite differently. In the natural sciences, in addition to atomic theory where everything is reduced to one constitutive element, there is also the enterprise of describing elements that actually exist in nature as it is naïvely experienced and that provide data for various ecological types of theory. Such an enterprise has somewhat of a parallel in ethics in formalist theory. Formalism identifies as constitutive elements of our moral world certain bonds that actually exist among people, bonds that are imputed to be of moral significance in our daily, ordinary relations to one another. ~~Formalists look at the context in which moral judgments arise, and it leads them to examine interpersonal relations, relations between individuals and within and between groups.~~ People relate to one another by making promises or by expectations of finding out what is true. Your expectation, for instance, in reading this book is that I will not lie to you, that you can trust me to tell the truth to the best of my knowledge and ability and to be honest about what I do not know or understand. That is part of the bond between us at this moment. There are ~~other bonds among people~~—those defined by the way in which we distribute goods and services, for example. In any event, the fact that our lot can be better or worse in relation to others, the fact that we have made promises, the fact that we expect the truth in

communicating with one another—all of these are morally significant elements in our relations to one another. These are the kinds of elements that characterize our moral world and that specify the right- or wrong-making characteristics of actions. Keeping promises is right-making; breaking them is wrong-making. Telling the truth is right-making; lying is wrong-making.² Identifying these morally significant kinds of bonds among people is much like identifying the elements comprised in a table of elements, the basic kinds of matter out of which all other kinds of matter are compounded, derived, or manufactured. But whereas the table of elements and atomic theory are both distinctly useful in the natural sciences, the status of utilitarian and formalist theories in ethics is not quite so clear and tidy. As we shall see later, each of these theories seeks to encompass the other.

The quarrel between utilitarianism and formalism is especially urgent today within the practice of medicine. The professional codes of modern medicine, for instance, clearly specify the primacy of physicians' obligations to their individual patients. But with the increasing application of utilitarian cost-benefit analyses to social policy, there is a great deal of pressure upon medical professionals to make judgments as to who will be treated and to what extent, based on considerations of utility rather than, as a formalist would insist, on the basis of the needs of those who seek professional care and the skills of those who provide that care. Some would argue that cost-benefit analyses have no place, by and large, in the care of individual patients. Others would agree but would at the same time assign a significant role to such analyses for determining social policy for the whole society in the health sphere. Still others appear ready to apply cost-benefit analyses to the care of individual patients. This occurs, for example, when physicians decide to try to persuade people not to give birth to or not to try to save, through medical intervention, children who are expected to be mentally retarded, on the grounds that the care of the retarded is costly while the benefits of their existence are minimal if, indeed, they are even seen as benefits to the children or to others at all. ~~The question concerning the moral basis of the primary obligation of physicians, then, mirrors the competing claims within normative ethics of utilitarian and formalist theories.~~