

# TOWARD BETTER PROBLEMS

ANTHONY WESTON

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*New Perspectives  
on  
Abortion,  
Animal Rights,  
the Environment,  
and  
Justice*



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the Environment, and Justice*

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## *Preface*

THE STUDY of ethics in American universities today is almost always a study of ethical theories. Every well-trained student has heard of John Stuart Mill's Utilitarianism, Kant's Categorical Imperative, and Aristotle's Doctrine of the Mean. By contrast, the idea that ethics might not necessarily be exhausted by, or even well represented by, the analysis and application of such theories remains a virtual heresy.

Yet the heresy is spreading. A number of writers in feminist ethics have begun to insist not merely on an ethics of "care" and relationship as opposed to the more distant and impersonal ethics of justice, but also on a reconception of the very nature of practical ethics. Carol Gilligan depicts a kind of ethical thinking that arises and responds within specific situations and lifestories rather than trying to fit such situations and stories into a general framework of moral rules.<sup>1</sup> Margaret Walker argues that ethics is not a science or a kind of puzzle solving but instead "a collection of perceptive, imaginative, appreciative, and expressive skills and capacities which put us and keep us in contact with the realities of ourselves and specific others."<sup>2</sup> Virginia Warren speaks of the need to rethink and change the problems themselves. Rather than asking what to do with a comatose patient whose wishes regarding euthanasia her doctors do not know, for example, we might pay more attention to

why her doctors don't know, or why no one bothered to find out. Warren proposes, perhaps acidly, to call such an inquiry "preventive ethics."<sup>3</sup>

Challenging the current assumptions from another direction, Albert Jonsen and Stephen Toulmin have begun to rehabilitate casuistry, a persistent tradition of moral reasoning well developed and widely used from antiquity through the seventeenth century. Casuists explicitly rejected what Jonsen and Toulmin call "moral geometry": the view that moral questions are to be resolved by deducing the answers from fixed first principles.<sup>4</sup> Instead they advanced a "network" of more concrete considerations and analogies, establishing presumptions rather than certainties. They were experts at what Aristotle called *phronesis*, "practical wisdom."

Developments within "official" ethics are not so sanguine for theory either. Bernard Williams, in his aptly titled book *Ethics and the Limits of Philosophy*, contends that the theoretical project in ethics has no justification and should be abandoned. He urges instead a more "holistic" approach, whose aim is to "show how a given [value] hangs together with other [values] in ways that make social and psychological sense."<sup>5</sup> The new ethics of "virtue," meanwhile, also rejects fixed rules and principles, paralleling the feminist critics, and makes a systematic project of reconstituting *phronesis*.<sup>6</sup>

So it is a time of ferment at the frontiers of ethics. Still, however, the standard ethics course plows the same old furrows. Practical ethics in particular remains an affair of applying theories to specific problems. It remains "applied ethics," and thus a direct descendant of the "moral geometry" rejected by all of the critics just cited. But it is not hard to understand why moral geometry has such staying power. It may seem necessary, especially in practice-minded courses, to stick to the one kind of practice that is now well developed, at least until a comparably substantial body of practical work emerges from the new critiques. As yet the critiques remain mostly reactive, as is Williams's book, or historical, like Jonsen and Toulmin's, or theoretical in a different mode, as are the virtue theories. By and large, an alternative practical ethics has yet to emerge.

This book aims to offer such a practical ethics. Insofar as there is at least a rough convergence among all the critics just cited—toward a less rule-bound practice, more sensitive both to a variety of ethical skills and to a variety of relevant values, and toward a “preventive” sort of ethics that engages ethical problems over time rather than regarding them as “puzzles” to be solved—this book’s method stands at that convergence. But this book is emphatically not a kind of summation of critiques that would thus stand at an even greater distance from the actual problems of ethics. Instead it turns in the opposite direction: it focuses almost immediately on practical issues. It aims to outline a kind of practice that can exemplify, complete, and make approachable the emerging critique(s) of philosophical ethics as we know it. I want to offer a developed model of an alternative.<sup>7</sup>

To do so, however, this book takes its methodological starting point and chief inspiration from a source not yet mentioned, and indeed strikingly underrated by the current criticisms of traditional ethics. I begin with the pragmatic tradition, especially as exemplified in the ethical method developed in a number of works by John Dewey.

Pragmatism and ethics may seem an odd combination. Popularly, at least, the term “pragmatism” suggests a kind of self-serving or pedestrian amorality, or at least a lack of any fixed principles. Dewey’s pragmatism, however, actually bears only the most distant of relations to this stereotype, and in some ways bears no relation at all. Dewey means us to embrace the richness and diversity of our actual values and then to make full use of that richness and diversity to open up a new sense of possibility and flexibility in practical action. Pragmatism, so understood, represents a pluralistic, integrative, even experimental approach to ethics, at once an almost ordinary kind of practical wisdom and a philosophically self-conscious alternative in ethics.

I believe, then, that Dewey has already opened the space for the kind of “alternative” ethical practice that is now necessary. We may bring to bear the resources of an established philosophical tra-



dition to begin to undergird and inspire a broader, more pluralistic, and more inventive kind of ethical practice than we are currently offered. The casuists' value-networking *phronesis*, for example, parallels the Deweyan project of integrating or harmonizing values. Warren's notion of "preventive" ethics echoes the Deweyan notion of "social reconstruction": both suggest that we try to change social conditions so that certain problematic situations do not even arise, or arise in a more tractable form. In short, I believe that we can take the most contemporary of steps forward at the same time as we reinvoké and reinvigorate a philosophical approach too often relegated to the status of historical curiosity. We might say instead that Dewey was just ahead of his time. Only now are we ready for him.

An immediate caveat: I do not claim that my suggestions represent the only possible "Deweyan" views, let alone the only possible "pragmatic" ethic. Lovejoy distinguished no less than thirteen different types of pragmatism, and Dewey alone has been read in a multitude of different ways. I offer only one Dewey, one pragmatism. Indeed, for Dewey specialists I probably should add that I hardly even offer one Dewey. It should already be clear that my main aim is not exegetical. The aim is simply to think in a Deweyan way, to engage contemporary issues in practical ethics in a way inspired by Dewey's work, not to insist on his terms or even on his particular views of the issues addressed.

Mine is not a particularly fashionable Dewey, either. In particular, I am not concerned to recast pragmatism as a mode of deconstructive cultural criticism, though I have learned from the work of philosophers who have. The Dewey who inspires this book is directly engaged with specific social and moral problems. Far from being less challenging, those problems pose, in my view, the most challenging tasks of all. Far from being less "scholarly"—should that be someone's concern—engaging them seems to me to be one of the most appropriate of scholarly tasks. It could not be more unfortunate or unpromising, either for society or for scholarship,

when the actual problems of our collective life are not regarded as “of scholarly interest.”

Another caveat: what follows is not necessarily the sort of practice that Jonsen and Toulmin, Walker, Warren, or Williams ideally have in mind. It is not exactly casuistical, for instance, because it is at least as interested in transforming or reconstructing problems as it is in “solving” them. I do believe that my pragmatism is at least congruent with most of the critical views I have cited—and where I think this congruence is especially clear, and where these somewhat more metaethical topics are appropriate, I make some connections—but in general this book is no more meant as an exact account of what the critics might have in mind than it is meant as an exact account of Dewey’s views. Instead, again, it is an attempt to speak for an overlooked but immensely suggestive tradition by *emphlying* that tradition, in accord with its own constructive tendencies, in contemporary practice.

One advantage of this practical focus is that it should make this book accessible to a wide range of readers. My hope is that it will prove useful to students of ethics at all levels, to professionals in related fields, and to all who are interested in the problems it addresses. I do presuppose some familiarity with a few basics of modern philosophical ethics, in particular with the general outlines of utilitarianism and rights theories. Still, I presuppose only a familiarity that may be picked up in an introductory ethics course or by intelligently reading the popular or professional literature in, say, business ethics, policy analysis, or bioethics. Philosophical jargon and offhand references are confined (I hope!) to this preface and to some of the notes.

Let me add just a few words about some issues of genuine importance and sustained interest to specialists that must be left out of this book. The last chapter briefly takes up a family of the most prominent and unavoidable objections to a pragmatic attitude. Other objections and theoretical issues are left for discussion elsewhere. This book does not, for example, offer a full-fledged theory

of values to undergird and rationalize the styles of argument about values that I employ. Dewey and others have already done so.<sup>8</sup> Also, less fortunately, in the traditional terms a Deweyan value theory tends to fall into a philosophical category—"subjectivism"—that is persistently oversimplified and stereotyped, much like "pragmatism" itself, thus requiring still more time and space—probably an entire book—to make clear. Deweyan subjectivism, for the record, simply locates values in the complex social and biological articulation of human desire rather than in some independent realm of truths. That is all I mean when invoking "subjectivism" here. Much can then be said about just how this articulation proceeds and about the ways in which, by linking values together into networks of logical and motivational connections, it opens values to critical argument and change. It is certainly unfortunate that we do not yet have such a value-theoretic subjectivism fully worked out and available as a reference point for more practical studies such as this book. But we don't, and this is not the place to develop it.<sup>9</sup>

There are other exclusions that a heavier tome might avoid. I do not explore the theoretical congruences just sketched as fully as many might like. More could be said about the connections to casuistry or, say, to virtue theory, which shares pragmatism's rejections of fixed rules and principles and pragmatism's attention to context and a plurality of values, although (in my view) over-emphasizing individual character. But to do so would once again dilute the practical focus of this book and render it less accessible and less useful to those just beginning to think about ethics and to those coming to ethical inquiry from other fields. Thus only a little is said here about these connections, again mostly in the notes. Any more is out of place in a book intended for a wider audience, and in a book that attempts to keep the proof at least related to the pudding.

My main hope is actually very modest. I hope to begin to reanimate a certain style of thinking, a certain style of taking up problems, that is familiar and natural outside of ethics but seems to have

lost its self-confidence and to some extent self-consciousness within ethics. Again, I am much more concerned to let this "attitude" emerge in practice, as a practical style of ethical thinking, than to fully characterize it theoretically and to advance it on the level of general philosophical arguments. The aim is not to launch a new dreadnought onto the philosophical waters. Think of this book instead as a set of proposals in a pragmatic spirit, meant for provocation and expecting revision. I sincerely hope that it proves useful.

Portions of Chapter 3 first appeared in my article "Drawing Lines: The Abortion Perplex and the Presuppositions of Applied Ethics," *Monist* 67 (1984): 589–604. Portions of Chapter 5 appeared in "Beyond Intrinsic Value: Pragmatism in Environmental Ethics," *Environmental Ethics* 7 (1985): 321–39. I am grateful to the editors of both journals for permission to reprint these passages here.

These thoughts began to coalesce into a book in a month spent on the Maine coast thanks to the generosity of the late Bettyann Sankar. Peter Williams and Jennifer Church read and reread drafts of the early chapters and filled the margins with comments that led me more than once to start over. Jay Hullet, Lee Miller, Eva Feder Kittay, and Amy Halberstadt were persistent in their encouragement and support of many kinds. Dorian Gregory, Kieran Suckling, and Shari Stone read large parts of the manuscript and contributed greatly to its clarity. For supporting their work with summer work-study grants I am grateful to the Department of Philosophy at SUNY–Stony Brook. As the project neared completion I was fortunate indeed for the generous critical support of Tom Regan and for the equally generous editorial support of Jane Cullen. I am indebted also to several anonymous readers. It is a pleasure and an honor to acknowledge the care and support that so many of my friends, students, and colleagues have given to this project.

*Anthony Weston*

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*Chapter 1*

*Practical Ethics  
in a New Key*

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MANY other “practical ethics” books take up the same topics as this one: abortion, other animals, the environment, justice. Peter Singer covers much the same ground in a book called simply *Practical Ethics*.<sup>1</sup>

The actual practicality of the usual brand of practical ethics, however, is somewhat partial. What we are usually offered is the systematic application of some ethical theory *to* practice. Singer’s book represents an admirably lucid application of utilitarianism. Others apply theories of rights to the same set of issues. In both of these cases, the broad outlines of an ethical theory are assumed in advance. The principles employed are defended, at any rate against other principles, somewhere else. In practical ethics of this type, ethical theories are just put to work, without much ado about their origins or ultimate justification, to sort out practical questions. A few adjustments in the basic principles may be made to accommodate especially difficult or new practical problems, but by and large the principles are taken as given before the practical inquiry even starts. Principles dictate, practice adjusts—though of course practice may adjust with great subtlety and sensitivity.

In these well-known kinds of practical ethics, moreover, there is a natural tendency toward a certain kind of closure. The project is to sort out the practical questions at stake in a way that finally