Introduction

ARGUING ABOUT ARGUMENTS,
ANALYZING ANALYSIS

Matti Häyry, Tuija Takala, Gardar Árnason,
and Peter Herissone-Kelly

1. The Place of Arguments and Analysis in Bioethics

Bioethics, in common with all philosophical endeavors, is centrally concerned with argument and analysis. First of all, it employs argument and analysis in addressing concrete questions about how healthcare professionals, life-scientists, legislators, and others ought to behave in particular situations, and with regard to particular problems. Ought we to allow human reproductive cloning? Ought we to create hybrid embryos? Ought we to endorse voluntary euthanasia? Where such questions have answers, those answers are to be arrived at through argument and analysis.

Sometimes, however, bioethics operates more reflectively than this. It does not simply employ argument and analysis, but instead focuses upon them. Is the Utilitarian (Kantian, virtue-theoretical) approach to bioethics the right one to use in answering a given question? Are the concepts employed in this piece of bioethical reasoning legitimate? Might there be different concepts and methods that can be pressed into service in bioethical analysis? In these sorts of questions, bioethical method is turned back upon itself.

This is a neat and useful theoretical distinction between what we might call first- and second-order bioethical inquiry. However, it is a distinction that in practice tends to become rather blurred. Books and articles that focus on particular first-order bioethical issues are apt at the same time, at least to some degree, to be critical analyses of the argumentative strategies brought to bear on those issues. And second-order investigations of bioethical methods and concepts tend to stress the sorts of outcomes that adoption of those methods and concepts will have for first-order issues. Consequently, whether we label a particular piece of bioethics first- or second-order is largely determined by its primary, rather than its exclusive, emphasis.

This volume contains twenty-one chapters, each of which has its primary emphasis on a different part of the first-order/second-order continuum. However, all of them have something important to say about the nature and place of argument and analysis in bioethics.
2. Bioethical Skepticism

The first three chapters of the book each display a certain skepticism about bioethics, or at least about some of the ways in which it is commonly practiced. In chapter one, Sirkku Hellsten focuses her attention on the use of false dichotomies and polarizations that she takes to be common in global bioethics (understood as a supposedly comprehensive, culturally neutral normative framework by means of which we can address bioethical issues). She argues that, if the enterprise of bioethics is to prove at all fruitful, what we really need to do is to understand ethical concerns solely in terms of the local, cultural contexts in which they arise. What is more, she urges that an awareness of common reasoning fallacies may teach us more valuable lessons than debates on common values or universal ethical frameworks.

In the second chapter, Søren Holm asks whether bioethics only serves the interests of the rich and powerful. Some may be shocked to learn that the answer is (a slightly qualified) “yes.” The main focus of the chapter is on interpersonal coercion, in particular in the context of poverty and healthcare. Holm argues that poverty, at least at unjust levels, can provide conditions for coercion, with the implication that allowing poor people, say, to sell their organs would be morally wrong.

“Do we need (bio)ethical principles?” This is the question posed by Simona Giordano in chapter three. This time the answer is a completely unqualified “no.” But Giordano goes even further, arguing that ethics based on principles causes harm by stifling authentic ethical thinking and debate. Given the preponderance of principle-based reasoning in the area of bioethics, this can be seen as a very radical conclusion.

3. Bioethical Methods

The next four chapters in the collection critically examine various tools that either regularly are or could be employed in bioethical inquiry.

Bioethics deals in arguments. It is, therefore, perhaps surprising that bioethicists—unlike lawyers, psychologists, linguists, and so on—have apparently paid no attention to the philosopher Stephen Toulmin’s argumentation theory. In chapter four, Doris Schroeder and Peter Herissone-Kelly discuss the possible uses of that theory in bioethics. They argue that, while the approach might be useful for exposing deficiencies in existing bioethical arguments, it can hardly ever be used conclusively to justify claims. Its utility as an item in the bioethicist’s toolbox is consequently severely restricted.

The first of Harry Lesser’s two contributions to this volume concerns the functions of examples in bioethics. Lesser draws a distinction between pedagogical and what we might call argumentative uses of examples. As far as