The Future of Practical Philosophy

James Stacey Taylor

James Stacey Taylor is an Assistant Professor of philosophy at Louisiana State University, USA. He has published numerous articles on the theory of autonomy, ethics, and applied ethics. He is the editor of *Personal Autonomy: New essays* (Cambridge University Press, 2005), and the author of *Stakes and Kidneys: Why markets in human body parts are morally imperative* (Ashgate Press, 2005).

ABSTRACT Over the last two decades the practice of applied philosophy has undergone resurgence. It is now common for philosophers to sit on ethics committees in hospitals, or to provide ethical advice to businesses, and many universities and colleges now offer courses in practical philosophy. Despite this, practical philosophy is subject to increasing criticism, with persons charging that (1) it is philosophically shallow, and (2) it has little to offer persons grappling with concrete ethical problems, either because (a) its techniques or too removed from such problems, or (b) because ethical theory is too abstract. In this paper I develop responses to these criticisms, and offer suggestions as to how practical philosophy should be developed.

Over the last two decades the practice of applied philosophy has undergone resurgence. It is now common for philosophers to sit on ethics committees in hospitals, or to provide ethical advice to businesses. Many universities and colleges now offer courses in practical philosophy, ranging from courses in bioethics and business ethics to more innovative courses, such as philosophy as conversation. Such courses frequently prove popular. The popularity of practical philosophy is reflected in the demand for people who can teach practical philosophy (especially applied ethics), with this section of the academic job market in philosophy currently being especially strong.[1] And it is not only the practice and teaching of practical philosophy that is currently flourishing. Research in this area is flourishing also, with two major print journals that specialize in applied philosophy (the *Journal of Applied Philosophy* and the *International Journal of Applied*

Philosophy) having been founded in the 1980s. These journals have also been joined by the prominent online journal the *International Journal of Philosophical Practice*. Moreover, the burgeoning interest in practical philosophy is not confined to the academy, or to the professions (such as medicine, business, and law) that are most affected by it. The public is also developing an interest in philosophical issues. *The New York Times*, for example, has a weekly ethics column in its *Magazine*, and Open Court Press is currently publishing a series of books on philosophy and popular culture.

Is Something Rotten in the State of Practical Philosophy?

Given this, one might think that the future looks bright for practical philosophy. But practical philosophers should not become complacent, for many persons believe that something is rotten in the state of this subfield. Ethics committees are increasing questioning why they need a professional ethicist, and are turning instead to lawyers, priests, physicians, and laymen.[2] Similarly, policy makers are starting to question the wisdom of asking for advice from academic philosophers. Leon Kass, for example, the Chairman of the President's Council on Bioethics, claims that ethical theory has grave weaknesses that render it useless in practical situations. Kass argues that ethical theory as practiced by philosophers "ignores real moral agents and concrete moral situations, preferring the abstraction of the hypostasized 'rational decision maker' confronting the idealized problem needing to be sold." Kass also charges that "because real life is so complicated, it frequently prefers its own far-out, cleverly contrived dilemmas, for example, thinking about abortion by conjuring up a woman who wakes up to find a world-famous violinist grafted onto her body."[3] More worrying, there is increasing concern among philosophers themselves that practical philosophy is "unrigorous and

philosophically shallow,"[4] and that ethical theory has no role to play in addressing questions in, for example, bioethics and business ethics.[5] Indeed, Tom Beauchamp, one of the most prominent philosophers working in bioethics today, has stated in print that the marriage between bioethics and philosophical ethical theory is "troubled" and might end in divorce, with "The …philosophical parts of bioethics…[retreating]…to philosophy departments, while bioethics continues on its current course toward a more interdisciplinary and practical field."[6]

These developments should be worrying for persons engaged in practical philosophy. But they should not be surprising. It is not easy for non-philosophers to see the uses of ethical theory, especially when they are facing a concrete ethical problem on which ethical theory seems to have no direct bearing. The practical difficulties that arise for non-philosophers concerning the application of ethical theory are further compounded by the lack of any philosophical consensus as to which ethical theory is correct. This latter problem is further exacerbated by the habit of some persons who work in practical philosophy to publish papers of the form "With respect to problem P, Philosopher A would say x, Philosopher B would say y, and Philosopher C would say z."[7] Such papers do nothing to contribute to the debate over either the practical issue at hand, or the underlying ethical theories that are being applied. Moreover, the publication of such papers lends support to the view within philosophy that practical philosophy is both lacking in rigor and philosophically shallow. Yet even if persons who worked on practical philosophy were to eschew such papers their philosophical rigor would still be suspect. Too often papers in practical philosophy are published that draw upon terms such as "autonomy", "well being", or "harm" in a way that demonstrates that their

authors are unfamiliar with the theoretical literature surrounding such concepts. For example, several papers have recently been published that address ethical issues that arise concerning the use of human remains.[8] Each of these papers drew upon the account of posthumous harm that has been developed by Joel Feinberg and George Pitcher.[9] Unfortunately, none of the authors of these papers recognized that the Feinberg-Pitcher account of harm has been subject to severe (and apparently fatal) criticism, and so to the extent that their papers relied upon it they were unsound.

Despite first appearances, then, practical philosophy today faces widespread and significant challenges. However, in this paper I do not intend to bury practical philosophy, but to praise it. This requires that the above objections to practical philosophy be delineated. In order of ascending seriousness, these are: (1) That practical philosophy is philosophically shallow, (2) That it has little to offer persons grappling with concrete ethical problems, either because (a) its techniques or too removed from such problems, or (b) because ethical theory is too abstract.

Does Practical Philosophy Lack Rigor?

The first of these objections is the easiest to dismiss, for practical philosophy is not intrinsically shallow or lacking in rigor. Consider here J.J. Thomson's "A Defense of Abortion," Hugh LaFollette's "Gun Control," Elizabeth Anderson's objections to the commodification of labor, or Paul Hughes's neo-Marxist objections to markets in human organs, among others.[10] To be sure, it might be the case that there is more work done in practical philosophy that is philosophically suspect than there is dubious work done in, for example, philosophy of language. But this does not mean that practical philosophy is itself philosophically suspect. Instead, it only shows that journal and book editors and

their referees should be more careful in reviewing the submissions that they receive in this area.

Does Practical Philosophy Have Little to Offer?

What, then, of the second objection to practical philosophy: That it has little to offer persons grappling with concrete ethical problems, either because its techniques or too removed from such problems, or because ethical theory is too abstract? I will address the first aspect of this objection first.

a) The objection from bizarre examples

The view that the philosophical technique is of no use in practical philosophy has been expressed forcefully by Leon Kass, who, as noted above, charged that philosophers preferred addressing their own "far-out, cleverly contrived dilemmas" to addressing concrete ethical problems, such as that of abortion, cloning, stem cell research, and the ethics of organ procurement. Kass's objection here is terribly misplaced, and is based on a serious misunderstanding of the use to which such "far-out, cleverly contrived" dilemmas are put. He is right that such dilemmas are "far out". But this is because their purpose is to abstract away from a particular concrete situation so that the ethical intuitions of those examining them can be focused on the particular issue at hand. (In the case that Kass outlines, the issue at hand is whether it is morally permissible to remove a human that would be dependent on one's body for nine months if one did not agree to it being there, and took no steps that could lead to its being there.) He is also right that such dilemmas are "cleverly contrived," for to be useful it is necessary that they are directly analogous to the concrete moral question at hand. Rather than being useless, then, the philosophical technique of using "far-out, cleverly contrived" examples is extremely

useful in aiding persons to discover what they really think about concrete moral issues, free from the distractions of peripheral concerns or emotional response.

Yet although Kass's criticism of "far out" philosophical examples is mistaken it is useful insofar as it highlights the fact that practical philosophy concerns ethical *theorizing* as much as it does ethical *theory*. That is, in addition to engaging in debates concerning ethical theories such as utilitarianism and Kantianism, practical philosophy also encompasses theorizing through examples and the conceptual analysis of concepts (such as "autonomy" and "well being") germane to ethical issues. Since this is so, then even if the discussion of the concrete ethical issue at hand is not couched in terms of abstract ethical theory, but, instead, in terms of whether (for example) patient autonomy should be respected, this does not undercut the relevance of practical philosophy. In such a case one would have first to determine what it is for a person to be autonomous, and hence what might compromise or undermine her autonomy. To do so, one must address a series of test cases using the sort of "far out" examples deplored by Kass. Only with one's conception of autonomy in place can one address the once one has a conception of autonomy in place can one address the concrete issue that is at hand. Thus, even if the cases that one addresses do not require one to engage with abstract ethical theory their successful resolution still crucially depends on the application of the core philosophical technique of conceptual analysis through casuistry.

b) The objection from abstraction

This response to the first aspect of this second objection to practical philosophy leads to the response to its second aspect. Although the approach to practical philosophy outlined above does not directly draw upon abstract ethical theory, this approach does not

render theory redundant. Instead, it is ethical theory that provides the foundation for this approach. Even if such theory is not directly drawn upon when addressing a particular ethical question, the way that one approaches a question should be informed by ethical theory. One's acceptance of the moral importance of a concept such as "autonomy" or "well being" should be based upon a theoretical foundation that justifies and explains such acceptance. If this foundation is lacking, then not only will one's decisions in particular cases be devoid of any ethical justification, but one will be unable to adjudicate between competing moral claims that are based on different concepts that one accepts as morally important.

Of course, the procedure for ethical decision-making that is outlined above need not be following in its entirety when addressing every ethical problem, for much of it will occur prior to such cases. Ideally, then, one should use ethical theory to determine which concepts (e.g., autonomy) are morally important. One should then analyze these concepts to determine their denotation (e.g., to determine what constitutes and autonomous act). Once one has determined the denotation of the concepts that one originally thought were ethically important, one should then return to one's ethical theory to determine if the initial ethical appeal of such concepts remains once one understands their denotations. If it does, then one can determine what one should do in particular concrete cases, drawing on one's understanding of what concern for such concepts requires. Of course, one will not be able to determine what one should do in every case. However, a proper understanding of the concepts that one is working with will enable one to determine what one should do in any unexpected case that arises. Even though one might not draw

directly from ethical theory when addressing a particular case, then, such a theory must be present to serve as the eventual justification of one's deliberations.

The Future of Practical Philosophy

What implications does the above defense of practical ethics against its critics have for the practice of practical philosophy? There are several. First, it is clear that rather than retreating to philosophy departments as Beauchamp envisages, philosophy should be more aggressive in establishing itself as the discipline to which persons must turn when they address ethical questions. Not to do so runs the risk of producing responses to ethical dilemmas that are both *ad hoc* and lack any real justificatory ground. There is, for example, a tendency among professional schools to produce for themselves "Codes of Ethics" without consulting philosophers and without having any appreciation for philosophical technique. Given the above defenses of practical philosophy there is a significant danger that such Codes will be little more than codified prejudice, which, if they do require the right act, will do so only accidentally. However, when claiming the prerogative to direct the development of such Codes philosophers should make it clear that they work that they are thus doing is very much "downstream" from the real work of philosophy. That is, it is merely the application of a carefully developed theoretical apparatus, and that it is the development of the theoretical apparatus that is the main focus of philosophy. This is important, as otherwise persons outside philosophy might receive the erroneous impression that philosophy requires no special training or specialized body of knowledge. Second, philosophers can accept a division of labor within the profession. Rather than holding that engaging in ethical theory is "real" philosophy and practical ethics is not, philosophers should recognize that, when it

encompasses philosophy proper (i.e., when it is not just the development of Codes and the like) practical ethics requires precisely the same degree of philosophical acumen and knowledge, as does its more "upstream" cousin. The philosophical acumen and knowledge required to engage in the conceptual analysis of concepts such as "well being" and 'autonomy' is no different in kind or degree from that required to analyze concepts such as "good" and "right". Third, and relatedly, even though abstract ethical theory is and should be the foundation for practical philosophy practical philosophers need not engage with it directly. Instead, they might focus their attentions on analyzing the concepts that are taken to be of great moral import within debates in moral and political philosophy. If so, their arguments should be conditional arguments of the form "If concept X can be shown to be morally important, then one ought to engage in (or refrain from) practices A, B, C."[11]

Conclusion

Given the recent technological developments that have given rise to a whole series of ethical questions (such as cloning, stem cell research, new immunosuppressive drugs, and the revolution in end-of-life care), practical philosophy as practiced by philosophy should indeed be flourishing. Yet if such flourishing is to occur, and if philosophy is not to cede ground to a more interdisciplinary approach to such practical problems, practical philosophers have to be clear about what exactly they are doing, and why it should be they that are doing it. Such professional clarity is a consummation devoutly to be wished not only outside professional philosophy, but also within it.

Endnotes

[1] Brian Leiter, "Landing a Faculty Job in Philosophy," *The Chronicle of Higher Education*, Friday, December 11th, 1998.

[2] Noted by Tom L. Beauchamp in conversation. See also his "Does Ethical Theory Have a Future in Bioethics?" *Journal of Law, Medicine and Ethics* 32 (2004), 209.

[3] Leon R. Kass, *Life, Liberty and the Defense of Dignity: The challenge for bioethics* (San Francisco: Encounter Books, 2002), 65.

[4] Leiter, "Landing a Faculty Job in Philosophy". Leiter notes this view but does not commit himself to endorsing it in this article.

[5] Beauchamp, "Does Ethical Theory," 210.

[6] Ibid., 209.

[7] See, for example, M. Norden, "Whose life is it anyway? A study in respect for autonomy," *Journal of Medical Ethics* 21 (1995): 179-183.

[8] W. Glannon, "Do the sick have a right to cadaveric organs?" *Journal of Medical Ethics*, 29 (2003), 153-154, C. L. Hamer, and M.M. Rivlin, "A stronger policy of organ retrieval from cadaveric donors: some ethical considerations," *Journal of Medical Ethics*, 29 (2003), 197-199, T.M. Wilkinson, "Last Rights: the Ethics of Research on the Dead," *Journal of Applied Philosophy*, 19 (2002), pp. 31-41, and Geoffrey Scarre, "Archaeology and Respect for the Dead," *Journal of Applied Philosophy*, 20 (2003), pp. 241-247.

[9] Joel Feinberg, *The Moral Limits of the Criminal Law: Volume I, Harm to Others* (Oxford: Oxford University Press, 1984), pp. 79-95; George Pitcher, "The Misfortunes of the Dead, "*American Philosophical Quarterly*, 21 (1984): 183-188.

[10] J.J. Thomson, "In Defense of Abortion," *Philosophy and Public Affairs* 1 (1971): 47-66, Hugh LaFollette, "Gun Control," *Ethics* 110 (2002): 263-281, Elizabeth Anderson, "Is Woman's Labor a Commodity?" *Philosophy and Public Affairs* 19 (1990): 71-92, Paul Hughes, "Exploitation, Autonomy, and the Case for Organ Sales," *International Journal of Applied Philosophy* 12 (1998): 89-95.

[11] This is avowedly the method of James Stacey Taylor*, Stakes and Kidneys: Why markets in human body parts are morally imperative* (Aldershot, UK: Ashgate Press, 2005).