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Book Review

Moral Acquaintances: Methodology in Bioethics, by Kevin Wm. Wildes, S.J., Notre Dame Indiana, 2000, 214 pp.

The field of bioethics amply illustrates that morally, ours is a pluralistic culture. Kevin Wm. Wildes, S.J., in his book *Moral Acquaintances: Methodology in Bioethics* undertakes to assess the strengths and limitations of the reigning methods of bioethics and to propose methods that will enable bioethics to operate better in our pluralistic times, methods based on the concept of moral acquaintanceship, a concept that attempts to build on values or principles opposing theories might hold in common.

It is not until very late into the book that Wildes makes explicit his understanding of bioethics. It is: "a discipline that resolves moral controversies in medical research, experimentation, clinical treatment, and health care policy. As a field of inquiry seeking to resolve moral controversies, bioethics has sought agreement or consensus with a zeal reminiscent of the knights' search for the lost chalice. Each method in bioethics attempts to establish as much agreement as possible, and different methods legitimate themselves, in part, by their ability to articulate agreement." Had this definition appeared earlier in the book, it would have saved some readers much frustration and confusion, that is, those who operate with the understanding that bioethics is a subdiscipline of ethics, that it is the attempt to discern what is the moral action in a given situation (in the health care arena) and what reasons justify that action. This definition explains the curious categories Wildes uses to evaluate various theories; that is, for instance, he regularly faults an ethical system, here called a method, for not achieving a consensus in a pluralistic culture.

The terms of evaluation employed by Wildes suggest that "truth" is not a comfortable category for him. In fact, "true" and "false" or "moral" and "immoral" or "good" and "evil" or "right" and "wrong" are words that rarely appear in Wildes' discourse and when they do they are regularly placed in quotation marks. His discourse is full of talk about methods that are "appealing" or "attractive", about choices that are "appropriate" or "inappropriate", about methods that have "strengths" and "weaknesses."

Wildes' choices for representatives of various theories/methods are interesting. Books on bioethics regularly review the philosophic options: utilitarianism, deontology, principlism, natural law, virtue based ethics, feminist care ethics, and casuistry are generally the primary players. Peter Singer is Wildes' utilitarian, Alan Donagan his deontologist, Grisez/Boyle/Finnis/May his natural law theorists and Pellegrino and Thomasma

his virtue theory ethicists. To be sure, there is something refreshing about these substitutions for Mill, Kant, Thomas, and Aristotle, but one would think he would give a nod to those whom to date have been enshrined as standard place holders by the bioethical establishment.

Indeed, although Wildes' choices are refreshing, one wonders if they are altogether appropriate. (The pluralism is much greater of course than this list indicates; it certainly pays little heed to various religious commitments nor to the fact that rarely could or would a physician or patient identify himself or herself as one of these. So one may doubt the "real-life" relevance of these philosophic inventories.) The field of bioethics tends to consider as a deontologist anyone who thinks that there are intrinsic evils: Kant, the original and premier deontologist, reasoned only in terms of absolute, universal evils, but many of those deemed deontologists, such as some Christians, acknowledge only a few intrinsic evils. Rights theorists, too, seem to have some absolutes, but does this make them deontologists? The late Donagan is more of a deontologist than many who are identified as such but I am not aware that he published on bioethical issues or that his "method" is used to address bioethical problems.

Wildes' choice of representative thinkers in the natural law tradition is also suspect; regrettably, in my view, Grisez/Boyle/Finnis/May have come to occupy primacy of place in many surveys as modern natural law theorists although they are fierce opponents of the Aristotelian/Thomistic natural law theory that has informed much of Catholic ethics, the home of natural law ethics. Wildes asserts that their natural law theory is based on "self-evident" basic goods and counts it as the third of three Roman Catholic natural law traditions. The physicalist natural law of the tradition is said to have framed the Church's teaching on sexual matters and its representative proponent is Pope Pius XI and his condemnation of contraception. (I wonder why Pope Paul VI escaped censure.) He mentions in passing that there is a "person-centered" natural law tradition, represented by Joseph Fuchs, S.J., that "takes into account the psychological aspects of human nature." (One suspects he approves this method, for after all, it makes room for contraception.) No mention is made of Pope John Paul II's personalism, a version of natural law that focuses on the person and that upholds the condemnation of contraception.

I chose Wildes' book as a textbook for a graduate course in bioethics since Wildes exhibits a suitable familiarity with the various reigning theories in bioethics and I was interested in his focus on the problems bioethics faces in a pluralistic culture. Yet this book proved to be immensely disappointing as an exhibit of philosophic thinking.

Wildes makes abundant distinctions in his book, not all of them of sufficient clarity. Indeed, it is no small deficiency in his methodology that

the word "method" itself is left undefined; it is helpful that he equates it with proceduralism and likens methodology to the "rules of a game", yet his willingness to nearly identify theories with methods left my graduate students and myself confused about his precise meaning (more about this below).

The most significant deficiency of the work is that Wildes does not systematically identify the criteria by which he evaluates different "methods", nor attempts to justify his criteria. While Wildes constantly asserts that thinkers are often not self-conscious enough about the assumptions that undergird and form their thought and criticizes various theories for not sufficiently justifying their governing principles, he exhibits no awareness that his enterprise is lacking the same self-conscious awareness of fundamental commitments and is without explicit justification. The desire to find some "trans-theory" method(s), some bioethical method(s) that will suit a pluralistic culture, is itself, of course, based on some assumptions of what is good; assumptions Wildes does not identify or justify until very late in the book and then inadequately. In fact, it is not clear whether Wildes thinks pluralism in itself is a problem or a benefit or both or what criteria would help us decide. It is clear that Wildes thinks that working in communities is better than not and that coming to a consensus is valuable (for methods that help communities operate and build consensus are deemed appealing) but he does tell us why he thinks so, beyond saying that it is obvious and he intuits it to be such (125).

Certainly, one's philosophic commitments would determine what value one would find in "pluralism", how important it would be to accommodate one's method to pluralism, the way in which one would operate in a pluralistic culture; that is, one supposes that a utilitarian, deontologist, principlist, natural law ethicist, virtue based ethicist, feminist care ethicist, and casuist would all have different assessments of "pluralism", its problems and benefits, and would have different proposals how to live morally in pluralistic cultures (I would find very useful a volume with essays by each on the question of pluralism). Much of what Wildes says indicates that he does not think there is some detached position from which one can view pluralism and resolve what "problem" it may present or take advantage of what "benefit" might be associated with it, but his practice of proceeding without identifying and justifying his own philosophical commitments conflicts with his insistence that others be self-conscious about theirs.

His assessment of natural law theories is typical:

Natural law approaches have at least two elements which make them attractive. First they assume that moral knowledge (principles) can be apprehended by reason. If the project succeeds there would be a way

by which moral agents, from different cultures, would be bound together. Second, they take seriously the pluralism of moral reasons by trying to include a variety of arguments (deontological, teleological). (38)

Wildes gives no indication of how "theory-bound" his evaluations are; that is, he never tells us why a theory is more attractive because it binds cultures together. He praises theories and methods for features they may not value in the same way. Certainly, the commitment of natural law to reason is not because of its "bonding" powers (though that is a benefit), but is based on a view of man as a rational animal and of action in accord with one's nature as a good, an understanding that natural law theorists think is an objective truth accessible to humans everywhere. Furthermore, natural law's incorporation of a "variety of arguments" is not based on a desire to be pluralistic, but is considered necessary because of the nature of reality.

The assessment of the strengths and limitations of various theories/methods occupies the first part of Wildes' book. Again, I find his close association with theory and method to be problematic. In Wildes' view, utilitarianism, deontology, natural law, and virtue ethics are all theories and methods as well – in fact, they are all methods of fundamentally the same kind, that is, foundationalism. Foundational theories posit some universal principle and then try to determine the morality of particular acts by applying the universal to the particular. In general, Wildes finds such theories/methods likely incompatible with bioethics, since bioethics is so much about the particular; he finds universals rather without "content" and when such theories do provide content, that makes them less useful in a pluralistic culture. There is only some slight suggestion that he understands how ironic it is to critique a system for not having content and then finding it useless when it does provide content (and not because one finds the content wrong.)

While it might be true for some theories that posit "universals" that the content is "thin", it is not true of all. For instance, Wildes faults an ethics that begins with the principle "Do good, avoid evil" as "not very helpful" since it does not tell us "what good should be done or what evil avoided." Now the one theory I know that "begins" with that very principle (Thomism), is not unclear on what is good and what is evil: what is good is what is in accord with human nature and what is evil is what violates human nature. Nor are adherents kept in the dark about what human nature is. While Wildes occasionally acknowledges that various ethical systems involve various metaphysical and epistemological "assumptions" and commitments, he rarely acknowledges that sometimes these are fully developed, acknowledged, and incorporated into an ethical theory and that they are essential to the content of the theory.

Moreover, Wildes does not acknowledge that there may be some difficulty if not injustice in assessing theories/methods for their utility in dealing with the problems of a pluralistic culture if they were not devised with that purpose in mind. In my understanding, ethical theories rarely were devised with the intent of providing a method for decision-making, rather they provide a means for explaining why such actions as adultery are wrong. In general, they might assist one in justifying the decisions one makes should the need arise more than in guiding one in making decisions. Mill, for instance, explicitly denied that utilitarians would customarily use the utility principle to guide their choices; rather they would be using the wisdom of their tradition (wise because it is based on the utility principle). A natural law theorist might employ the ten commandments and never make explicit reference to "do good, avoid evil" or "act in accord with nature." Again, for instance, Aristotle thought one would avoid committing adultery because one had been habituated well; his ethical theory largely explained why habituation was necessary for good ethical behavior. What he was seeking was the truth about what is the end of human action and what action advances that end and what action deflects from that end. He did not articulate any "method" for making ethical decisions.

Wildes realizes that his discovery of fatal flaws in all theories/methods and his abandonment of the attempt to find some "content" full ethics that would win our allegiance, may suggest that all that is left is relativism. But Wildes is a fierce opponent of relativism, not, though, because it is false. His definition of relativism is strange: "The relativist view is that it really does not matter which position one holds on any matter." (146) (Another possible definition is, of course, that it does make a difference what position one holds, but the criteria are relative to a certain culture.). Wildes finds "a problem with [the indifferentism that follows upon relativism] is that if one holds it, he or she will have no incentive to reach a consensus with anyone who holds different views." (146)

Wildes prefers "communitarian" ethics and the extent of his justification for that preference seems to be that "no human being exists alone;" (125) he certainly makes no claim that truth is better achieved through community. He also lauds the "postmodern" insight that the "focus falls more on the particular, and the local than on the universal and the necessary. In a secular society that is multicultural and morally pluralistic no single communitarian bioethics method is possible."

In the final pages of the book, Wildes provides a fairly skimpy presentation of how he thinks the concept of moral acquaintanceship can help solve the problems of bioethics. Moral acquaintances have something in common: values, paradigmatic cases, principles, for instance. When two bioethicists meet, one of their major concerns should be attempting to

discern what they may have in common, for these may become building blocks for further agreement. For Wildes this is an advance beyond Englehardt's moral strangers who rely only upon a rule-laden proceduralism that Wildes finds too thin since it has so little content.

Wildes advocates a proceduralism among moral acquaintances in a secular pluralistic society that is based upon four elements: 1) a commitment to liberty; 2) recourse to the law to set limits; 3) a recognition of the limits of authority and 4) toleration of differences. This is just about the totality of his description of his proposal for proceduralism based on moral acquaintanceship; no examples are given of what procedures might bring about consensus. I find this description not only content thin but "rule" thin.

Wildes puts his criteria to test in respect to two issues that greatly test bioethics' desire to achieve consensus: abortion and assisted suicide. Wildes' method seems to fail completely in respect to abortion since he makes no judgment at all about it; he simply has recourse to his characteristic practice of positing a series of questions that an issue raises. Conversely, he is surprisingly crystal clear on what his proceduralism yields in respect to assisted suicide: "I find no general, secular moral argument that can justify the state's prohibition of assisted suicide. Arguments against suicide are unavoidably based in particular views of the good life and the good death." This point is highly debatable and deserves some debate. Certainly I share the assessment that ours is a pluralistic culture but I am less convinced that it is thoroughly secular. In this pluralistic culture forty-nine states still have laws against assisted suicide (laws arguably reflecting an earlier common morality), laws largely observed, and some of them have been recently reaffirmed in the face of movements for revision.

Wildes' clarity on assisted suicide leads one to wonder if he is an advocate of assisted suicide. For one could well imagine that the opponent of assisted suicide, one who wishes to promote the culture of life, might find the presence of these laws on the books a basis on which to attempt to reconstruct the common morality once in place. Wildes, however, never explores how a common morality might be achieved; he explores only how to live in a pluralistic culture. His project does not seem to advocate that bioethicists debate or discuss their differences or that they attempt to persuade each other of the truth of their respective positions or that they attempt to find the **ground** of disagreement between different theories/methods as contributing to the effort to "do" bioethics in a pluralistic culture. He promotes only the effort to find common ground.

Wildes becomes quite innovative at one point and makes the only specific proposal of the book. He floats the idea that a "voucher" system for health care may be good for a pluralistic society. One individual might use his

vouchers to prolong life; another to visit Kevorkian's clinic. Such proposals might work for adherents to ethical systems who only want to be left alone to pursue their own moral course. But for those who labor under the impression that they are their brother's keeper, such a laissez-faire attitude towards the wrong-doing of others will not be so attractive.

Let me stress again that Wildes never speaks of efforts to persuade others of one's point of view, of the desire one might have to prevent others, if only by persuasion, from doing something evil, of trying to help others save their own souls by discerning God's will better. He seems to think that everyone shares his passion that consensus should be a dominant value and, indeed, the goal of bioethics. There is little in this book that could be of help to opponents of the Culture of Death, those who believe Christ's command that the Church must be a "sign of contradiction" to the point of martyrdom.

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