PHILOSOPHY AND PRACTICAL ETHICS

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Abstract

Academic philosophers have recently turned their attention to practical areas such as law, medicine, business, etc., and, in particular to moral problems that may arise in these areas. But there are at least two different methodologies here. One of them seeks to find and/or justify moral principles as part of moral philosophy itself. Then these principles are applied to problem areas in business, medicine, etc. Hence, the common name "applied ethics." Another methodological approach takes the practices as themselves incorporating moral values. The second approach has been underestimated by philosophers and deserves closer attention. This is the approach of practical ethics.

Introduction

Academic philosophers have recently turned their attention to practical areas such as law, medicine, business, etc. In particular, moral philosophers have considered moral problems as they arise in the practice of these pursuits. Their contributions have met with more or less acceptance from various practitioners in these fields. But I shall not address the question of what sort of reception philosophical contributions have received. Instead, I shall address how it is that philosophers themselves think of their own contributions, that is, how they themselves conceive of a philosophical contribution to a practice such as law, medicine, and business. In what follows I shall focus on the special case of business, but my intention is not to make a point about philosophical contribution to business in particular, but to make a general point about the nature of philosophical contributions to practical ethics and how it is that philosophers conceive of the nature of their contribution.

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Practical Ethics

I use business ethics as an example here to describe how practical ethics might be approached according to at least two models.

The first model involves the assumption that philosophical ethics is the source (or verifier) of all proper ethics. Our job as philosophers is then to apply the basic principles and ideas that philosophy generates (or verifies) to specific cases that may arise in the practice of business. In many versions of this approach, business itself is thought to be "value-free," dealing strictly with facts (or, at most, dealing strictly with the application of facts). Indeed, a "value-free" view is often supported by professors of business themselves, since they are attracted to the idea that their field is "objective" and, in a very narrow sense of the term, "scientific." Often, they are only all too happy to cede values away, and moral philosophers are generally only all too happy to declare their own competency here (thinking that the only other alternatives are those of traditional religion, uncritical subjectivism, or some sort of conventionalism or relativism). Business contexts are thought to provide the particulars of the value questions, dilemmas, etc: they provide the locus for moral decisions, but the decisions themselves are to be derived from ethical principles that have a separate, philosophical backing. On this model, there is a one-way application of the principles that philosophy establishes to the site of actual problematic cases, which business supplies.

The second model begins by reversing the direction of the reasoning. Now, instead of a one-way application of principles from philosophy to actual practice, actual practice itself is taken as a point of reference to which all moral judgment must be answerable. According to this model, business ethics is the consideration of moral aspects of the practice of business. On this view, ethics is conceived of as already an aspect of the practice, not as something to be introduced to it from elsewhere. "Business ethics" entails coming to understand what it is that the ethics of the practice actually is.

The main point of difference between the two models comes out in the different answers that are given to the following question. What is the source of the moral principles that are to guide practice? The first way of proceeding emphasizes that the source of such principles must be outside practice, since to judge something by its own judgments must be circular. But the second way of proceeding emphasizes that the source of such judgments must be within the practice itself, since otherwise the judgments would be alien to the practice and possibly even contrary or irrelevant to it. In the first model, moral philosophy establishes moral principles and plays the role of the independent point of

reference that is demanded by this view. In the second model, close attention to the practice itself, and to the social context in which the practice is embedded, discloses norms of judgment, and there is no need to seek independent points of reference.

Whereas most philosophers operate within the first model, many others (including some professors of business and some business people themselves) think in terms of the second. I shall examine one very good example of the first way of proceeding--as expressed in Beauchamp and Bowie's widely used text *Ethical Theory and Business*.1

To be fair to Beauchamp and Bowie, two caveats must be expressed at the outset. First, they have moved further and further from an extreme version of the first model as their book has come out in newer editions. Secondly, they have, at least in their own eyes, moved so far that they would probably deny that their view is still a version of the first model. So let me begin by acknowledging that, yes, they have indeed moved further and further from an extreme version of the first model, but I do not think that they have left that model altogether.

At this point I shall intersperse my own remarks with quotes from (the most recent edition of) Beauchamp and Bowie. Since their approach to practical ethics is a clear and articulate version of the first model, their explanatory and methodological material will serve well as a concrete example of that model and a point of departure for the points that I wish to make here.

Beauchamp and Bowie distinguish three sorts of inquiry that may be made in ethics. The first they call the *descriptive* approach; this approach is characteristic of sociology, psychology, and many ordinary observations about business practices and actions. The descriptive approach seeks only to describe the business practices or acts, not to judge them (and especially not to judge them from a moral point of view). Secondly, there is a *conceptual* approach, which seeks to analyze the meanings of moral concepts such as *right, good, justice*, and the concept of *morality* itself. Finally, they say:

> The third approach, *prescriptive or normative ethics*, is a prescriptive study attempting to formulate and defend basic moral norms. Normative moral philosophy aims at determining what *ought* to be done, which needs to be distinguished from what *is*, in fact, practiced. Ideally, an ethical theory provides reasons for adopting a whole system of moral principles or virtues (p. 7, emphasis in the original).

This is to be understood in conjunction with another distinction that Beauchamp and Bowie insist upon. While the term *morality* refers, roughly at least, to "what persons ought to do in order to conform with society's norms of behavior," *moral philosophy* or *ethical theory* "concerns the philosophical reasons for or against the morality stipulated by society" (p. 2). They seem to think that analysis of moral concepts is also descriptive. Such an analysis is supposed both to tell us what the ordinary understanding of the concept is and to stay within the realm of the descriptive.

Generally, philosophers (such as Beauchamp and Bowie) who use this first model assume that what is needed for the discussion and (possible) resolution of moral cases is (1) strictly factual language, in which moral cases can be accurately described and explained without judging them at all, and (2) some moral principle--introduced from somewhere external to the context of the moral case, and deriving its authority or justification from that external source--that will be brought to bear on the facts and will solve the case (or at least greatly help to resolve it).

I think both of these assumptions have quite serious problems, but here I shall focus on the first one. Ordinary concepts, such as those used in business, generally have various aspects of meaning (and import for action), although philosophers tend to ignore all aspects of meaning except "the descriptive," (which itself is then understood in a rather narrow and rarified way). Ordinary concepts are appropriate for discussing moral cases; such cases arise in terms of such concepts, and while other (e.g., technical) concepts may be introduced in order to shed light on a case or to relate it to other cases, these introduced concepts will supplement, but not replace or displace, ordinary concepts.

Consider the ordinary concept of *justice*, for example. This concept has various aspects. One of those aspects is that actions regarded as just ones, those falling under the concept *justice*, fall in a morally positive place.2 When we read in the news a story that people somewhere are demanding *justice*, we know that what they are demanding falls into a category under which they regard those items called just as things that they are entitled to, things that are rightfully theirs. We do not yet know the identity of those things, but we do know that these people, in using the concept *justice*, claim that they deserve them or should get them. In addition, there is the suggestion that if *justice* requires something, law requires it. (Sometimes what is meant here is that positive law requires it; sometimes however positive law drops out and what is meant is that there is a moral or divine law that requires it.) A concept like *justice* has a great many aspects, or sides to it, that are grounded in current and past practices and usages.

Although the standard philosophical idea seems to be that conceptual approaches to morality describe and analyze moral concepts without themselves taking (or incorporating) moral positions, it is nevertheless true that concepts and ideas include within themselves various aspects and characteristically occur in specific trains of thought. For example, it is fairly easy to see that people who speak in terms of "reverse discrimination" are usually against programs of affirmative action, people who speak in terms of "socialized medicine" are usually against programs of national health insurance, and people who speak in terms of a "homosexual agenda" are usually against gay rights. The logical status of what is going on here is interesting. It is not a hard and fast logical rule that those who use the language I have mentioned take the positions that I have mentioned. But the connections are not just random or the result of chance empirical correlations either. The concepts under which people categorize things are not innocent classificatory devices, but, because concepts have various sides and aspects, already go some way toward incorporating in thought and language how it is that those things are to be properly regarded and treated.

The Third Approach

Is a totally value-free language even possible? If it is, it seems incapable of articulating the very things that we care about. It would have to be detached from how it is that those things categorized in the system are to be regarded and treated.

It is the third approach to ethics, ethics as *prescriptive or normative ethics*, which Beauchamp and Bowie identify with "an attempt to formulate and defend basic moral norms" (7). My own view it is that it is just false that prescriptive or normative ethics must attempt to formulate and defend basic moral norms. Couldn't a practitioner of normative ethics--even a philosophical practitioner--simply address what ought to be done in a particular case, without delving into "basic moral norms"? For example, couldn't a philosophical practitioner of normative ethics investigate the moral acceptability of specific governmental policies, e.g., the economic treatment of Cuba? A common philosophical assumption is that one's normative views about something like the government's economic treatment of Cuba are going to be derived from some basic moral norms. But another equally acceptable (if not superior) suggestion is that any determination of basic norms here must be a generalization from actual cases, such as the actual case of a moral inquiry into our economic relationship with Cuba.

The idea of getting hold of a "basic norm" that would solve a group of particular problems is very attractive to both professional philosophers and

beginning students. I would say that one problem here is that a sufficient condition for solving a set of problems (here, possession of a basic norm) is confused with a necessary condition for solving the set of problems. In order to specify what our economic relationship to Cuba should be, it is sufficient, but not necessary, to have a basic norm that would apply to this case. *If* we knew how to treat all nations, under all circumstances, then we would know how to treat Cuba now. The conditional that is expressed by "if" correctly portrays the principle as a sufficient condition, not as a necessary one.

Suppose it is said, by way of answer to my own skeptical views about the usefulness of seeking basic moral norms, that what is sought here is not necessarily one set of absolutely basic moral norms, but moral norms that are at least basic to a moral view about our nation's economic relationship to Cuba. Now the defender of the idea of basic norms says that what is wanted, when "basic norms" are spoken of, is norms that a normative decision about this particular case can be grounded in. That is, the search for basic norms need not be the search for the norms that lie at the basis of *all* moral inquiry, but could simply be a search for the norms that form the basis for *this* moral inquiry. Otherwise, without such norms, it is feared that the "inquiry" will simply be a sham; I may *say* "This is right" or "This is not right" but I will lack basic norms for my view.

If this is what is meant by "basic moral norms," I am much more sympathetic to the idea but still skeptical. One problem I see is this. It just may not be that what makes a moral view appropriate to the situation is a moral norm. A norm is like a general rule, but there are plenty of other things (pictures, stories, historical narratives, comparisons, re-descriptions, current ideas, etc., etc.) besides general rules that may give us great insight into a moral situation. The point in investigating a particular case from a moral point of view is not to find a rule under whose province it comes, but to gain moral understanding of the case. Finding or articulating a basic moral norm or a general rule may provide that understanding, but many other things may also provide that understanding.

Beauchamp and Bowie speak of the need for "definitional clarity" (11), apparently implying that there is some value-free language in terms of which things can be "conceptualized"--categorized into collections or sets that are identified with the range or extension of the concepts. Sometimes, moral disagreements, will be resolved, or brought closer to resolution, by means of seeking definitional clarity. Of course it is generally useful to get definitional matters clear. But where there is genuine light brought to bear on ethical disputes by paying attention to concepts, this is often the case because, as I have stated, concepts have various aspects or sides; concepts normally include some relation to our interests, practices, values, reactions, etc.

Suppose, for example, in a given case there are disputes about the permissibility of strip-mining. In this case, this is a practical dispute about whether strip-mining is to be permitted or not; it is not (necessarily) a legal dispute about whether strip-mining is already permitted by virtue of some contract or by reference to what has already been allowed, etc. People who are saying "It *is* permissible" are coming out in favor of its being allowed; people who say that it is *not* permissible are coming out against its being allowed. Sometimes--but I would not say "often"--it can be shown either that the strip-mining in question is already allowed (say, by the permissions that have been granted) or that it is not allowed (say, due to rights that have been retained). But if we have what I am calling a practical question, if a practical matter is at issue or at stake, then the people who take sides on this matter are giving their judgments about whether the strip-mining should be allowed to go forward or not. Perhaps some people are concerned about the amount of environmental damage that may occur; perhaps some people are concerned about the eyesore that strip-mining could produce. Beauchamp and Bowie are correct that we need to know what the actual facts may be about the environmental impact. Knowing this, we may be able to show that some of the first set of people is wrong; perhaps they are relying on inaccurate information. But there is another thing that these people are saying; what they are worried about is environmental *damage*. This concept involves our own feelings and values; a substitute concept, one that exists in a realm of pure value-free fact cannot be constructed. (The pure-fact substitute would have to be detached from any ties to our interests, feelings, values, etc.; it can come into existence only by draining such elements away from ordinary concepts such as "damage." The result, assuming a result would be achieved, would be incapable of expressing what it is that the original people were exercised about.) Again, consider the concept of an eyesore. The concept of an eyesore must include reference to what we think (feel), and what we are to think (feel). That we have negative attitudes towards damage and eyesores is not an empirical fact about people; it is not merely false but unimaginable that people could have liked damage and eyesores. If the people who want to do the strip-mining try to persuade us that what they will produce will not be an eyesore, it *might* be the case that new information of a factual kind will be decisive in making their case. But it is entirely possible that they and we could agree on such matters (perhaps by sharing data, photographs of previously strip-mined sites, etc.) and still one side--they--would say that the proposed strip-mining will not produce an eyesore, and the other side--we--would say that it would. I do not wish to claim that both sides cannot continue to make progress on seeing eye-to-eye about the matter, but such progress will hardly be a matter of definitional clarification.

In a given instance, questions such as whether we have *damage* or whether we have an *eyesore* are primarily interpretive or hermeneutic questions that have to do with how we are to understand or make sense of the situation.

Ordinary language is quite adequate to the task of moral analysis. Theory can produce useful artifacts, organizing principles, etc., but theoretical ideas are only added to the mix of what is available in case discussion. Theory does not *displace* our ordinary moral thought about particular cases.

Notes

1. References in the text, given in parentheses, always refer to the sixth edition (2001). I discuss Beauchamp and Bowie not because I wish to criticize a view that is peculiar to them but, on the contrary, because they accurately capture a very widespread and typically philosophical approach. The ultimate object of my criticism is this typically philosophical approach, not Beauchamp and Bowie.

2. Someone who goes against this, e.g., Thrasymachus, challenges both accepted morality and accepted language.

References

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Biographical Sketch

Stephen Satris was born in New York City. He received a B.A. in philosophy from the University of California at Los Angeles, an M.A. in philosophy from the University of Hawaii at Manoa, and a Ph.D. in philosophy from Cambridge University, England. He has written on moral and philosophical issues for professional journals. He is the author of *Ethical Emotivism* (Martinus Nijhoff, 1987) and the editor of *Taking Sides: Clashing Views on Controversial Moral Issues*, 9th ed. (McGraw-Hill/Dushkin, 2004). He has taught at several American universities. He is a former president of the South Carolina Philosophical Association and is currently C. Calhoun Lemon Fellow at the Rutland Center for Ethics at Clemson University in Clemson, South Carolina, where he also teaches philosophy. Address: Dept. of Philosophy and Religion, Clemson University, Clemson, SC 29634.