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## Consistency, Common Morality, and Reflective Equilibrium

**ABSTRACT.** Biomedical ethicists often assume that common morality constitutes a largely consistent normative system. This premise is not taken for granted in general normative ethics. This paper entertains the possibility of inconsistency within common morality and explores methodological implications. Assuming common morality to be inconsistent casts new light on the debate between principlists and descriptivists. One can view the two approaches as complementary attempts to evade or transcend that inconsistency. If common morality proves to be inconsistent, then principlists might have reason to prefer a less pluralistic theory, thereby moving closer to descriptivism. Descriptivists, by contrast, might want to qualify their claim to accommodate all of people's basic moral convictions. Finally, both camps might wish to adopt a more revisionist posture, accepting that an adequate ethical theory occasionally will contradict some of people's deepest moral convictions. Proper application of the method of reflective equilibrium, to which both descriptivists and principlists claim allegiance, may entail greater openness to revisionism than either camp admits.

One of the liveliest theoretical debates in biomedical ethics remains the controversy between "principlists" and "descriptivists." In recent years, representatives of the two factions have found some common ground (Beauchamp 1995, pp. 188–90; Gert, Culver, and Clouser 1997, pp. 89–90). Yet each faction continues to insist that the competing approach is flawed, and inferior to its own (Beauchamp and Childress 2001; Gert, Culver, and Clouser 1997).

I offer what I expect to be a controversial perspective on this debate. Principlists and descriptivists seem to assume that common morality constitutes a largely consistent normative system. I ask: what if this assumption were false? What if common morality were, in fact, deeply inconsis-

tent? What if it required revision before one could answer, or even illuminate, the interesting, controversial questions in biomedical ethics?

The inconsistency hypothesis is not popular with mainstream biomedical ethicists. It is more popular, though still controversial, among those working in general normative ethics. I shall offer little direct defense of the hypothesis, as others already have made the case more effectively than I could (Kagan 1989; Parfit 1984; Unger 1996; Bennett 1995; Norcross 1997). Instead of supporting the inconsistency hypothesis directly, I shall suggest that partial recognition of its truth explains why principlists and descriptivists criticize one another as they do. One can view the two approaches as complementary attempts to evade or transcend the inconsistency of common morality, an inconsistency of which each faction seems inchoately, but only inchoately, aware.

Were the inconsistency hypothesis true, it would have important ramifications for both principlism and descriptivism. Principlists, I shall suggest, might have reason to prefer a less pluralistic theory, thereby moving closer to descriptivism. Descriptivists, on the other hand, might want to qualify their claim to have accommodated all of our basic moral convictions. Finally, both camps might want to adopt a more revisionist posture, accepting that an adequate ethical theory occasionally will contradict some of people's deepest moral convictions.

#### DESCRIPTIVISM

Descriptivists assert that all rational adults share a "moral system," which they use, at least implicitly, in dealing with everyday moral problems. They call this system "common morality" and present it as "a single unified moral system which provides a framework for dealing with all moral problems" (Gert, Culver, and Clouser 1997, p. 20). Danner Clouser (1995, pp. 228–29) compares their project to that of a grammarian working with natural languages: "There is a structure or a logic that underlies language, but it must be sorted out, clarified, and perhaps made more consistent." Descriptivism borrows from both Kantianism and utilitarianism, while aspiring to avoid the pitfalls of each of these traditional theories (Gert, Culver, and Clouser 1997, pp. 46–47).

The moral system defended by Bernard Gert, Charles Culver, and Clouser consists of four elements: a set of 10 moral rules (the "Decalogue"); a corresponding set of 10 moral ideals; a set of 10 morally relevant features; and a single criterion, at the highest level of abstraction, for determining when exceptions to the rules are justified when two or more rules

offer conflicting directives in a certain case (Clouser 1995, p. 227). The rules do not require the prevention or removal of harm or the conferral of benefits, they simply forbid causing harm (Clouser 1995, p. 230). The rules include “Do not kill;” “Do not cause pain;” “Do not cheat;” and others. Clouser (1995, pp. 230–31) defines the proscribed harms as those which “all rational persons would choose to avoid.”

To this extent, descriptivism is “pluralistic,” but only at a derivative level. At the most fundamental level, descriptivism is “monistic”—i.e., it includes a single, unified criterion for determining when an exception to a rule is permitted. This criterion, which I call the “impartiality criterion,” states that an exception is permitted if and only if all impartial, rational persons would find it acceptable to adopt publicly a norm permitting an exception under those conditions (Gert, Culver, and Clouser 1997, p. 37). The descriptivists further specify (p. 40) that an impartial rational person can advocate that violating a rule be publicly allowed if and only if she predicts that publicly allowing such violations will result in less harm being suffered, overall, than if such violations are not publicly allowed.

In any uncontroversial (“easy”) case, the moral system provides a unique answer. The descriptivists aim “to make this system explicit so it can be used by people when they are confronted with new, difficult, or controversial moral decisions” (Gert, Culver and Clouser 1997, p. 16). These are “hard cases”: those with respect to which different reasonable persons hold different opinions, or no settled opinions at all. Is it ever permissible to withhold information from a patient in order to spare him emotional distress? May a parent prevent his child from receiving immunizations for religious reasons? Is active euthanasia ever permissible?

Descriptivists acknowledge that common morality, even as they have explicated it, provides no unique answer in most hard cases. In a few hard cases, however, an explicated moral system does provide a unique answer. In many other hard cases, the moral system still has a role to play. It can distinguish morally acceptable solutions from morally unacceptable ones, clarify the sources of the persistent disagreement, and indicate what issues would require resolution before the disagreement could be resolved (Gert, Culver, and Clouser 1997, pp. 21, 23–24).

#### ACCOMMODATING CONSIDERED CONVICTIONS

Principlists and descriptivists agree that an ethical theory should accommodate “considered moral convictions”: those pretheoretical intuitions about concrete cases that are widely shared and held with greatest

confidence, after reflection. For example, everyone agrees that it is wrong to deceive a patient into participation in an experiment with no potential to benefit her, just to satisfy one's curiosity. Everyone agrees that it is wrong to inflict physical pain on human infants for the sake of entertainment. Principlists and descriptivists agree that one can evaluate a theory with respect to its capacity to accommodate convictions such as these (Beauchamp and Childress 2001, pp. 340–70, 398). "It is . . . a test of adequacy of any account of morality that it not be inconsistent with one's considered moral judgments" (Gert 1998, p. 379). "Insofar as an adequate moral theory has any unacceptable conclusion, it will, like scientific theories, be revised" (Clouser and Gert 1990, p. 233).

An accommodating theory, however, should do more than yield answers that conform to people's convictions. It also should supply rationales for those answers that conform to people's intuitive sense of *why* they accept them. It should reach the right answers for the right reasons. As Clouser (1995, p. 222) remarks, "the issues in dispute [between principlism and descriptivism] will not so much affect the actual decisions made in particular cases as they will give an account of how those decisions were made."

Does descriptivism succeed in accommodating people's convictions? Gert (1998, p. 379) asserts confidently, "given that morality is an informal public system, it is extremely unlikely that any considered moral judgment will be incompatible with common morality." He is correct that people are likely immediately to recognize and endorse the Decalogue and the list of moral ideals. But will the impartiality criterion routinely vindicate people's considered convictions with respect to when exceptions to the rules and ideals are permitted, required, or forbidden? In this realm, there are reasons to doubt Gert's confidence.

First, the impartiality criterion resembles T. M. Scanlon's (1998; 1982) hypothetical contractualism, although Gert, Culver, and Clouser never cite Scanlon in their 1997 book. In light of this resemblance, it is worrisome to note that Scanlonian contractualism also may fail to accommodate people's considered convictions (see Reibetanz 1998; Kamm 2002; Pogge 2001; Dancy 2000; Blackburn 1999; Pettit 1999; McGinn 1999; Brand-Ballard, forthcoming 2004). The descriptivists' attempts to apply their impartiality criterion are less nuanced than Scanlon's efforts to apply contractualism. It would be remarkable if descriptivism coincided with people's convictions more often than does Scanlon's theory.

This worry becomes more pronounced when one notices that, according to descriptivists, the judgments of impartial rational persons track

those of a particular kind of rule-consequentialist, one who accepts a publicity condition and defines the good as the minimization of harm. Ronald Green, Gert, and Clouser (1993, pp. 483–87) themselves admit the resemblance of their theory to a version of rule-utilitarianism incorporating a publicity condition, and Gert (1998, p. 215) notes that “rule-consequentialism . . . is closely related to a correct account of moral reasoning.” Similarly, Robert Veatch (1995, p. 207) characterizes Gert’s theory as “a single-principle theory in which all the moral rules are derived from the principle of nonmaleficence.”

This rule-consequentialist character leads Henry Richardson (2000, p. 298) to the accusation that descriptivists rely on a form of “global balancing” of harms. Gert, Culver, and Clouser (2000, p. 318) dispute this accusation, but the fact that their impartiality criterion supports the same judgments as a form of rule-consequentialism raises concerns. Many philosophers have argued against all forms of consequentialism, even forms of rule-consequentialism with publicity conditions (Beauchamp and Childress 2001, pp. 345–48; Mulgan 1996; Nagel 1986; Slote 1985; Williams 1981; Monro 1979). One of the objections is, precisely, that no form of rule-consequentialism can accommodate enough of people’s considered convictions and offer the right reasons for those convictions. There are circumstances in which one can predict that publicly allowing a certain type of violation will minimize harm, in the long run, and yet there is an intuitive moral objection, strongly held and widely shared, to such violations. Even if the implications of rule-consequentialism conform to people’s moral convictions, moreover, some argue that it fails to accommodate their intuitive reasons for those beliefs.

Critics suspect, similarly, that descriptivism has too many highly counterintuitive implications. Descriptivists may assume that they can evade the counterexamples to utilitarianism by introducing a publicity condition. However, as Andrew Lustig notes, the publicity condition fails to evade many of these counterexamples. Lustig questions whether impartial, rational agents necessarily will accept strict harm-minimization as their goal. He suggests that “impartial rational persons could advocate a violation of the moral rule against killing in the case of severely demented patients . . .” (Lustig 1992, p. 505; see also DeGrazia 1992, p. 513). Lustig (1995, p. 505) asks, “Why is it obvious . . . that an increased number of medical killings, if carefully circumscribed, would be unacceptable to rational and impartial observers?” Perhaps descriptivism avoids the “absurdities” and “devastating counter examples” of utilitarianism

(Clouser and Gert 1990, p. 235; Green, Gert, and Clouser 1993, p. 484), but it fails to avoid other alleged absurdities.

This concern about accommodation arises also with respect to the reasons that descriptivists offer for their solutions to hard cases. Consider the hard case, discussed by Tom Beauchamp and James Childress (2001, pp. 418–19), in which a doctor must decide whether to withhold diagnostic information from a patient in order to spare him emotional distress, when that information will not benefit the patient. The case presents a conflict between, among other norms, the rule against causing pain and the rule against deception. Either decision violates one of these rules. To determine whether withholding the information is morally permissible, one must ask whether all informed, impartial, rational persons would favor publicly permitting doctors to withhold information under such conditions. Would it cause more harm in the long run publicly to permit such withholding? An affirmative answer favors requiring disclosure, a negative answer favors permitting the doctor to withhold the information.

Principlists object to descriptivists' account of this case. The objection is not, for the most part, that descriptivists reach the wrong results, since hard cases are, by definition, those for which little consensus prevails. Rather, principlists argue that descriptivism is indeterminate and *ad hoc*. They claim that descriptivists often supply the wrong reason for the result in a hard case, even when they reach the right conclusion. In Lustig's words, "Green, Gert, and Clouser offer no theoretical framework for guidance in conflict situations . . . except by appeal to 'factual' clarifications for impartial observers" (Lustig 1993, p. 495; see also, Lustig 1992, p. 509; Beauchamp 1995, p. 187). Beauchamp and Childress (2001, p. 391) argue that descriptivism delivers an implausible account of why it is wrong to perform a life-saving blood transfusion over a patient's objection. Similarly, Lustig (1992) argues that Gert and Clouser fail to identify the right reason for the wrongness of active euthanasia, which Lustig identifies with nonmaleficence.

#### PRINCIPLISM

Principlists argue that their theory boasts greater capacity than descriptivism to accommodate people's convictions, and to offer the right reasons for results in both easy and hard cases. Principlism is a pluralist theory, the foundation of which is a list of four principles: beneficence, respect for autonomy, justice, and nonmaleficence (Beauchamp and Childress 2001). None of the four has primacy over the others, nor is any

one reducible to another. The principles can pull in opposite directions in particular cases, and principlists offer no more abstract norm in terms of which to resolve those controversies. There is nothing “above” the principles, comparable to the descriptivists’ impartiality criterion. Beauchamp and Childress (2001, pp. 376–77) emphasize that any of several major ethical theories could justify the four principles, and that one need not settle on one of these theories in order to make moral progress.

The plurality of principles not only accommodate people’s convictions, they let individuals offer as the reasons for their convictions the very reasons in which they have greatest confidence *as* the reasons supporting those convictions. Not only can the principlist condemn experimentation on patients without their informed consent, she can condemn this practice specifically as infringing patients’ autonomy, which is exactly the basis on which many people will want to condemn it.

This advantage of principlism also applies in hard cases. The opponent of active euthanasia, for example, can appeal to the principle of nonmaleficence, while the proponent can appeal to beneficence. Not only does each side get to reach its preferred conclusion, each gets to reach that conclusion for its preferred reasons.

Principlism boasts this advantage because it “permits each basic principle to have weight without assigning a priority weighting or ranking” (Beauchamp and Childress 1989, p. 51; see also Brody 1988). This virtue also may explain why principlists insist, against descriptivists, that principles play a distinctive role in moral deliberation and justification, a role that rules alone cannot fill (Lustig 1992, p. 498; DeGrazia 1992, p. 513). Indeed, Lustig (1992, p. 494) challenges descriptivists “to submit their evidence for the adequacy of a simpler theory than pluralism.”

#### SYMMETRIC AND ASYMMETRIC EPISTEMOLOGIES

In order to appreciate why principlism accommodates people’s considered convictions more effectively than descriptivism does, one needs to dip into moral epistemology. An “asymmetric epistemology” systematically assigns preference to more general norms when they conflict with more specific ones. Suppose a doctor accepts a general norm that forbids doctors to prescribe addictive drugs. She also accepts a more specific norm that permits doctors to prescribe morphine. Morphine is an addictive drug, so these norms conflict. An *absolutely* asymmetric epistemology categorically requires the doctor to revise the specific norm in light of the more general. She must revise the norm permitting her to prescribe morphine. Other factors are irrelevant.

Consider, for example, the factor that I shall call the “confidence index” of a belief set. One can evaluate a belief with respect to the level of subjective confidence with which someone accepts it. With respect to any belief and any population one can (in principle) determine the fraction of the population who accepts the belief, and the subjective levels of confidence with which they accept it. Aggregating with respect to these variables yields the confidence index of that belief with respect to that population. Considered convictions are, by definition, moral beliefs with high confidence indices. The *aggregate* confidence index of a set of beliefs with respect to a certain population is the sum of the individual confidence indices of those beliefs with respect to each member of that population.

An absolutely asymmetric epistemology regards confidence indices as irrelevant data. It ignores the relative levels of confidence with which the doctor in the morphine example accepts the norms in question. The doctor must revise the more specific norm even if she is very confident that prescribing morphine is permissible and not very confident that prescribing addictive drugs is impermissible. Similarly, absolutely asymmetric theories ignore facts concerning the extent to which a conviction is widely shared. Even if most persons agree that prescribing morphine is permissible and few believe that prescribing addictive drugs is impermissible, the doctor in the hypothetical still must revise the more specific norm. Crude forms of foundationalism constitute absolutely asymmetric epistemologies.

Not surprisingly, many ethicists today react against absolute asymmetry by endorsing “symmetric epistemologies,” such as coherentism. These permit the doctor to revise either norm in favor of the other, depending on a number of factors, such as confidence indices (Beauchamp and Childress 2001, pp. 397–401; Rawls 1971).

Compared to asymmetric epistemologies, symmetric ones give theorists greater capacity to accommodate people’s considered convictions and to offer intuitively congenial reasons for those convictions. Symmetric epistemologies can take either absolute or qualified forms, just as can their asymmetric counterparts. A *qualified* symmetric coherentism permits one to favor higher confidence indices. An *absolutely* symmetric coherentism not only permits, but requires this preference. It forbids one to revise a norm in order to bring it in line with a norm with a lower confidence index.

I shall now explain how an unspoken commitment to absolute symmetry, combined with the inconsistency of people’s considered convictions, might lead principlists to endorse pluralism. Suppose we begin with an absolutely symmetric coherentism and a monistic moral theory. Suppose,



further, that we have two considered convictions such that there is no more general norm with which those convictions are consistent and that has a higher confidence index than does either of the more specific norms reflected in those convictions. We have greater confidence in our convictions than we have in general norms.

This combination of facts makes it difficult for us to evade counterintuitive implications as we refine our theory. The implications of a monistic theory are usually all too unambiguous. Monism *exposes* inconsistencies in our considered convictions, if any there be. Absolute symmetry thus pressures us to adopt *two* general norms, one consistent with the first conviction, the other with the second, with neither reducible to the other.

I think this is the most plausible explanation for bioethicists' enthusiasm for pluralism. They are aware, perhaps subconsciously, that common morality is internally inconsistent, at some level, and they assume an absolutely symmetric coherentism. Beauchamp and Childress (1989, p. 44, cited in Lustig 1992, p. 496) assert that "no theory fully satisfies" the requirements of "completeness, comprehensiveness, and congruence with ordinary moral judgments and experience." Perhaps pluralism is a respectable label for what an old-fashioned foundationalist would call "tolerating inconsistency" (see Gert, Culver, and Clouser 1997, p. 88).

Descriptivists, more so than principlists, tend to downplay the inconsistency of common morality. Clouser (1995, p. 228) at least acknowledges that "ordinary morality, as practiced, has some confusions, contradictions, and ambiguities that must be worked out." But he neglects to specify whether the aforementioned contradictions infect people's considered convictions, or only those moral opinions with lower confidence indices.

By contrast, many philosophers have argued that even some considered convictions are deeply inconsistent with one another (Kagan 1989; Norcross 1997; Unger 1996; Bennett 1995; Parfit 1984). Consider the "Trolley Problem." There is great confidence in the conviction that it is permissible to turn the trolley, saving five but killing one, but impermissible to perform the transplant, saving five but killing one. Good philosophers have tried, for more than three decades, to identify reasons that justify this pair of convictions (Kamm 1996; Naylor 1988; Thomson 1990; Foot 1967) Their success has been limited (Harris 2000; Clark 1995; Fischer 1993; Gorr 1990; Norcross 1989; Postow 1989). Someone may yet succeed in solving the Trolley Problem. Until that time, however, bioethicists would do well to take seriously the possibility that some considered convictions may be irreconcilable.

There are other examples of *prima facie* inconsistencies in common morality. The American people as a group have great confidence that it is impermissible to kill one person in order to prevent millions of mild headaches, yet we refuse to lower highway speed limits that could save hundreds of lives at the expense of inconvenience to millions (Norcross 1997). We are certain that inflicting pain on animals for pleasure is wrong, yet most of us continue to patronize factory farms for the sake of tasty, inexpensive meats (DeGrazia 1996). We believe that refusing to sacrifice our expensive upholstery to save the life of a bleeding child is immoral, but we refuse to make sacrifices of comparable economic value in order to provide lifesaving medical care to Third World children (Unger 1996).

The inconsistency of common morality also may explain the existence of cases that neither principlism nor descriptivism can resolve (see Beauchamp and Childress 2001, pp. 9–12). Descriptivists and principlists insist that their present inability to resolve stubborn hard cases reflects either informational limitations, disagreements about the rankings of harms, or a failure properly to work through the implications of our more basic commitments (Gert, Culver, and Clouser 1997, pp. 7, 16, 22; Beauchamp and Childress 2001, pp. 21–23) These explanations may prove correct. However, bioethicists should remain receptive to other possible explanations for the existence of unresolved hard cases. Recall the principlists' claim that a monistic theory cannot accommodate people's considered convictions. In making this claim, I think they come perilously close to conceding my point. Perhaps the reason a monistic theory cannot accommodate all convictions is precisely that monism enforces consistency, and people's convictions are not ultimately consistent. Perhaps the cases that descriptivism and principlism cannot resolve simply *reflect* the latent inconsistency of people's considered convictions. If people's convictions about easy cases already reflected consistent norms, we might face fewer hard cases than we do.

Principlists could deny that their pluralism constitutes a response to inconsistency. They advertise their pluralism as an attempt to capture what John Rawls (1993, pp. 150ff) would call an overlapping consensus amongst traditional normative-ethical theories, such as Kantianism and utilitarianism (Beauchamp and Childress 2001, pp. 376–77). They offer something for everyone. They acknowledge, moreover, that the moral life exhibits “disunity,” “conflict,” “moral ambiguity,” “untidiness,” and “complexity” of the moral life (Beauchamp and Childress 2001, p. 390). They claim that their pluralism simply reflects these features of moral reality.

It is more likely, however, that actual *inconsistency*, not mere complexity, ambiguity, or untidiness, best explains the appeal of pluralism. As descriptivists observe, principlists have not explained why the overlapping consensus must take a pluralistic form, rather than the form of a unified, but more complex, norm that sometimes authorizes consequentialist reasoning and other times deontological reasoning at the derivative level, while remaining unified at the higher level. Nor have principlists explained their refusal to lexically order the principles (Green, Gert, and Clouser 1993, p. 483). Until principlists can otherwise justify their foundational pluralism, I submit that it is reasonable to infer, as the best explanation, the deep inconsistency of the convictions that they seek to accommodate, especially in light of the independent evidence of this inconsistency.

#### PRINCIPLISM AND OUTPUT POWER

The lack of a unifying norm in principlism inspires the descriptivists' main objection. Descriptivists note that, "[i]n formulating theory we start with particular moral judgments about which we are certain, and we abstract and formulate the relevant features of those cases to help us in turn to decide the unclear cases" (Clouser and Gert 1990, p. 232). Beauchamp and Childress (2001, pp. 152, 398–99, 407, 412) also endorse this process, as a feature of Rawlsian reflective equilibrium (Rawls 1971). Descriptivists charge that principlism fails to yield unequivocal answers in hard cases, or at least to illuminate them, as a good theory should do. This capacity is the "output power" of a theory (Beauchamp and Childress 2001, p. 340). Output power is a function not just of the number of answers to hard cases delivered by a theory, but also of the adequacy of the reasons given for those answers.

Descriptivists note that, counterintuitive as some of their answers and rationales may appear, at least they manage to resolve some hard cases. By contrast, they claim, the principles function merely as "checklists," not as genuine ethical guidelines. The principles can *compete*. They cannot help to determine the morally correct action (Clouser and Gert 1990, p. 221; 1994; Gert, Green, and Clouser 1993). The principles are "neither clear nor useful in determining (in particular cases) the right thing to do" (Davis 1995, p. 89). Descriptivists recognize that a unified moral theory does not eliminate disagreement, but it should at least show what is responsible for persisting disagreement. Principlism, they allege, fails to do even this (Gert, Green, and Clouser 1997, pp. 74–88; Clouser and Gert 1990, p. 223).

## SPECIFICATION

Principlists have a powerful response to the charge of inadequate output power. Beauchamp and Childress (2001; 1994; 1989; 1983) have long advocated a process of *balancing* the principles against one another, which they still support. More recently, they have acknowledged the importance of another technique, “specification,” which promises even greater output power (Beauchamp and Childress 2001; 1994; see also DeGrazia 1992; Richardson 2000; 1990). David DeGrazia (1992) coined the term “specified principlism” to denote this emerging synthesis. If conducted properly, specification can resolve some hard cases. In other cases, it directs one to the source of a controversy. For instance, specification can show what *other* controversies one would need to resolve in order to resolve the case at hand. True, Beauchamp and Childress offer no unitary “master norm” for resolving controversies, as do the descriptivists, but that does not imply that they offer no *method* or *theory* for doing so. As DeGrazia (1992, p. 528) notes, “the entire network of principles and their specifications becomes the theory” for resolving hard cases. Even Richard Davis (1993, pp. 91–92), who has much to say against principlism, acknowledges that the theory could acquire output power if its principles were systematically related to one another. That is the promise of specification.

Descriptivists need to take specification more seriously than they have. I think they are mistaken to insist, in such broad terms, that the foundationally pluralistic structure of principlism precludes adequate output power. However, some more narrowly tailored worries about specified principlism deserve attention. For any given moral controversy there will be more than one potential specification that resolves the controversy. Some of these specifications are legitimate, others are not. Consider the case of withholding diagnostic information from a patient in order to spare him emotional distress, when there is no medical reason to inform him of his diagnosis (Beauchamp and Childress 2001, pp. 418–19). The relevant principles are those of respect for autonomy and nonmaleficence. Unspecified, the principles diverge. Respect for autonomy proscribes withholding the information. Nonmaleficence proscribes inflicting emotional distress. How might one specify these principles so as to resolve the controversy? One could specify the principle of respect for autonomy as follows: “Fully disclose diagnostic information unless doing so will cause the patient emotional distress.” Or one could specify the principle of nonmaleficence as follows: “Do not inflict emotional distress, unless this results unavoidably from the full disclosure of diagnostic information.”

Which of these specifications is preferable? The answer depends on which is more coherent with the remainder of people's considered convictions. *Legitimate* specification proceeds as follows. One searches for other cases about which people have considered convictions. On the basis of the convictions in those cases, one further specifies the principles until the new specifications converge on a result in the case at hand.

Even after surveying people's convictions, however, there may be no evident winner. We are very confident that withholding information is impermissible in certain cases. We are equally confident that inflicting emotional distress is impermissible in certain cases. Yet there may be no way to generalize the opposition to nondisclosure and the opposition to inflicting distress in such a way as to yield a consistent answer to questions concerning the permissibility of deceiving a patient, in certain cases, in order to spare him distress. Those who believe such deception is permissible focus on other cases in which we insist on protecting patients from distress. Those who believe such deception is impermissible focus on other cases in which we oppose nondisclosure.

Moreover, even if the theorist can articulate a perfectly unambiguous criterion for cases, such as the foregoing, that should receive a certain answer—e.g., cases in which nonmaleficence trumps respect for autonomy—this does not entail that she has improved the coherence of our moral system. Consider a specification of nonmaleficence and respect for autonomy that entails the following: on weekdays, defer to nonmaleficence; on weekends, defer to autonomy. This is a *formally* satisfactory specification. Both principles remain distinct and relevant. Neither reduces to the other, so the framework stays as pluralistic as ever. The specification, moreover, is entirely unambiguous. One always knows, if one follow this principle, exactly when to defer to autonomy over nonmaleficence, where previously one had no guidance. The conflict is “resolved.” But the conflict-resolving specification has entirely *ad hoc* content. None of the other norms in the moral system attribute moral significance to the weekend/weekday distinction. We gain no coherence. If anything, we lose some. We have produced an “*ad hoc* specification” (for related worries about specification, see Velleman 1996, p. 144).

Of course, no reasonable principlist would propose a specification as ludicrous as the preceding. However, ethicists might be tempted to engage in specifications that are virtually as indefensible. Suppose the theorist already has a confidently held moral opinion about the hard case in question, though it is not an opinion widely held with that degree of

confidence. Without even realizing it, she may be tempted to specify principles in such a way as to conform to her own personal (but not widely shared) opinion about the correct answer. If she does this, she can still claim to have specified the principles in question and “resolved” the case. But she has increased the internal coherence of her own belief set at the cost of reducing its coherence with respect to her community. Her specifications have justificatory force for no one but those who already share her idiosyncratic convictions about the hard case. This follows from the fact that specification represents an application of the concept of reflective equilibrium. *Ad hoc* specification resembles what Norman Daniels (1996a, pp. 23–24; 1996b, pp. 52–59) calls a violation of the “independence constraint,” which must govern reflective equilibrium (see also DePaul 1993, pp. 20–22).

If the principlist indulges in *ad hoc* specification, then it is trivially true that she can “resolve” any number of hard cases. But repeated *ad hoc* specification deprives the resulting theory of its justificatory force. This worry is fostered by remarks such as the following, from Beauchamp (1995, p. 184, emphasis added): “when we put general norms to work in particular contexts, we . . . *invent* through specification and judgment.”

To this extent, Green, Gert, and Clouser (1993, p. 479) correctly read Lustig’s response to their critique as only “reinforcing their criticisms.” As they observe (p. 483), “without a unified foundation these principles can be used in a completely *ad hoc* fashion. That is, two persons using these principles correctly could reach very different conclusions—one going the utilitarian route and the other, the deontological.”

The principlist should limit herself to legitimate specifications—those that proceed from cases in which people have settled convictions in order to resolve hard cases. The principlist can hope that most controversies will admit of resolution without resorting to self-defeating, *ad hoc*, specifications. It is possible, in theory, that the cases about which people have considered convictions will, in fact, dictate specifications of the four principles that have the power to yield answers in hard cases. Specified principlists bet on this state of affairs. But specification is, by nature, radically dependent on “cooperation” from people’s convictions in this regard. It is simply not clear, a priori, that the set of considered convictions support a set of specified principles at once sufficiently general and precise to illuminate (if not resolve) many hard cases. I am not sure that a principlist who limits herself to legitimate specification can resolve or illuminate more numerous, or more important, hard cases than can the

descriptivist. Gert, Culver, and Clouser (2000, p. 315; see also 1997, pp. 88–91) complain that Richardson, a champion of specification, “does not provide a single example where specification either resolves a dispute or clarifies the nature of a disagreement better than [descriptivism].”

#### AGAINST ABSOLUTELY SYMMETRIC EPISTEMOLOGIES

So far I have argued that the inconsistency of people’s considered convictions explains why one who accepts an absolutely symmetric coherentism would feel pressure to abandon monism in favor of pluralism, and yet this same inconsistency then proceeds to explain why principlists, having resorted to pluralism, suffer from inadequate output power.

I now shall argue that these problems reflect flaws in absolutely symmetric coherentism. I accept, *arguendo*, that one never should specify or qualify a belief set in a way that reduces its coherence. But there is much more to coherence than confidence index. Coherence is equally a function of *internal coherence factors*. These include the internal consistency and interrelatedness of the beliefs in the set. They also include the unity and simplicity of the more general beliefs therein (DePaul 1993; Brink 1989; BonJour 1985).

Those who endorse absolutely symmetric coherentism often refer to themselves as “coherentists.” However, absolutely symmetric coherentism systematically disregards internal coherence factors. An epistemology that fails to assign an extremely important role to internal coherence factors should not be called “coherentism” in the first place (Ebertz 1993). A genuine coherentist *must* prefer greater simplicity and unity at the more abstract levels of her theory, *ceteris paribus* (Brink 1989, pp. 250–52; Hooker 2000, pp. 19–23; Holmgren 1989, p. 55; Railton 1992; Seay 2002).

#### *Internal Coherence and Output Power*

It is also important to note that the internal coherence of a set of norms is positively correlated with its power to illuminate and resolve hard cases in a legitimate way, without *ad hoc* specifications or other *ad hoc* qualifications. Competing principles at the most general level afford the theorist the ability to evade counterintuitive implications by appealing to a competing principle. That flexibility can seem like a virtue in many situations. But that same flexibility can weaken the output power of the theory in hard cases, even if the principles themselves are sharply defined. A pluralism of ultimate principles tempts the theorist to indulge in *ad hoc* specification, for instance, in order to accommodate her idiosyncratic opinions,

thereby weakening output power. Descriptivists seem to appreciate this point more fully than do principlists:

The value of using a single unified moral theory to deal with the ethical issues that arise in medicine and all other fields, is that it provides a single clear, coherent, and comprehensive decision procedure for arriving at answers. (Clouser and Gert 1990, p. 233)

### *Reconsidering Considered Convictions*

At times, principlists also seem to acknowledge the centrality of internal coherence factors in overall coherence judgments. Beauchamp and Childress (2001, P. 339) write that “[i]f a theory with a few basic norms generates sufficient moral content, then that theory is preferable to a theory with more norms but no additional content . . . .” Likewise DeGrazia (1992, p. 513), the original proponent of specified principlism, recognizes that “if there is more than one . . . ultimate norm, how to adjudicate between them must be made explicit; otherwise, choosing among competing moral judgments, each of which is justified by *one* of the ultimate norms, could not be a rational procedure.”

At others times, however, principlists betray that they do not consider internal coherence to be as important as confidence index. Principlists assume that specifying or qualifying a belief set so as to lower its confidence index always has the effect of diminishing coherence. Call this the “correlativity hypothesis”.

Correlativity often holds. Consider a choice between two potential ways of qualifying a set of norms, one with a higher aggregate confidence index than the other. Holding constant internal coherence factors, one should favor the specification with the higher confidence index.

In practice, however, internal coherence factors rarely hold constant. The correlativity hypothesis holds universally only if people’s considered convictions are themselves consistent. If they prove inconsistent, then cases will arise that force the theorist to make *tradeoffs* between confidence index and internal coherence factors, in the interest of enhancing overall coherence. A qualification with a lower confidence index can offer greater overall coherence than one with a higher confidence index, if the former boasts superior internal coherence factors. Shifting to pluralism from monism, for example, often reduces internal coherence, even if it increases confidence index. In such dilemmas, the theorist may be justified in favoring the qualification with the *lower* confidence index. She can be justi-



fied, on coherence grounds, in favoring a belief set that conflicts with more of people's considered convictions than an alternative.

Descriptivists and principlists do, occasionally, give a nod to the possibility of justifiably revising people's considered convictions. Beauchamp and Childress (2001, p. 398) cite Rawls's suggestion that "the goal of reflective equilibrium is to match, prune, and adjust considered judgments in order to render them coherent with the premises of our most general moral commitments." They note that "[a] good theory . . . should have the power to criticize defective beliefs, no matter how widely accepted those beliefs may be" (Beauchamp and Childress 2001, p. 340). Lustig (1992, p. 489) notes that "the interaction between . . . ethical theory and moral practice . . . in moral reasoning and justification is dialectical, involving mutual accommodation." And descriptivist Ronald Green (1990, p. 186) asserts that "all ethical theories exist in dialogical relation to specific cases . . ."

In practice, however, neither principlists nor descriptivists seriously entertain the possibility that a theory could enjoy greater coherence despite greater degrees of conflict with our considered convictions. To the extent that principlists and descriptivists ignore this possibility, I think they fail to apply properly the method of reflective equilibrium. Principlists accept absolute symmetry, which gives insufficient weight to internal coherence factors. Descriptivists at least reject absolute symmetry, but then they flatly deny that their theory conflicts with people's convictions, so they never see any reason to reconsider either those convictions or their theory. True reflective equilibrium, by contrast, incorporates the idea that even considered convictions are eligible for revision when this promises to enhance overall coherence (Rawls 1971; Daniels 1996a).

### *Qualified Asymmetric Coherentism*

We have seen how an absolutely symmetric coherentism can force one to sacrifice overall coherence, if people's considered convictions prove inconsistent. Now I shall argue that one can achieve greater coherence than principlism offers without resorting to absolute asymmetry, as descriptivists do. There is conceptual space for an intermediate position, between absolute symmetry and absolute asymmetry, namely, the qualified asymmetric coherentism mentioned earlier. Such an epistemology remains coherentist, permitting one to revise more general norms in order to improve confidence index. But a qualified asymmetric coherentism recognizes a rebuttable presumption—a *pro tanto* preference—in favor of more general norms, fewer and simpler ultimate norms, and fewer quali-

fyng clauses appended to those ultimate norms. As does an absolutely symmetric coherentism, a qualified asymmetric coherentism permits the doctor, in the morphine example, to revise the norm permitting her to prescribe morphine. Unlike an absolutely symmetric coherentism, however, a qualified asymmetric coherentism favors more general norms, as such. The fact that a specific norm has a higher confidence index than a more general norm does not require one to defer to the specific norm. A specific norm with a high confidence index boasts a *pro tanto* advantage, but a general norm boasts a countervailing *pro tanto* advantage just in virtue of being more general. To this extent, a qualified asymmetric coherentism sometimes authorizes the revision of a considered conviction if it conflicts with a more general norm that has a lower confidence index. Suppose the general and the specific norms are roughly evenly matched in terms of confidence indices. In that case, a qualified asymmetric coherentism instructs us to revise the more specific norm, as such. The theorist thereby potentially can enhance the coherence of the moral system, even as she revises the set of considered convictions.

Principlists might object that favoring fewer or simpler general norms, as qualified asymmetric coherentism does, reflects a latent foundationalism. Beauchamp and Childress (2001, p. 390) rightly express “constrained skepticism about . . . foundationalism.” They oppose “systematic unity” and “regard disunity, conflict, and moral ambiguity as pervasive features of the moral life.” “Untidiness, complexity, and conflict may be perplexing,” they admit, “but a theory of morality cannot be faulted for realistically incorporating these dimensions of morality.”

The principlists have a point. Increasing internal coherence can cost too much in terms of confidence index, thereby decreasing overall coherence. But coherence is a function of *both* confidence index and internal coherence factors, so matters could turn out either way. Suppose, moreover, that qualified asymmetric coherentism constitutes a viable alternative to both absolutely symmetric coherentism and the absolute asymmetry of foundationalism. There are reasons why both descriptivists and principlists should be eager to avail themselves of this option. Principlists may be tempted less often to indulge in *ad hoc* specification if they recognize that maximizing coherence does not always require accommodating all of our considered moral convictions. Descriptivists, by the same token, need not consider so damaging to their theory the fact that it generates some results that critics find deeply counterintuitive. Descriptivists can accept these implications as the price they pay for the greater output

power they prize. The point is that, for either theory, greater coherence at the more abstract levels can *compensate* for lesser degrees of conformity to people's considered convictions.

*Wide Reflective Equilibrium and  
Debunking Psychological Explanations*

So far my discussion has assumed what is often called “narrow reflective equilibrium” (NRE), in which one considers exclusively the internal coherence of sets of moral norms at different levels of generality (Daniels 1996a). I think the points already made become more powerful if one expands into “wide reflective equilibrium” (WRE). In WRE, one considers the coherence, not just of one's moral beliefs, but of one's entire belief set, including one's nonmoral beliefs about natural science, social science, metaphysics, epistemology, and the like (Daniels 1996a; Brink 1989; DePaul 1993).

Commentators sometimes allude to WRE, as when Davis (1995, p. 97) recognizes that reflective equilibrium includes “considered moral judgments, moral principles, and philosophical beliefs.” DeGrazia (1992, p. 530) claims that his version of specified principlism “is closer to wide reflective equilibrium . . . than narrow reflective equilibrium” because it is “importantly linked to background theories.” Beauchamp and Childress (1989, p. 7) state that “moral debate about a particular course of action may stem not only from disagreements about the relevant moral action-guides and the facts of the case but also from disagreements about the correct scientific, metaphysical, or religious description of the situation.”

However, none of the aforementioned writers follows out the full implications of WRE. The “background theories” consulted should include psychology, sociology, and epistemology. I want to focus on the importance of considering “debunking explanations” for people's considered convictions (van Roojen 1999, p. 852; Hurley 1989, pp. 288–313).

If one limits oneself to NRE, some of one's considered convictions will force the following choice. One can accommodate the conviction, but only by complicating the most abstract moral norms in one's belief set, thereby sacrificing some coherence. Or one can refuse to accommodate, thereby sacrificing coherence in a different way (with respect to confidence index). So long as one restricts oneself to NRE, such dilemmas may have no resolution. In such cases, one may wish to invoke debunking explanations of one or more of one's recalcitrant convictions. Some debunking explanations cohere better with one's other moral and nonmoral beliefs, in WRE, than do other such explanations. Recognizing this fact

can provide still greater reason to reconsider certain moral convictions when they conflict with more general norms to which one has some commitment, and which themselves cohere well.

Debunking considered convictions may seem like a radical suggestion, but it really just extends a process with which coherentists are already comfortable. Beauchamp and Childress (2001, p. 398), following Rawls, define considered judgments as the “moral convictions in which we have the highest confidence and believe to have the lowest level of bias.” Coherentists gladly discount strongly held, but not universally shared, convictions in the interest of moral progress. Consider, for example, beliefs about the wrongness of abortion, the permissibility of animal experimentation and physician-assisted suicide, and the immorality of homosexual conduct and interracial marriage. Coherentists do not deny that many individuals strongly oppose interracial marriage. Yet they are prepared to discount these convictions as products of bigotry or prejudice, to treat them as psychological idiosyncracies, rather than as moral convictions that demand to be accommodated directly within NRE.

What justifies this debunking, I suggest, is the promise of greater overall coherence within WRE. Debunking is perfectly legitimate, particularly if one can offer good psychological, historical, or sociological explanations for the fervent opposition to interracial marriage. Consider a set of beliefs including a norm permitting interracial marriage, a psychological explanation of the strong opposition to that norm, the supporting epistemological norms employed in that explanation, and the rest of our shared beliefs. That belief set may be more coherent than one that includes a norm against interracial marriage, combined with the rest of our shared beliefs.

I suggest that coherentists should extend their willingness to specify norms at odds with moral beliefs so that it applies to convictions that are not only confidently held, but widely shared, as well. I submit that there are good reasons to attribute some considered convictions to psychological defects, perceived self interest, and so forth. Some considered convictions are akin to optical illusions. Of course, one’s theory must account for one’s raw perceptions, but it need not achieve this by crediting them with representational accuracy. It might be initially simpler and more coherent to hypothesize that twigs always have the shape they appear to have upon visual inspection—i.e., they actually bend when placed in water. But ultimately that hypothesis forces one to complicate excessively the rest of one’s belief set. It proves simpler and more coherent, overall, to dismiss some universally shared perceptions as illusions, especially if one can debunk or “explain away” the illusion.

Consider a policy of mandatory organ harvesting from cadavers, over the expressed objection of the deceased. Most of us condemn this policy as hopelessly inconsistent with our considered convictions (but see Harris 1994). Of course, there are concerns that such a policy would be abused, or push us onto a slippery slope, ultimately causing more harm than benefit. But most commentators claim categorically to oppose such a practice, even if it were known to promote the good. The standard way to accommodate such convictions, which boast high confidence indices, is to posit a fundamental moral distinction of some kind. Ethicists distinguish between acts and omissions, between intended and foreseen consequences, and so on. Positing such distinctions might seem initially a simpler and more coherent way to accommodate our considered convictions—e.g., you *do* harm to me if you harvest my organs over my objection, whereas you only *allow* harm to befall me when I die of preventable organ failure. Indeed, major medical ethicists have concluded that respect for autonomy and justice are not ultimately reducible to beneficence or nonmaleficence (Beauchamp and Childress 2001) and that moral rules always take priority over moral ideals (Gert, Culver, and Clouser 1997). As Clouser (1995, p. 226) states: “the moral ideal of ‘preventing harm’ will often justify the violation of a moral rule whereas the ‘conferring of benefits’ almost never will.”

However, on further investigation, philosophers discover that such distinctions (doing/allowing, intending/foreseeing) are, in fact, too crude to accommodate all of our convictions (Kamm 1996). It proves very difficult to make sense of these distinctions in the first place (Fischer 1993). Some philosophers even conclude that these distinctions render common-sense morality self-defeating, in certain situations, if we take them very seriously (Parfit 1984; Kagan 1989).

Perhaps we can offer, instead, a coherent debunking explanation as to why so many of us would oppose a mandatory organ-harvesting policy with such conviction. Our opposition to mandatory organ harvesting may be attributable to psychological defects such as perceived self interest (misperceived or not), failure to comprehend risks, and framing effects of the sort posited in prospect theory (Kahneman and Tversky 1979). Such debunking explanations might themselves cohere well with our other epistemological norms and psychological theories.

In fact, some psychologists and philosophers recently have suggested empirically-based, debunking psychological explanations for people’s confidence that doing harm is usually worse than allowing it (Greene 2002; Greene et al. 2001; Horowitz 1998; Kahneman 1994; Baron 1994).

Debate on this topic is just beginning (see Kamm 1998; van Roojen 1999), but the debate itself gives some indication of the issues I think biomedical ethicists should contemplate. Once we consider debunking explanations, we might find that our overall belief set, including both moral and non-moral beliefs, becomes more coherent if we revise our convictions, rather than pluralizing our most abstract norms.

We might not need to go as far as to abandon our general opposition to mandatory organ harvesting. We might, however, want to revise our beliefs concerning why such a practice is wrong. Principlists condemn it as an infringement of respect for autonomy or nonmaleficence. Descriptivists observe that the moral ideal of saving lives does not justify an exception to the moral rules against causing pain and depriving of freedom. By contrast, a moral theory supported by qualified asymmetric coherentism might forbid mandatory organ harvests in the real world simply because, for example, we cannot trust caregivers or public officials to wield such power benevolently and impartially. A publicized practice of allowing such harvests, in the real world, might take us down a slippery slope and ultimately do more harm than good. My point is simply that the most coherent theory might still draw distinctions between doing and allowing, intending and foreseeing, but do so in an indirect, derivative, nonfundamental way.

Some bioethicists will not care if one assigns derivative, rather than fundamental, significance to the aforementioned distinctions. In most cases, it makes no practical difference at what level the distinction is drawn. Most of the time people will not want to sacrifice respect for autonomy for beneficence or want to violate a rule for the sake of an ideal.

Others, however, will object that derivative accounts mischaracterize the wrongness of mandatory organ harvesting. Some insist that they would oppose this practice even if they could be confident that the power would never be abused. They object that a theory that does not allow them to state their opposition in terms of respect for autonomy or nonmaleficence, or the fundamental priority of rules over ideals, sacrifices too much in terms of confidence index.

In some hard cases, moreover, assigning derivative, rather than fundamental, significance to a distinction could make a practical difference. Some might take the proscription on doing harm less seriously if they believe that the doing/allowing distinction has only derivative, not fundamental, moral significance. One might, justifiably, do harm to prevent harm more often in that case. A merely derivative proscription on mandatory organ harvests will not apply in certain marginal cases—e.g., where we could

somehow guarantee no abuse of the practice. Many bioethicists will object, again, that the derivative account fails to reflect people's broad opposition to organ harvests, which they claim applies even in the marginal cases.

These are understandable reactions. However, if we are genuine coherentists, not merely intuitionists, we must remember that confidence index is not the only coherence factor. It seems to me that some convictions, such as categorical opposition to mandatory organ harvests, cry out to be explained away (debunked) in psychological terms. This sort of broader moral-cum-psychological theory may be able to explain the opposition to organ harvests, even in marginal cases, as a familiar kind of illusion, an "overbreadth" effect of our (quite warranted) opposition to the practice in the vast run of more realistic cases.

#### IMPLICATIONS

Principlists claim that descriptivism fails to accommodate people's considered convictions, either by generating the wrong answers or by offering the wrong reasons for the right answers. Descriptivists counter that principlism lacks sufficient output power. Both factions could be correct about the opposition, if some of people's considered convictions were inconsistent with one another.

Were this so, one still might favor either principlism or descriptivism, given suitable modifications. Specified principlism still looks superior to descriptivism if the gains in output power promised by the more monistic theory do not offset the costs, in terms of accommodative capacity. Beauchamp and Childress probably are correct that accommodating people's convictions within narrow reflective equilibrium requires a more pluralistic theory than descriptivism. But, if they are correct, this may be so only because people's convictions are so inconsistent. Beauchamp and Childress also may be wrong to suppose that their pluralist theory offers adequate output power. And they are certainly wrong if they imagine that accommodation is always the path to maximal coherence. To this extent, principlists might have reason to adopt a less pluralistic theory, thereby moving closer to descriptivism. This, I think, is the most important lesson descriptivism offers.

Descriptivism, by contrast, looks more attractive than principlism if one predicts that a monistic theory at least comes close to achieving wide reflective equilibrium as well as principlism, and/or that the gains in output power are worth the losses in confidence index. Gert, Culver, and Clouser probably are correct that adequate output power requires a more

asymmetric epistemology than principlists favor. Such an epistemology probably will support a theory that is more monistic, at the highest level, than principlism. But descriptivists probably are mistaken to think that a monistic theory can accommodate people's considered convictions nearly as well as pluralism can. Gert, Culver, and Clouser may have to acknowledge that the best they can offer is superior output power and superior internal coherence in wide reflective equilibrium, and the latter only if they incorporate debunking explanations of recalcitrant convictions. The descriptivists may not offer superior accommodation of people's considered moral convictions. To this extent, it is ironic that these authors are so closely identified with "common morality."

Some consumers of bioethical theory will prefer to sacrifice accommodation for output power, others will prefer the opposite tradeoff. It may depend on whether the consumer has in mind an audience who just needs instruction in the uncontroversial aspects of morality, or whether she endeavors to illuminate and resolve hard cases. It may be a mistake to assume that the same theory that proves effective for instructing clinicians in how to handle easy cases will prove useful in addressing hard ones. Both Beauchamp and Childress and Gert, Culver, and Clouser present their respective theories as useful for both purposes. If my arguments are correct, these ambitions may be unrealistic.

Biomedical ethicists will react skeptically to my conclusions. Academic philosophers have the luxury of refusing to settle for anything less than maximal coherence. But, the bioethicist wonders, are the inconsistencies in people's convictions really worth worrying about when medicine faces such urgent ethical problems? Is it not better to offer the medical community a somewhat incoherent set of norms that will prevent the most egregious misdeeds, rather than waiting for that perfectly coherent ethical system that no one has devised? And even if the theorist did formulate a maximally coherent set of norms from which to derive answers to hard cases, should she really try to teach it to health care providers?

In a sense, I accept these rhetorical objections. I do not believe that theorists should simply determine what highest-level norm (or norms) results from the application of a qualified asymmetric coherentism, and then proceed to teach caregivers at bioethics seminars to deliberate directly in terms of this master norm. Caregivers need low-level norms and they have little time to derive them. Even if they had the time and were supplied with correct high-level norms, they might misapply the latter in the heat of real-time deliberation (see Gert, Culver, and Clouser 1997, p. 9).



So I have no objection, in principle, to promulgating either the four principles or the Decalogue, if there is reason to believe that doing so will promote the values contained in valid high-level norms. This concession does not, however, reflect any belief that either the four principles or the ten rules constitute a coherent set of norms, much less a true set.

Bioethicists might hope that inconsistencies in people's convictions will not emerge immediately, that we can get along by addressing only cases with respect to which our convictions are consistent. If the inconsistencies are real, however, I doubt we can hide from them indefinitely. I submit that early reconnaissance is vital in this regard. We will be in a better position to handle inconsistencies in our moral system if we seek them out in advance and expose them, rather than pretending they are nonexistent or have only marginal significance. The longer we wait before addressing possible inconsistencies in common morality, the more those inconsistencies will infect our developing solutions to hard cases. Those infected solutions, in turn, gain popularity. People internalize them. (Consider the conceptual mess attending the popular notion that a woman's legal right to obtain an abortion derives from a right to "privacy.") The present generation's theory-driven solution to a hard case becomes the next generation's considered conviction. The next generation proceeds to resolve additional hard cases in terms of that conviction. The longer we wait, the more difficult will we find our task when the day of reckoning arrives.

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