RESPONSE TO WADE ROBISON

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“What students and faculty alike need is an understanding of how morality enters into their professional lives in ways different from how it enters into our ordinary lives.” This view, which informs most of Wade’s paper, is precisely the view that it is important to challenge. Wade is correct that moral judgments must be based upon knowledge of the facts of the case, but surprisingly he writes as if this is true only of moral judgments that are made about people’s activities in their professional lives. But I know that Wade cannot really believe that it is acceptable to make moral judgments in ordinary life without knowing all of the morally relevant facts. Maybe Wade was traumatized by his encounter with the physician who seemed to equate acting morally with doing “everything by the book.”

My experience with physicians has been nothing like Wade’s. I was on the Dartmouth-Hitchcock ethics committee for more than 20 years, and participated in many consultations that doctors requested. In fact, my experience was almost the exact opposite of Wade’s experience. I remember one consultation requested by a physician who was having difficulties in deciding which of four alternatives he should choose. After talking with him for some time we agreed that two of the alternatives were not morally acceptable. He then asked me which of the two other alternatives he should choose. I replied that from our conversation it seemed as if both of the remaining alternatives were morally acceptable. He persisted, but I told him that he had a more intimate knowledge of the situation than I did and that he was better qualified to decide between these two morally acceptable alternatives. When I refused to pick one of the alternatives as the morally best, he became annoyed and said, “I didn’t come to you for an ethics lesson, I came here to be told what to do.” On second thought perhaps my physician also was trying to do
“everything by the book.” (This supports Dan’s points about students wanting him to ‘cut to the chase.’)

Wade is certainly right that knowledge of the morally relevant facts is essential for making an acceptable moral decision or judgment. Indeed, a popular slogan used by those doing medical ethics is what is most important in making a moral (or medical) decision is to know the facts, the facts, and the facts. I know of no one who denies the importance of knowing all the morally relevant facts when making a moral decision or judgment. On the ethics committee if we reached agreement on the facts, including the prognoses, we rarely had any remaining moral disagreement, but this is true both in ordinary life as well as in our professional lives.

I am not sure how carefully Wade read my book, for he says,

“Bernard Gert’s Common Morality has many virtues, but the virtue that gives it its title is just what makes it an unfortunate choice for professionals in other fields to adopt as a supplement and even for philosophers to adopt when teaching courses such as engineering ethics. It purports to lay out what we all consider to be our common morality, as captured in such admonitions as ‘Do not lie!’ and ‘Do not steal!’ Its virtue plays into the misconception of philosophy that makes it seem gratuitous, if not insulting, to anyone being trained into a professional practice and to those faculty who are professionals in the discipline in question.”

Now it may simply be a matter of style that Wade cites two admonitions that I do not include in my list of moral rules, but it is not merely a stylistic matter that he takes what I say as “gratuitous, if not insulting to anyone being trained into a professional practice and to those faculty who are professionals in the discipline in question.” Wade does not seem to realize that the moral rules, which are what he concentrates on, serve to limit what counts as immoral behavior. If a person is not violating one of these rules, then she is not acting immorally. Thus, homosexual behavior between consenting adults is not immoral, for it does not violate any moral rule. I grant that this may be gratuitous to Wade, but it is not gratuitous to those professional organizations that discriminate against homosexuals. Indeed, it comes as quite a surprise to those who do not distinguish morality from religion.

Wade does not mention, let alone discuss, the two-step procedure that I claim should be used in determining whether a violation of a moral rule is justified. This two-step procedure, which contains an explicit list
of morally relevant features, is not quite as obvious as my list of moral rules. Using the morally relevant features to decide what facts must be taken into account in giving a morally adequate description of the situation is the first part of the two-step procedure. The morally relevant features of a situation are those features, whose presence or absence can change the moral decision or judgment that one would make. I have been told by some physicians with whom I have worked that making these features explicit is the most helpful part of my account of morality, for it reminds them to take account of facts that they might have otherwise overlooked, e.g., the religious beliefs of the patient. No one denies that you are morally allowed to act in some ways in an emergency situation that would not be morally acceptable in a non-emergency situation, but I know of no other account of morality that mentions the moral relevance of being in an emergency situation.

Wade also does not mention or discuss the second step of the two-step procedure, determining if one would be willing for everyone to know that they are allowed to break the rule in the same circumstances, that is, a situation with the same morally relevant features. This second step is a significant improvement over Kant’s similar sounding formulation of the Categorical Imperative. It also makes clear that what determines the moral acceptability of an action are not the consequences of the particular act, but the consequences of everyone knowing that they are allowed to break the rule in the same circumstances. All of this may be obvious and trivial to Wade, but it is not obvious and trivial to most philosophers. I cannot see how making the process of moral reasoning explicit is “gratuitous, if not insulting to anyone being trained into a professional practice and to those faculty who are professionals in the discipline in question.”

Much of what I did on the ethics committee consisted of reassuring the people involved that they had made a morally acceptable decision. They had heard about the kinds of ethical theories that Wade is properly critical of, and were concerned that they had violated some Kantian Categorical Imperative or Utilitarian Principle. I was usually able to convince them that the theory they were worried about was too simple, and that the situation they were in either required or allowed them to do what they had done. Perhaps two times in over twenty years did I point out that they had made a simple mistake, e.g., confusing committing oneself to doing something with promising someone else to do that thing.

On my view, when the facts are clear, all normal adults who know all the morally relevant facts almost always know what morality forbids,
requires, encourages, discourages, and allows them to do. However, they usually cannot explain or justify their decisions or judgments. Most serious professionals are not willing to base important decisions or judgments, including moral decisions and judgments, on some unstated intuition. Moral philosophy, like grammar, makes explicit the rules and procedures that we follow, usually without thinking about them. It is useful in complex cases where one’s intuitions are not clear, and in defending and explaining one’s decisions and judgments to others.

Related to this last function, my account of morality is the only one that explicitly acknowledges that common morality does not provide a unique correct answer to every moral question. Many people’s intuitions have been adversely affected by the false view, supported by most philosophical theories and religious teachings, that there is always one right or best solution to every moral problem. It is extremely difficult to have a civil and fruitful discussion about moral matters if you are convinced that anyone who disagrees with you is wrong. For being wrong in a discussion about moral matters is taken by many to indicate a serious moral failing. Convincing people that in some controversial cases, more than one alternative is morally acceptable is one of the most important tasks of a moral philosopher.

All of these points may be so obvious and trivial to Wade that he considers it “gratuitous, if not insulting, to anyone being trained into a professional practice and to those faculty who are professionals in the discipline in question.” I will relate one more personal experience to indicate that at least some professionals do not share that view. During a research ethics discussion of authorship practices, many cases were cited in which the professor claimed first authorship for a paper in which a graduate student had done virtually all the work. A professor of engineering proudly announced that, unlike the professors involved in these cases, he sometimes gave first authorship to his graduate students on papers on which he had done virtually all the work. He even cited a case in which, because he gave a graduate student a project that did not work out, he gave that graduate student first authorship on a paper in which that student had done no work at all. He regarded his behavior as altruistic, designed to help the student get a position, and hence as morally good.

After some discussion, he acknowledged that his behavior was deceptive; that all of the readers of the journal would falsely believe that this student had written the paper. If this belief played any significant role in their hiring the student, then the deception had serious consequences. Not only did they have a false view about the ability of this student, but
other students who were competing for that position were being unfairly disadvantaged. Unlike the doctor who traumatized Wade, this professor of engineering did not tell me that I did not know the standard practices of publications by engineers. Rather, after serious reflection for several weeks, he concluded that he had acted wrongly and that he would no longer give away first authorship to students who had not done enough work to warrant first authorship. The idea of altruistic immorality was new to him, as it is to many people who falsely hold that self-interest is the primary enemy of morality. It is not gratuitous or insulting to tell professional engineers that acting for the benefit of their colleagues or company can still be acting immorally.