"EXPERT RATIONALITY" vs. "LANGUAGE COMMUNITIES":
THE CASE OF BIOETHICS

by

JENNETH PARKER*


Anne Maclean’s intention is to serve notice on “bioethics” and on utilitarianism. Her critique is based upon a Wittgensteinian analysis of misapplications of philosophical rationalism, and encompasses detailed consideration of four writers — John Harris, Peter Singer, James Rachels and Richard Hare — whom she takes as between them representing the major pitfalls of influential approaches in bioethics. She argues persuasively that, in every case, their difficulties arise from a failure to appreciate that ethics is grounded in the practices and responses of language communities and is not susceptible of “expert” improvement; but her own approach is hardly less problematic, illustrating the pitfalls of what I would term an undigested Wittgensteinianism. It is on this aspect that I shall concentrate, in the belief that her right answers are not quite rightly arrived at; and her thesis thus both important and importantly inadequate.

Maclean argues that attempts to derive metaphysical conceptions of “absolute values” are fundamentally misguided, and the book is a sustained protest against philosophers’ (and in particular various utilitarian philosophers’) seeking to undermine ethical beliefs by showing people that their beliefs have no rational justification according to a particular metaphysical conception of value. In short, she accuses bioethicists as a class of masquerading their own moral attitudes as philosophical explanation: “[B]ioethicists ask what it is which confers value on people. If we reply, ‘their being people’, that is not to answer the bioethical question, but to reject it” (at 138). (Her use of “bioethics” as a pejorative term, to refer to a monolithic structure rather than a variegated field of enquiry,

* University of Sussex.
is a constantly annoying and misrepresentative rhetorical oversimplification.) Her tactic here is based upon a Wittgensteinian rejection of the epistemic ideal of detachment from the objects of knowledge — knowledge of moral facts is seen as inseparable from our reactions to them, as Raymond Gaita has persuasively argued.  

Maclean wants to claim that it is part of our response to a person to value their life: "to speak (in the moral context) of the value of the individual person is to speak of the limits which certain moral conceptions impose upon the way in which a person may be treated" (at 138). She argues that it therefore does not make sense to talk of any notion of the abstract "value of life" as justifying any killing that is not based upon considerations of a person's value in the sense she describes (as, for example, euthanasia may be thought to be). Maclean will not allow that any abstract notion could undercut the moral prohibitions which precisely define actual value. Thus she regards utilitarianism, and in particular Hare's, as a "fanatic's charter" (my term). Maclean argues that, according to Hare, any individual who wished to outrage our conceptions of moral action could, justifiably, do so: for to the extent that individuals were sufficiently strong in their wishes or preferences, (i.e. fanatic) such wishes, whatever they were, would weight the utilitarian calculus in their favour. She thus concludes that "pure utilitarianism disregards the content of a desire and attaches weight only to its extent" (at 142); and so, that "since utilitarian terms are not moral terms, what goes in these circumstances is morality itself" (at 141). So far, so good.

However, the truncated nature of the bits of theoretical framework that are sometimes included often frustrates attempts to get to grips with the underlying philosophy: there is an urgent need for more explicit attention to, and justification of, Wittgensteinian views and their application. As it is, Maclean attempts to persuade the reader to take on board theoretical commitments which are, at best, hazily defined; and, at worst, somewhat smuggled in. This is doubly unfortunate, as I believe a Wittgensteinian approach has much to recommend it. Furthermore, Maclean is sometimes curiously unWittgensteinian in not pushing as far as is needed her criticism of her targets' examples as unrealistically abstract. Let me illustrate these two points in turn.

First, the need for greater explicitness. While apparently supporting the notion of impartiality in applying her properly nuanced account of

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