



EDITORIAL

EMPIRICAL ETHICS: WHO IS THE DON QUIXOTE?

'Empirical ethics' is a broad term that is used in many different and, often, unclear ways. Such vagueness has disadvantages: it can make discussion difficult. However, ambiguity also offers opportunities to explore and negotiate the multiple meanings of the emerging practice of 'empirical ethics'.

An increasing number of authors refer to their work as 'empirical ethics', yet most of them are not explicit about what they mean, either theoretically or practically, by 'empirical ethics'. Where does 'empirical ethics' start and where does it finish? Do we need criteria to define and assess the quality of empirical ethical work, and if so, which ones are most appropriate? In effect, what is empirical ethics? Empirical ethics is sometimes a battlefield. Both proponents and opponents do not always know who or what they are fighting. Consequently, both sides can be seen as Don Quixotes, unsure if they are fighting benign windmills or dangerous giants who torture the basic foundations of ethics and philosophy. Knowing what empirical ethics can and should be; what could be considered good practice in empirical ethics; and which issues still need further clarification, will help to foster a more constructive discussion.

This special issue of *Bioethics* on 'empirical ethics' emerged for three main reasons. First, we think that the ideas and practice of 'empirical ethics' challenge some of the core foundations of ethics, such as the idea that ethical principles must be first established and then applied to practice and that authoritative knowledge is to be found in ethical theories. This challenge has not yet been fully explored and articulated. Second, empirical ethics tries to take into account and combine two of our most important sources of knowledge within bioethics: moral theory and experience and/or empirical data. Some authors who engage in the field of 'empirical ethics' do not sufficiently articulate and justify their view of this relationship. Therefore, we think that the stances taken on the relationship between these two sources of knowledge need to be more fully debated. Third, without a clear rationale behind the use of empirical research in moral reasoning, there could be concerns over the quality and the utility of the work conducted under the heading 'empirical ethics'. This issue of *Bioethics* offers papers which will challenge some of our views on 'empirical ethics' and which will, hopefully, help advance the debate

over the relationship between moral theory and empirical data and/or experience.

This special issue of *Bioethics* examines two main questions: 1) What are appropriate and inappropriate uses of empirical research within bioethics? and 2) What is needed theoretically and practically to ensure that empirical research is used fruitfully in both bioethics and practice? The aim of this special edition was to examine both the quality of 'the' field of empirical ethics itself and the debate over empirical ethics by bringing together papers from both opponents and advocates of the 'empirical turn'. We made an open call for papers and largely received papers that were, in principal, receptive to the possibility and the importance of 'empirical ethics'. It would have been useful to have also received papers that were unsympathetic to this movement, to offer a critique and alternative view of this development. In light of this, the editors of *Bioethics* (Ruth Chadwick and Udo Schuklenk) invite people to respond to the papers in this special edition and offer such a critique of this movement. This notwithstanding, we are happy that we received so many interesting papers with different views on what empirical ethics is and what it should look like in practice. The authors of the papers use different languages (discourses) and plead for different kinds of 'empirical ethics' based on contrasting and sometimes even opposing views. Often, confusion and disagreement is related not only to different theoretical views but also to the absence of a shared and more fluid, relational language (e.g. imagine a language in which facts and values, the descriptive and the normative are not seen as two separate entities). You will find these differences in discourse and struggles over particular issues reflected in the papers published in this issue. The polyvocality and richness of ideas shows that 'empirical ethics' is a challenging and interesting domain in which meta-ethical and interdisciplinary issues can be discussed. Although this issue of *Bioethics* will not (and should not aim to) clarify and solve all theoretical and practical issues raised by 'empirical ethics', it can be seen as a step forward in the direction of an inter-, or even trans-disciplinary field that is still developing its identity.

Before we introduce the papers we would like to thank the reviewers who gave generously of their time and expertise and the editors of *Bioethics* for giving us the opportunity to do this special edition.

The first paper in this issue is by Rob De Vries and Bert Gordijn, (Empirical Ethics and its Alleged

Meta-ethical Fallacies). Their aim is to clarify the nature of empirical ethics and three meta-ethical problems that opponents of empirical ethics often mention. Critics often complain that empirical ethicists disregard the is-ought gap, commit the naturalistic fallacy and/or violate the fact-value distinction. De Vries and Gordijn investigate whether the criticism that empirical ethics (necessarily) commits these basic meta-ethical fallacies is justified. They conclude that empirical-ethical studies, if carefully performed and transparently reported (making assumptions and reasoning as explicit as possible), need not be confronted with the is-ought problem or the naturalistic fallacy. Nor do such studies necessarily entail a rejection of the fact-value distinction. The authors believe that it is misplaced to conclude that empirical ethics is always going to be problematic because of basic meta-ethical problems.

The second paper (Two Concepts of Empirical Ethics) also addresses some of the meta-ethical problems related to empirical ethics, but in a very different way. According to Malcolm Parker, many empirical ethicists include facts in the wrong kind of way. Parker describes his view of a specific kind of empirical ethics: teleological expressivism (TE). He calls TE an appropriately normative principlism that attempts to be naturalistic but not naturalistically fallacious. Parker writes that no moral rule or evaluation can *mean* any natural feature or property, but that this does not prevent empirical ethicists from taking natural features or properties as reasons or criteria for considering something to be good, or right, or morally required. He clarifies his view by using examples of informed consent and the debates over euthanasia as an illustration of the superiority of his approach and the problems of using facts in the wrong kind of way.

Barry Hoffmaster and Cliff Hooker (How Experience Confronts Ethics) critique analytic moral philosophy's strong divide between the empirical and normative components, arguing that this limits facts to providing information for the application of norms and does not allow such facts to confront or challenge norms. If morality is seen in this way, an empirical turn in bioethics can lead only to philosophical and practical dead-ends. Hoffmaster and Hooker make a sharp break with this kind of analytic moral philosophy and

introduce a richer, more productive naturalist and constructivist account of reason and normative knowledge. The authors believe that at the moment when bioethics is liberated by a naturalist approach to ethics and an enlarged conception of rationality, empirical work can be recognized not just as essential to it but as genuinely normative.

Pascal Borry and Raymond DeVries ('Nobody Tosses a Dwarf!') continue this issue of *Bioethics* by making a distinction between the normative and the empirical – two independent focuses of bioethics. They describe how recent initiatives have urged bioethics and social sciences to go beyond the false distinction between facts and values and to reflect upon the necessary relationship between empirical and normative approaches. However, they criticize a theoretical hybrid-

ization of the normative and empirical disciplines ('integrated empirical ethics') because, according to the authors, it continuously runs into a contradiction: it stresses that fact and value are not distinguishable, that the empirical and the ethical form a new hybrid; but in order to explain what this hybrid is like, one must fall back on the distinction between fact and value. When this distinction is blurred, Borry and DeVries suggest, that the critical interrelation – the conversation – between the social science and normative ethics is lost. In the end, they argue for a revisited version of the 'critical applied



Illustration 5 for Miguel de Cervantes's *Don Quixote* by Gustave Doré, 1863

ethics' approach and clarify this by the case of dwarf-tossing.

The authors of the fifth paper (Empirical Ethics as Dialogical Practice), Guy Widdershoven, Tineke Abma and Bert Molewijk, address the importance of contextual experience. They present a dialogical approach to empirical ethics, based upon hermeneutic ethics and responsive evaluation. They claim that experience must be seen as the source of moral wisdom. Consequently, in order to gain a good understanding of moral issues, concrete detailed experiences and perspectives need to be exchanged. The authors describe a specific view of moral epistemology and methodological criteria for moral inquiry in which dialogue, both in ethics and in evaluation studies, is seen as a vehicle for moral learning and developing normative conclusions. In their view of empirical ethics as dialogical practice, in which ethical issues are addressed and shaped together with stakeholders in practice, questions are raised like: What role does ethical theory play? What is the relationship between empirical research and ethical theory in the dialogical process? These and other questions are addressed by reflecting upon a project in empirical ethics that was set up in a dialogical way. Within that project, normative guidelines were developed and implemented with and within practice in order to improve the practice concerning coercion and compulsion in psychiatry.

The last paper is by Jon Ives and Heather Draper (Appropriate Methodologies for Empirical Bioethics). They discuss the debate around the is-ought problem. Ives and Draper think that both sides of this debate misunderstand one another: one side treats it as a conceptual problem; whilst the other treats it as an empirical claim. In their paper, Ives and Draper distinguish between

philosophical bioethics, descriptive policy orientated bioethics and normative policy oriented bioethics. Ives and Draper argue that finding an appropriate methodology for combining empirical data and moral theory depends on what the aims of the research endeavour are and that, for the most part, this combination is only required for normative policy oriented bioethics. Within this kind of bioethics, Ives and Draper describe three ways of using empirical data: 1) empirical data for intuition, 2) empirical data for contextual understanding, and 3) empirical data for understanding meaning. Each of these approaches, Ives and Draper argue, allow empirical data to be combined with moral theory in such a way as to retain the integrity of 'bioethics' as a normative enterprise while taking into account the social science critique.

Don Quixote was an old nobleman who thought he was a knight (Cervantes, 1605). He was the archetypal idealist, a crazy hero with good intentions but highly impractical. Don Quixote fought windmills because they seemed, to him, to be dangerous giants. The morale of this is: 'Reason has nice thoughts but nature cannot be fooled'. So who is the Don Quixote in the field of empirical ethics? Is there a Don Quixote? Can we ever know? Or should we act as the old philosophy professor who said to his PhD student who tried to work out the meta-ethical foundations of empirical ethics *before* actually performing his empirical ethics research: 'Stop trying to fundamentally found your kind of empirical ethics, just do your research and stay transparent and self-critical'.

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