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On Cowley's Medical Ethics

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ABSTRACT

Two issues in Cowley's book *Medical Ethics, Ordinary Concepts and Ordinary Lives* are discussed. The first regards the opposition between the methodological approach based on moral theories and moral principles and that based on ordinary meanings. The discussion is developed through the opposition between the approach based on propositional knowledge and the approach based on experiential knowledge. The second issue regards moral disagreement and change of seeing.

1. *The issues*

Cowley's book (*Medical Ethics, Ordinary Concepts and Ordinary Lives* (Palgrave Macmillan, Houndmills, Basingstoke and New York, 2008) is concerned with a debate on actual issues in medical ethics, but also – and maybe even primarily – with questions at the background of moral debates. He defends an approach where theories or abstract premises are not taken as helpful in the foundation of moral thought, but, instead, the analysis of the wider meaning of concepts relevant for medical ethics, such as abortion, old age and death are crucial. As Cowley says, “only by considering this wider meaning of old age and death can we begin to make sense of the debates surrounding suicide and euthanasia”.¹ Cowley's examples are not limited to medical cases, but regard also ordinary life. The reason is that the meaning of the concepts used in medical ethics is primarily located in our non-medical experience, and learned originally in contexts such as families and schools. For this reason, one of the main interests in the book is the meanings of the concepts that people spontaneously use in ordinary thought and speech.

Another relevant theme in the book, crucial for the development of moral debates, is the distinction between propositional and experiential knowledge. Cowley's position is that “many discussions in medical ethics take place at the level of propositional knowledge between participants who lack sufficient

¹ C. Cowley, *Medical Ethics, Ordinary Concepts and Ordinary Lives*, Houndmills, Basingstoke and New York, Palgrave Macmillan, 2008, xi.

experiential knowledge, and that this impoverishes and distorts the ensuing discussions".² Propositional knowledge is simply the knowledge of a proposition that we may receive, for example, by a detached testimony in a textbook of neurology, like 'chickens suffer'. Experiential knowledge is the knowledge we gain through the experience of a situation or a phenomenon (it may be a life experience, or another kind of experience like, for example, an experience through art), when we are involved and have a vivid knowledge of a situation or a phenomenon, as when we see and are involved in the suffering of chickens in a slaughterhouse. Cowley says that mainstream ethics is focused on propositional knowledge and disapproves of this as of one of its relevant limits.

Finally, as a general point, it is relevant to see where Cowley's demarcation of his discussion lays. There are three kinds of general problems in medical ethics: the impersonal problem (related to a coherent theory for all types of situations and issues); the policy problem (the search for a pragmatic solution, once we accept that we do not have a universally satisfactory solution to a public problem); the personal problem (among other things, how the individual makes sense of the problem and the available solutions for her). Cowley's discussion is primarily about the personal problem, where he thinks that there is a disturbing tendency of moral theories to simplify the issue.

Although I find Cowley's treatment of a wide range of specific topics in medical ethics very inspiring and of a commendable philosophical level, the focus of my discussion will not be on Cowley's stances on these questions, but, instead, primarily on the methodological issues. Cowley's debate is a very stimulating challenge widely accepted attitudes. However, it seems to me that there are issues in Cowley's proposal that deserve some further discussion and clarification.

2. Moral theories and moral principles vs. ordinary meanings of concepts; propositional knowledge vs. experiential knowledge

Cowley provides a detailed account of the criticism of moral theories, using the examples of Beauchamp's and Childress's four principles ethics, and on McMahan's utilitarianism. The two positions discussed by Cowley are, in fact, representative of broad approaches to moral thinking, although, as I will briefly show, a more nuanced account of alternatives is needed than those Cowley is offering.

I perfectly agree with Cowley's criticism of the utility and appropriateness of the four principles approach to ethics proposed by Beauchamp and

² C. Cowley, *Medical Ethics, Ordinary Concepts and Ordinary Lives*, xiii.

Childress as described by Cowley. Beauchamp and Childress propose four principles as the foundation of all moral reasoning: beneficence, non-maleficence, autonomy and justice. In their proposal, when we face a moral issue, we must simply see which of these principles covers the issue, and in this way we will have the answer we require. Cowley says that these principles do not give us the guide their authors promised us. They are excessively general for guiding our judgments in real situations. For example, when we want to establish what is required in one situation, and we establish that there is a requirement of beneficence, there is still the question of determining what the beneficial act is in that situation (the classical question: keeping one alive, or rather helping one to die?). Similar problems of indeterminacy face all of the four principles.

I agree with Cowley's criticism of positions as he finds them instantiated in Beauchamp and Childress. I do not find, however, his approach toward the principlist attitude to be sufficiently inclusive. There are positions that accommodate the relevance of moral principles, as well as of moral theory, without endorsing either that moral principles are as simple and general as described by Cowley, or that moral thinking consists in simply deriving particular judgments from principles. The awareness of the need to specify principles is present, for example, in a sophisticated way in Thomas Scanlon's proposal. In Scanlon's description, we have principles only provisionally appropriate (in virtue of their previous establishment). In this way, for example, we have an absolute prohibition to do something, let's say to Φ . We must, however, have reasons explaining why not to Φ . By these reasons (an understanding of which will improve in further moral thinking) we can see also whether there are considerations that indicate an appropriate exemption to the absolute prohibition to Φ .³ Background reasoning helps us to have a more specified account of moral principles, and consequently of moral thinking as well, than that permitted by the explanation of principles that Cowley criticizes.

Imagine we have the prohibition against breaking a promise. We can, nevertheless, consider whether the loss for a person can serve as an appropriate reason for exception from the principle. For example, if I keep the promise to go at cinema with my friend, I will not be able to help my neighbor who needs urgently to go to the doctor. I deem we will conclude in cases like this that there are reasons for exemption, otherwise the principle of prohibition to infringe promises may be excessively demanding, not corresponding to the meaning of promising, and such that it can be refused by reasonable persons.⁴ In Scanlon's view, therefore, moral principles are not simple formulations like

³ T.M. Scanlon, *Intention and Permissibility*, "Proceedings of the Aristotelian Society", Supplement, 2000., 308.

⁴ T.M. Scanlon, *Intention and Permissibility*, 309.

those that Cowley criticizes, and moral thinking does not simply consist in mere application of these principles, i.e. in direct inference of particular conclusions from them, but, instead, principles are clarifications of the considerations that determine which actions are right and which wrong, and of the relations to one another of these considerations.⁵ Moral principles include their specifications, i.e. the specification of their range of application, although the specification is not always explicit and frequently we must exercise judgment in order to be able to decide what to do.⁶

Before dismissing principled moral reasoning as representative of mainstream moral philosophy, I think it's needed to discuss sophisticated proposals like Scanlon's. It would be interesting to see Cowley's discussion of such proposals.

The other exemplification of mainstream moral reasoning criticized by Cowley is represented by the utilitarian proposal of Jeff McMahan. In particular, Cowley takes a stance toward the traditional attitude of utilitarians on the relation between theory and intuitions, more precisely intuitions that indicate possible counterexamples to the utilitarian theory. The traditional utilitarian position is that intuitions always have to succumb, because of being unreliable, conservative and representing prejudices. Intuitions must succumb even when they firmly appear to be indisputable even to the mind of a utilitarian. McMahan himself indicates one of these cases. We have a healthy orphan and a few other children suffering from illnesses remediable by organ transplantation that we can accomplish by the sacrifice and use of the organs of the orphan. This is exactly what we must do, if we want to respect the appropriate moral theory, instead of prejudices of our mind. This is a position frequently endorsed by utilitarians. To the example indicated by Cowley, I can add, as representative, the position endorsed by Peter Singer in his criticism of the use of intuitions in the method of reflective equilibrium. The method of reflective equilibrium says that we must compare all of our moral and morally relevant beliefs and select those that we most firmly accept under reflection: the method of reflective equilibrium "refuses to assign a privileged status *at the outset* to any particular source of moral insight".⁷ Singer thinks that this is a wrong attitude and that intuitions have to succumb whenever opposed to moral theories. We must neglect intuitions even when they impose themselves as most firmly accepted. They have this strength only because of being commonly accepted, while when we face a new theory we just start thinking about it. Because of this unmerited advantage, we must simply neglect moral

⁵ T.M. Scanlon, *The Aims and Authority of Moral Theory*, "Oxford Journal of Legal Studies", 1992, 11.

⁶ T.M. Scanlon, *Intention and Permissibility*, 308.

⁷ T.M. Scanlon, *The Aims and Authority of Moral Theory*, 14.

intuitions in order to avoid distortions of valid moral thinking, and we must direct our attention to moral theories.⁸

Utilitarians give examples that support the idea that moral intuitions are frequently conservative prejudices and that we need critical thinking in order to overcome them, even when they are widely and strongly accepted. Cowley is successful when he shows that McMahon fails in finding assistance for his own proposal from one of these cases.⁹ McMahon indicates the wide endorsement of racism in the past, overcome by progressive thought that won against the established prejudices. The same, McMahon says, must be done even today, although sometimes we are reluctant and feel embarrassed in endorsing some consequences of moral theories (like in the example of sacrificing the orphan). Cowley correctly shows that there are relevant differences between the freedom from slavery and the sacrifice of the orphan. In the slavery case, although there were wide intuitions supporting slavery, these intuitions were not present in people sustaining the abolishment of slavery. Moreover, people fighting for the abolishment of slavery aimed to create wide social movements for this goal.¹⁰ On the other hand, it is difficult to imagine that McMahon wants to start a wide movement for the sacrifice of orphans in cases like the one he describes. The historical cases of fighting prejudices, therefore, are not analogous to utilitarian decisions as the one indicated by McMahon, and, therefore, cannot be endorsed as support for them.

McMahon's case, like the early Singer's attempt of criticism of the method of reflective equilibrium are, however, rather naïve proposals, and utilitarians can certainly provide better cases in their support. This is, for example, done by Singer in a more recent paper, where he relies on studies in moral cognitive psychology. These studies show that moral intuitions are frequently unreliable, even when widely supported. For example, this is shown in experiments regarding human behavior, more precisely cases when people held an intuitive judgment even after they have withdrawn the reasons they initially offered for that judgment, and do not find any new better reason to support the judgment, and cases when people diverge in their answers even when faced with cases with small and not relevant variations. This is shown also in experiments that regard the human brain, when it appears that there are moral judgments involving emotional rather than cognitive engagement (Singer remarks that these are precisely the intuitions taken as

⁸ P. Singer, *Sidgwick and Reflective Equilibrium*, The Monist, 1974, 517.

⁹ C. Cowley, *Medical Ethics, Ordinary Concepts and Ordinary Lives*, 8-18.

¹⁰ We can find support for Cowley's thought in King's *A Letter from Birmingham Jail*, when King exactly says that the goal of civil disobedience was to activate appropriate moral sensibility among wide population. See: M.L. King, *A Letter from Birmingham Jail*, http://www.africa.upenn.edu/Articles_Gen/Letter_Birmingham.html, accessed on June 3rd, 2009.

counterexamples to utilitarianism). Singer concludes that intuitions are unreliable and gives also an explanation for this: they are evolutionary inherited attitudes that corresponded to very different conditions of living than those in which we find ourselves today. For this reason, we do not have any good from relying on moral intuitions, even by the use of reflective equilibrium, and we must overcome them with more appropriate moral judgments.¹¹

From the time Singer wrote the most recent paper I indicated, several more analyses of human behavior were made to confirm the unreliability of moral intuitions. One of the indicators of the unreliability of intuitions noted by the authors is represented by the framing effect, precisely by word framing effect (the intuition depends on which words are used to frame the case in question) and by context framing effect (the intuition depends on the order in which facts are presented). So, different answers depend on whether the dilemma of the trolley case is described by first saying that five innocent people will be saved and then that one innocent person will die, or by first saying that one innocent person will die and then that five innocent people will be saved.¹²

The recent results in cognitive psychology on which Singer relies and other research that I have indicated represent a problem for Cowley because they show the unreliability of moral intuitions. Although Cowley is successful in showing that frequently the utilitarians's denial of intuitions and endorsement of counterintuitive moral theories is too eager and fast, Cowley's too optimistic endorsement of the capacities of moral thinking of common sense is problematic. In my opinion, contrary to Singer, the appropriate solution is still the endorsement of reflective equilibrium, where we rely on all our cognitive resources, by the awareness of the fallibility of all of them, and without giving anticipated advantage to any of them. However, this is not the place to enter

¹¹ P. Singer, *Ethics and Intuitions*, "The Journal of Ethics", 2005, 331-352. The pioneer text for this debate, on which Singer widely rely, is represented by J. Haidt, *The Emotional Dog and Its Rational Tail. A Social Intuitionist Approach to Moral Judgment*, "Psychological Review", 2001, 814-834.

¹² T. Nadelhoffer and A. Feltz, *The Actor-Observer Bias and Moral Intuitions. Adding Fuel to Sinnott-Armstrong's Fire*, „Neuroethics“, 2008, 133-144. Nadelhoffer and Feltz add another framing effect represented by diversity of descriptions as some of them having no reference to the person who faces the dilemma and others referring directly to the person who has to answer in the experiment. They find differences in answers when an impersonal choice or when a personal choice is involved as another indicator of irrationality. However, Cowley would say that this is not irrational at all. For other interesting discussions in cognitive psychology about moral intuitions, see: W. Sinnott-Armstrong (ed.), *Moral Psychology Vol. 2. The Cognitive Science of Morality. Intuition and Diversity*, Cambridge, MIT Press, 2008. For variations of the trolley problem, I find particularly instructive M.D. Hauser, L. Young and F. Cushman, *Reviving Rawls's Linguistic Analogy. Operative Principles and the Causal Structure of Moral Actions* in this volume.

in the details of this position. In any case, it would be useful to receive from Cowley an explanation of the disappointing results of the experiments of cognitive psychology for the hypothesis of reliability of intuitions.

Cowley makes use of a resource that may help moral thinking, as a support of intuitions of common people: the established meanings of concepts. So, in the discussion with McMahon a useful concept is that of ‘innocence’. We cannot treat the orphan in the way indicated by McMahon because in this way we disrespect the meaning of the concept ‘innocence’ which implies inviolability. Cowley denies that revising the meaning of ‘innocence’ is an option available to McMahon. In order to do this, he would have to invoke correlated concepts, like ‘threat’, ‘justification’ and ‘excuse’ in their ordinary senses, with the aim of engaging the reader. Because of the fact that the concepts are interrelated, it is not possible to revise one of them, without shifting the whole web of meanings.

Cowley admits that there are persistent disagreements, but he sees this not as a result of the vagueness and inconsistency of our concepts (as McMahon might claim), but instead as a result of the irreducible complexity of our different relationships. As a consequence, “our first task is to do justice to this complexity while striving for greater lucidity of detail. Despite the occasional confusion and uncertainty, however, the concepts are generally enough for ordinary people to make sense of our world and our actions, [...] in short to *lead a life*”.¹³

Here I put aside a general doubt that I have in relation to the approach proposed by Cowley, i.e. the idea that the ordinary meanings of concepts have such a capacity to guide and resolve philosophical and moral issues (or, even dissolving them, as in fact it appears in the case of Cowley’s use of the concept of ‘innocence’ in reply to McMahon). I will insist on a specific problem. If the concepts are generally enough for ordinary people, how can it happen that their moral judgments and decisions on how to act vary according to their moral relevance (as shown, for example, by the framing effects)? One of the experiments in cognitive psychology, as I have shown, is represented by variations in the notorious trolley problem, where exactly the concept of ‘innocence’ is involved. It appears from this that the concept of innocence is not so helpful as Cowley would like it to be, in particular that it is not so exclusive of possible moral judgments or actions as Cowley says in reply to McMahon by relying on Anscombe’s thought.¹⁴ As the variations in the trolley case in the experiments I mentioned show, the concept of ‘innocence’ puts

¹³ C. Cowley, *Medical Ethics, Ordinary Concepts and Ordinary Lives*, 20.

¹⁴ As Cowley says, “If McMahon truly accepted that the orphan was innocent, this would restrict what could be done to it, such as deliberately killing it: such a restriction is not only ethical, it is also conceptual, built into the full meaning of the relevant concept”. See: C. Cowley, *Medical Ethics, Ordinary Concepts and Ordinary Lives*, 17.

contradictory restrictions on the thought of ordinary people. This fact renders problematic Cowley's reply to McMahon.

3. Moral disagreement, changes of seeing

Cowley is aware of the fact that what he has said about moral thinking so far may appear as problematic specifically in the case of moral disagreement. This is the reason why he dedicates the next chapter to the question of moral disagreement. So, what is moral disagreement? There may be different forms of moral disagreement, but Cowley is interested in two of them, as, in his opinion, particularly revealing about the nature of morality: (a) contingently resolvable disagreement – a situation where two subjects disagree about an issue (let's say, the question of animal rights), and one of the disputants comes to see, or is brought to see, the situation through the other's perspective; (b) contingently irresolvable disagreements – the efforts to resolve the disagreement fail, although each acknowledges the other's opinion as intelligible and respectable.

Imagine the dispute between a carnivore C and a vegetarian V. They exchange their arguments and each of them remains firm in her position. Then, V invites C to a slaughterhouse. This experience can be very important for C, because of the fact that she “has not hitherto made the connection – *at a deeper than merely intellectual level* – between the harmless living creature and the tidily packaged lump of meat in the local butcher's”.¹⁵ After the experience she had at the slaughterhouse, the chicken becomes a very different object in C's perspective, having now new moral implications (as Cowley says, it now comes with new prohibitions). The change in C's perspective is dependent not on new propositional knowledge, but on her new experiential knowledge. This is a case of change in the way of seeing.

A relevant characteristic of this deeper knowledge is its contingency. It can happen, as in the previous example, that C changes her way of seeing. In this case she has been converted (and, as Cowley remarks, not persuaded). But it can also turn out that this does not happen: C remains firm in her view.

Would she be irrational if she does not change her mind? Cowley's first comment is that C would not necessarily be irrational if she does not. The other issue is opposite: was she irrational when she changed her mind? The reason for the doubt is the fact that it does not seem that she relied on her rational will. However, this objection is based on a philosophical mistake, i.e. on the fact that most frequently “philosophers have been naïve in assuming both that arguments can be presented with perfect neutrality and that the *only*

¹⁵ C. Cowley, *Medical Ethics, Ordinary Concepts and Ordinary Lives*, 26.

alternative to neutrality is brainwashing”.¹⁶ This is a mistake that denies the possible contribution of experiences as the life experience shown earlier, or fictitious ones as frequently represented by examples in artworks that can move us to adopt a new ethical perspective, with certain new ethical judgments or attitudes. We must, for example, not be embarrassed to admit that we have acquired new beliefs about justice by reading Charles Dickens, the same as C should not be embarrassed of her conversion that followed the experience in the slaughterhouse: “appeals to the heart and the imagination are just legitimate, within limits, as appeals to the mind; and showing can be as legitimate as telling”.¹⁷ The core of Cowley’s position is “that any ‘debate’ is probably not about an exchange of arguments, but about different *ways of seeing* – exactly as the Vegetarian and the Carnivore saw the same chicken in different ways, without the implication that one of them has a privileged or correct view”.¹⁸

Obviously, experience can convert us to wrong ethical positions. Imagine a white doctor who feels strong humanitarian solidarity and who goes to work in an environment with the prevalence of ethnic minorities. After a while, he changes his mind about these people, disappointed by what he recognizes as their laziness, resentment, sexism, etc., and he converted to a racist position. Cowley says that, here, there is still room for reflection on the experience, on the conversion, and on the new inclination to racism. The doctor has still the possibility to refrain from racism because of the ethical ideal that he still cherishes. Here the notion of ‘endorsement’ is crucial: although the doctor sees the ethnic communities in a new way, he does not endorse the new judgment, because he does not absorb the reasons in support of it.

I find this part of Cowley’s book particularly interesting, and in my opinion there are relevant indications for moral philosophy, frequently eager to reproduce models of formal or natural sciences (or at least of what some moral philosophers imagine as the methodology of natural sciences). However, it seems to me that Cowley does not offer us sufficiently clarified concepts to understand properly what happens in the morally relevant experience, and that this vagueness supports the vision of an unrealistic dissociation between moral experience on one side and appeal to facts and moral argumentation on the other side. Among these concepts, I find particularly relevant those of ‘change of seeing’, ‘deeper than intellectual level’, and of the ‘reflection’ available (like in the case of the doctor) in resisting corruptive experiences. In the following part of the paper I will offer possible specifications of these concepts.

¹⁶ C. Cowley, *Medical Ethics, Ordinary Concepts and Ordinary Lives*, 28.

¹⁷ C. Cowley, *Medical Ethics, Ordinary Concepts and Ordinary Lives*, 28-29.

¹⁸ C. Cowley, *Medical Ethics, Ordinary Concepts and Ordinary Lives*, 95.

First, it seems to me vague the notion Cowley offers us when he says, about C, that she “has not hitherto made the connection – *at a deeper than merely intellectual level* – between the harmless living creature and the tidily packaged lump of meat in the local butcher's”.

It can be possible that Cowley refers to a motivational aspect: although one has intellectual knowledge of P, she does not find from this any motivational source for her behavior. This appears to be confirmed in one of Cowley's quotations: “*if* he really knew – knew more than the mere proposition, knew enough and in the right way to be *moved* – the chicken would change its ethical shape, so to speak [...] because it would now come with new prohibitions”.¹⁹ I agree that mere intellectual knowledge can be an insufficient motivational source and that, for this end, appeal to heart and imagination can be needed. This is an interesting discussion, but I limit my comments to direct epistemological issues. To be sure, apart from this quotation Cowley himself privileges the use of an epistemological terminology,²⁰ and, therefore, it seems to me that my choice is legitimate.

I will interpret the ‘movement’ caused by the experience as the proper activation of beliefs that were passive. As I interpret the situation, before the experience of a slaughterhouse, C knows that the tidily packaged lump of meat in the local butcher's was once a harmless living creature with the possibility to enjoy pleasure and suffer pain, but she does not draw the relevant conclusion from her beliefs. C knows that there are harmless living creatures at slaughterhouses that are sensible beings, with the capacity to suffer pain. Perhaps, at time T C condemns such inflictions of pain, and C thinks that it is not morally acceptable to inflict such pain to these harmless living creatures. At moment T₁ C sees the tidily packaged lump of meat in the local butcher's, she knows that this is one of the same harmless creatures living earlier in the slaughterhouse, and does not have any moral reaction – this is simply a potential piece of food. C may have some excuses for this (most of the time these are what I will call *ad hoc* reasons). For example, she may say that after the damage is done to the chicken, there is no point in making this damage useless: it is better at least to give a sense to this sacrifice. I avoid these complications for the moment. Let's simply say that C mindlessly avoids any moral attitude toward the tidily packaged lump of meat. In this case, however, I think that the problem is not that she has not hitherto made the connection *at a deeper than merely intellectual level*, but that she has not made any intellectual connection between her beliefs either. In this case we can

¹⁹ C. Cowley, *Medical Ethics, Ordinary Concepts and Ordinary Lives*, 26-27.

²⁰ For example when he says: “What I have in mind is how one can be moved by a work of literature or film, moved in a way that would involve adopting a new ethical perspective in a certain situation, with certain new ethical judgments.” See C. Cowley, *Medical Ethics, Ordinary Concepts and Ordinary Lives*, 28.

legitimately charge C of irrationality, and we can even more legitimately do this if C persists, after we have admonished her about the problem in her inference.

Experiential knowledge can be helpful here. As it appears to me, its role can be manifested in the focusing of attention, in rendering vivid beliefs. For example, C knew from textbooks in neurophysiology that the chicken feels pain, but this belief was not active, or, we may say, was not vivid in her thought. C knew the connection between the chickens she saw at the slaughterhouse and tidily packaged lumps of meat in the local butcher's, but, again, this belief was not vivid, it was inactive and she did not make the appropriate inference from it. Experiential knowledge, as I can see, can make vivid and active the relevant beliefs, and, therefore, activate the proper inferences.

Another way experience can activate a belief is by rendering definitely clear the meaninglessness of attempts to deny a moral judgment by the search for auxiliary reasons of the type of *ad hoc* hypothesis used also by natural scientists. In speaking again about C's example, we can say that before the experience, she can be aware of the connection but devise *ad hoc* reasons (I have briefly shown one of them earlier) to deny some moral consequences from it. The use of *ad hoc* hypotheses is well known even in the natural sciences, and is very frequent in morality in attempts to save initial intuitions.²¹ As some methodologists of science have remarked, in natural sciences *ad hoc* hypothesis, inside certain limits, can even be justified. In moral thinking, however, as John Haidt has shown, they are most of the time just desperate attempts to save the initial intuition, and a refusal of moral cognizers to accept the most reasonable consequence of the relevant beliefs they endorse. By stopping this *ad hoc*ness, moral experience represents a help and support to reasonableness. In any case, although experience was needed to change the initial moral view, the role of reasons and coherence was unavoidable as well, and the role of experience consisted in supporting reasonableness (moral thinking based on genuine reasons) and rationality (coherence among beliefs).

This seems to me less than the role Cowley attributes to experiential knowledge. I have described experience as a support to the proper functioning of the intellectual level, where lies the proper level of justification of moral beliefs in the previous cases. Cowley speaks – or at least this seems to me – about appeals to the heart and the imagination that overcomes the intellectual level. I have tried to show that heart and imagination cooperate with the intellectual level to reach appropriate moral judgments. But this is less than Cowley ascribes to the potentialities of the heart and the imagination. In his view, activities of the heart and imagination can properly create a new moral

²¹ Examples of this tendency are presented in J. Haidt, *The Emotional Dog and Its Rational Tail. A Social Intuitionist Approach to Moral Judgment*, 814-834.

vision simply as a new way of seeing, after the intellectual level has failed, or at least this is how I understand him. I come to see the chicken and the related tidily packaged lump of meat in the local butcher's as posing new obligations in a way that we cannot relate to an intellectual explanation or appeal to facts ("the whole effort to ascribe *rights* to animals on their empirical properties is wrong-headed"),²² in the same way how we cannot relate to an intellectual explanation of the new way I came to see Andreja after I fell in love with her. I suppose Cowley can admit a certain role for appeals to facts in both cases. In order for my views not to be irrational, the chicken must have a neurophysiologic structure that does not contrast to my view of it, the same as Andreja, together with the attractiveness I find in her, must have also the admirable character traits that I find in her. But the change of view is not necessarily influenced by the appeal to these facts. I avoid analyzing falling in love, but in moral change it seems to me that appeal to facts is relevant, as one of the crucial aspects in moral thinking (together with coherence, reflection, experience and exercise of moral judgment). Although it is true that we cannot derive direct conclusions from appeals to facts, nevertheless they limit legitimate conclusions available to us, mostly by requirements of coherence, i.e. by requiring us to compare our moral judgments and formulate similar judgments in relation to similar facts, or explain divergences of judgments (why some fact – for example, the capacity to suffer – was relevant in one case and not in another).

In my opinion, the position that neglects the relevance of appeals to facts and to argumentation is a pernicious way to ground moral changes and this appears as evident in the doctor's case. Actually, the description Cowley gives of the doctor's case is relevantly different from the picture he gives of C. In C's case there was simply a change of view inspired and accomplished by heart and imagination (Cowley mentions also the possibility of resistance, without explaining how it can happen, but only saying that it would not be irrational). In the other example, the doctor resisted this kind of change of view by implying reflection. What does this reflection consist of? Cowley offers us some generic indications: the doctor can reflect on the experience, on the conversion, and on the new inclination to racism. I will try to suggest some more details about this possible reflection.

I think that it may include, among others (a) an appeal to factual beliefs on the subject matter (facts about the ethnic communities, among else facts about natural characteristics of the members of ethnic minorities, as well as about the social origin of the underdevelopment of these communities; comparative facts about these communities and the community to which the doctor belong – e.g. real statistics about behavioral phenomena in all these communities, or a

²² C. Cowley, *Medical Ethics, Ordinary Concepts and Ordinary Lives*, 30.

comparison between these communities and the community to which the doctor belongs in its recent history), (b) a reflection on the coherence of his beliefs (about whether endorsing racism would fit in his best coherent system of beliefs), and (c) a reflection on himself and on the origin of the situation that created his view (whether his reaction was created by morally distortive influences, for example by a bad influence of personal pride related to the fact that he did not receive the gratitude of the members of the ethnic community in the way that he expected), etc. These reflections can lead the doctor to not endorse the racist view. If the doctor refuses a reflection like that that I have indicated above and becomes a racist his attitude to morality is simply unreflective and irrational, and, as a consequence, we could blame him for this failure.

As a conclusion of this part, my suggestion is that the role of experiences consists in rendering vivid and active beliefs, activating in this way proper inferences and strengthening reasonable thought. On the other hand, what Cowley neglected as being relevant in moral thinking (if I understand him correctly) appears persistently significant, i.e. reflection on facts that concern the subject of the moral judgment (in the doctor's case facts regarding some human groups, while, by analogy, in the other case discussed by Cowley they would be facts regarding non-human animals), to which we may add, among other things, reflection on other facts (for example, about the cognizer and the genesis of his inclination to change the view) and coherence of beliefs.

There are cases that cannot be resolved by correct reasoning based on facts or other beliefs we have and in these cases we must utilize our faculty of moral judgment. These are the cases of reciprocal weighting of the moral reasons relevant in one situation. Experiences are important in nurturing our capacity to engage our faculty of moral judgment in such situations. So, for example, in virtue of the reduced experiential knowledge that she had, C attributed greater importance to the pleasure of an intelligent being (like herself enjoying a good meal), than to the suffering of a being like a chicken, or she attributed a too strong relevance to a moral conferring feature (intelligence), and too less to another one (the capacity to suffer). After more experience, she changes her view by a better balance of moral reasons.

This refinement may concern a sensibility active in the direct judgment of particular cases (as particularists would like), or in the process of refinement of moral principles, like the one I described in the earlier section in relation to Thomas Scanlon, when the appeal to judgment is needed in order to establish the proper hedges of a moral principle (for example, of the principle to keep a promise). However, not everything in this process of refinement is based on experience only. The required judgment must be based also on a comparison with other beliefs, and, among others, on reflection about the reasons that shape a moral principle (for example, why do we condemn infliction of

suffering?), or on comparisons with other situations in which we attributed relative strength to a moral reason (why infliction of suffering was such an important consideration in that case, and is not a very important consideration in this case?). Again, experience, activities of imagination and 'of the heart', reflection, reasoning and appeal to facts cooperate, and there are no independent achievements of imagination and heart, contrary to what Cowley indicates if I understand him correctly.

As a last issue, I indicate Cowley's caution that regards conversions. They must not go too far, he says. For example, some people are too eager in recognizing rights to non-human animals and arrive, in this way, to a moral identification of human and non-human animals. In such conversions, people must take care of what has been the status of animals until that moment. More precisely, Cowley says that this is an issue about the meaning of concepts, in the present example about the meaning of the concept 'animal' (in my terminology, 'non-human animal') shaped with its implications through generations. He can agree with the idea that meanings can change, but with a restriction. As he says, "There is room for the meaning to change, but only slowly, as more and more people are contingently brought to see what they only knew before".²³

I find a problem in this position. Cowley's caution can appear as justified in cases of correlative changes of view, like in the case of the doctor. However, when we speak about discrimination and harm to sentient human beings (or other creatures), fast changes are welcome, and not a slow process. In such cases there is no reason to be respectful of traditional meanings (like the meaning, in a racist society, of 'a human being with dark color of skin' as 'a subject that can have access to less resources, not have the faculty to participate in collective decisions of the community, and who can be treated instrumentally or even cruelly') and wait for a slow process of changes of meanings that derive from increasing number of people changing their seeing. In the case of discriminative societies, or societies insensitive toward the sufferings of some groups of people or other creatures, we must welcome individuals irrespective of the inherited meanings and the inherited beliefs, and who accelerate the process of revision of the moral view of their society. The meanings of morally relevant concepts must not be a constraint for them, and their critical thought at all possible levels (among else, appeal to coherence, appeal to factual beliefs, appeal to reflection, appeal to deeper and more instructive experience) is most welcome. We can see from this that an appropriate approach to moral thinking is not one respectful of traditional meanings of morally relevant concepts, but one that makes the best occasions

²³ C. Cowley, *Medical Ethics, Ordinary Concepts and Ordinary Lives*, 30.

for critical thought and all its resources, inclusive of those that I have indicated.