

A Framework for Moral Reasoning and Decision-Making in Bioethics¹

I. Morality

Morality is a universally valid and applicable, impartial, rationally justified system for making decisions and judgments about actions, a system that

1. has a defining goal
 - = minimizing the amount of harm suffered by those under its protection and, to the extent possible and of secondary importance, promoting the goods obtainable by those under its protection
2. specifies basic harms and goods
3. advocates, in the service of the defining goal, constraints on actions
4. specifies a domain of application
 - a. for constraints on action
 - = all moral agents, who are all rational persons who can act for reasons and for the best reasons, can understand the moral system, and can be responsible for her/his actions
 - b. for protection
 - = at least all moral agents
 - + all former moral agents who can still experience harms (including incompetent but not permanently unconscious persons
 - + all post-birth potential moral agents (infants and children)
5. Justifies constraints on actions through
 - a. identification of general moral rules
 - prohibitions against causing or increasing harms
 - b. identification of general moral ideals
 - encouragements but not requirements to prevent or reduce harms
6. identifies morally significant features that
 - a. identify a situation as one in which a moral decision/judgment has to be made and so in which moral rules and ideals are applicable, and
 - b. must be taken into account in making a moral decision/judgment
7. specifies a procedure for determining if actions are morally right or wrong, or morally acceptable or unacceptable
8. claims to be overriding of other concerns

II. Four Key Elements of Morality

A. Basic Harms and Goods

1. harm = what all rational person want to avoid unless they have an adequate reason not to
= morally bad
to cause or increase any of these is, other things equal, morally wrong:
death, pain, disability, loss of freedom/autonomy, loss of pleasure
[loss of dignity, isolation/loss or absence of human relationships, ignorance,
insecurity, despair, unfairness/inequality/injustice]
2. goods = what all rational beings want unless that have an adequate reason not to
to cause or increase these is, other things equal, morally right:
life (of decent quality), happiness/pleasure, ability, freedom/autonomy, self-
respect, respect of/for others, community/human relationships, knowledge,
security, good health

B. Basic Moral Rules

Morality requires that all moral agents always obey these rules unless a violation would be rationally justified. (justified = proved to be not wrong)

1. Don't kill. (I.e., It is wrong, other things equal, to kill.)
2. Don't cause pain.
3. Don't disable.
4. Don't deprive of freedom.
5. Don't deprive of pleasure.

To violate any of rules 1-5 is to directly cause a harm.

6. Don't deceive. (I.e., It is wrong, other things equal, to deceive.)
7. Don't break your promises.
8. Don't cheat.
9. Don't violate the law.
10. Don't shirk your role-relative duties.

- (a) The violation of any of rules 6-10 in a particular case usually causes harm
- (b) The violation of any of rules 6-10 by people generally always causes harm.

Other Important Rules:

- Don't disrespect others/violate the dignity of others
 - Don't use others as mere means for your ends
- Don't interfere with/undermine/destroy/deprive people of autonomy
- Don't abuse power
- Don't cause insecurity
- Don't treat unjustly (e.g., deny people what they are entitled to or have a right to
- Don't encourage/entice others to break moral rules

Rationally justified violation of a rule:

1. Requirement of adequate reason

a reason = a conscious rational belief that an action will help anyone, not only oneself or those one cares about, to avoid some harm or gain some benefit.
adequate reason = a conscious rational belief that a significant group of otherwise rational people would regard the harm avoided or the benefit gained as at least as important as the harm caused.

For a violation of a moral rule to be justified, there must be adequate reason for the violation.

2. Requirement of impartiality

impartiality = no bias toward or against any particular individual or group of individuals

For a violation of a moral rule to be justified for any particular person, it must be justified for all persons in relevantly similar situations.

3. Requirement of universality

universality = applies to all moral agents

For the violation of a moral rule to be justified, it must be rational for a rational person to favor everyone's being allowed to violate it.

4. Requirement of publicity

publicity = all moral agents know about it

For a violation of a moral rule to be justified, it must be rational for a rational person to favor allowing that violation even if everyone knows that this kind of violation is allowed.

Therefore,

Every moral agent is to obey the moral rules unless an impartial rational person can advocate that violating it would be publicly allowed because there is adequate reason for its violation.

Anyone who violates a moral rule when no impartial rational person could advocate that such a violation would be publicly allowed does wrong. It is morally permissible to punish (cause harm to) anyone who does wrong.

C. Moral Ideals

Moral ideals say, in effect:

- a. Here are things that are morally bad; do what you can when you can for whom you can to lessen them;
- b. Here are other things that are morally good; do what you can for whom you can to promote them.

Failure to realize a moral ideal is not wrong (unless one has a role-relative duty to realize it)

Some Ideals:

- Lessen deaths/risks of death
- Lessen pain/risk of pain
- Lessen disability
- Lessen restrictions on/ threats to freedom
- Lessen loss of happiness/pleasure
- Lessen assaults on dignity
- Help others in need
- Promote autonomy
- Promote happiness
- Promote respect among persons
- Promote conditions for good human relations/community
- Promote justice/fight injustice
- Strive to be a morally good person
- Encourage others to be good and do right

D. Method

for determining whether an action is morally wrong or right, or morally unacceptable or acceptable

1. Identify the morally relevant features of the situation

- a. Are any moral rules violated?
If so, are the violations justified by the criteria of adequate reason, impartiality, universality, & publicity? (Remember that all 4 conditions must be met for a violation of a rule to be justified.)
- b. What harms are at stake - caused, prevented, avoided, increased?
And for whom?
- c. Are any of the harms the result of, or called for by justified prevention of unjustified rule violation, or justified punishment of unjustified rule violation?
- d. What benefits are at stake - caused, forgone? And for whom?
- e. Has everybody who might be affected been taken into consideration?
- f. How are harms and benefits distributed?
(Principle of Justice: harms and benefits should be distributed fairly)
- g. What are the (foreseeable) responses of affected individuals?
- h. Are there relationships present that give rise to duties to act for others without their consent?
- i. Are there preferable alternatives?
- j. Is this an emergency situation?
- k. Is power or are biases operating, even subtly, in ways that are detrimental to individuals?

2. Use your best reasoning, as a rational, impartial person, to judge

- a. what the consequences would be if this kind of action were publicly allowed,
and
- b. whether it would be rational from this perspective to endorse this action (i.e., to call it morally acceptable or right).

Note

¹ This framework is drawn from Bernard Gert, Charles M. Culver, and K. Danner Clouser, Bioethics: A Return to Fundamentals (Oxford University Press, 1997) and from class discussions in my Philosophy 116 Bioethics course.