

Hugh LaFollette: The Practice of Ethics **Blackwell, viii, 300 p. ISBN: 0-631-21945-5**

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The Practice of Ethics is an introduction to moral philosophy. It starts from a series of practical questions, which range from the personal and picayune ('If a friend has had an awful haircut and asks your opinion of his new hairdo, should you lie to avoid hurting his feelings?') to political, life-and-death issues ('Is the death penalty justified?'). The book uses these questions as routes into discussions of more general, theoretical moral questions, such as whether the rightness or wrongness of our conduct is determined solely by the goodness or badness of its consequences, and what reasons we have to be moral. Theoretical reflection is followed by a return to the practical questions that prompted it. The purpose of this back-and-forth between practice and theory is twofold. First, to show that everyday questions about how to live and which policies to favor can only be adequately addressed by theoretical moral reflection. Second, to persuade its audience of the value of a life informed and guided by such reflection.

LaFollette is certainly well-placed to write a book of this kind. He has written widely, and insightfully, on issues in personal morality and on policy issues, including the justifiability of gun control and our duties in the face of widespread deprivation. He has also edited several key anthologies, including *Ethics in Practice* (3rd edition, Blackwell, 2007) and the *Blackwell Guide to Ethical Theory* (2001). Nonetheless, the book is not an unqualified success—or so I will argue.

The 19 chapters of *The Practice of Ethics* can, roughly, be organized along three themes: theory, policy, and the moral life. Moral theory is introduced in chapters 1 through 4, which present the contrast between consequentialism and nonconsequentialism, and discuss the question of moral relativism. Policy questions dominate chapters 5 through 12, in which analyses of the justifiability of affirmative action,

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physician-assisted suicide, paternalism, punishment, and gun control are paired with discussions of more general moral questions relevant to the issue at hand—for example, the discussion of affirmative action follows a chapter that analyzes what racism is and what is wrong with it, and the discussion of assisted suicide is followed by a chapter on slippery-slope arguments. The moral life is the focus of chapters 13 through 19, which analyze the demands of a minimally morally decent life, and argue for the value of doing more than minimal decency requires. I will briefly comment on material belonging to each theme.

1 Theory

The initial chapters focus on consequentialism and nonconsequentialism (or deontology). (Late in the book, amidst the chapters dealing with the moral life, LaFollette includes a brief discussion of virtue ethics.) Because of its historical importance and its relatively simple structure, the discussion of consequentialism understandably focuses on utilitarianism. Though a student who encountered this theory for the first time would come away with a decent grasp of the main idea, LaFollette's analysis is unsatisfactory in several respects. First, he does not do enough to motivate utilitarianism. He explains (on p. 29) that a utilitarian must be impartial and benevolent, but he fails to give the arguments employed by utilitarians to establish that impartiality and benevolence exhaust the fundamental moral sentiments of an ideal moral agent. He also does not explain why utilitarians believe that someone guided by these sentiments alone will aim at maximizing total utility in a given population (rather than, say, displaying a special concern for the worst off).

Second, crucial aspects of the theory are discussed rather too quickly. For example, LaFollette defines rule utilitarianism as a theory that demands that we act on rules which, "if followed by most people, would promote the greatest happiness for the greatest number" (p. 28), but he fails to mention the familiar problem with this definition, viz. how such a theory can rightly be characterized as aiming at promoting the balance of good over evil, given that the rules that would maximally promote this balance if *everyone* followed them might not lead to optimistic consequences when followed by fewer people.

The discussion of nonconsequentialism similarly fails to explain what makes this family of views attractive to some of the best philosophers of our times. LaFollette introduces nonconsequentialism by registering "two marks in its favour" (p. 31). First, he claims it corresponds to the way we were taught morality—as a set of (typically negative) rules: 'Don't lie', 'Don't cheat on your tax return', 'Don't speed'. Second, he maintains it captures something that "most people think", namely, that "there are things we morally ought not to do, regardless of the consequences". It seems to me that neither of these remarks captures any of the core motivations for being a nonconsequentialist. The first is, at best, a candidate for a psychological explanation of why some people might naively see morality as primarily involving a set of prohibitions. The second claim is merely a description of most people's beliefs. Besides being quite possibly an incorrect description, it does not capture what many nonconsequentialists think, since many of them believe that core restrictions on the promotion of the good

(like not using someone harmfully and against his will as a means for the greater good of others) can permissibly be overridden when the consequences of respecting these restrictions are sufficiently awful.

I would have expected a discussion of at least a few of the core nonconsequentialist notions, such as the fruitful notion of the separateness of persons, which figures so prominently in work by John Rawls, Robert Nozick, Thomas Nagel, and Frances Kamm, among others. One of the thoughts expressed with reference to this notion is that when we take up the moral point of view, we do not straightforwardly amalgamate all the good and evil that befalls separate individuals—we do not, for example, always take a smaller harm to one person to be outweighed by a greater benefit to another. In this respect, these nonconsequentialists claim, we treat the well-being of separate people differently from the well-being of a single person, in whose interests we might permissibly allow a smaller harm to be outweighed by a somewhat greater benefit. (For example, Nozick famously pointed out that while it would be permissible to ensure that a young child gets a painful dental treatment for the sake of the somewhat greater benefit to *that same child* of enjoying better teeth, it would not be permissible to subject one child to similarly significant harm if this somehow led to somewhat greater benefits to a *different* child—something that utilitarians would, of course, have to deny.) This difference between the way we should weigh benefits and burdens to separate individuals from the way should we weigh benefits and burdens to a single individual lies at the heart of many nonconsequentialists' concerns with the distribution of harms and benefits in a given population, and contrasts with the utilitarian's indifference towards anything but the sum-total of utility in that population.

Another idea often expressed with reference to the separateness of persons is that individuals have a claim to a realm of personal sovereignty—that they, and they alone, are entitled to control some of those things that make them into separate people, and should therefore be free from interference of others in this realm. This idea figures in nonconsequentialist accounts of the distinction between killing and letting die, for example, and in the explanation of the prerogative that nonconsequentialists believe each of us has to pursue some goals that are nonoptimific from the point of view of the total balance of good over evil. Some of these ideas are admirably discussed in LaFollette's edited collections (see, for example, Kamm's contribution to the *Blackwell Guide to Ethical Theory*). Moreover, they are not too abstruse for undergraduates to grasp. It is therefore something of a mystery why he does not adequately engage with them.

2 Policy

Many of the chapters organized around discussions of social issues and policy are, by contrast, successful. For example, the chapter on racism illuminatingly lays out and criticizes the view that racism should primarily be understood as (1) inappropriate discrimination on the basis of racial characteristics; (2) that principally harms the individuals that suffer directly from such discrimination; and (3) that principally involves unwarranted negative attitudes. LaFollette persuasively argues that this view needs revising to do justice to the fact that racism is a habitual pattern of unwarrantedly

negative perception and response that harms all members of the group who are subjected to it. He also discusses how such habits are shaped by social institutions and economic circumstances that disadvantage some racial minorities, like African-Americans in the United States, even when these institutions and circumstances are not intentionally ‘engineered’ to cause such disadvantage. This nicely sets up an accessible and careful chapter on some familiar arguments for and against affirmative action, which comes down in favor of it, in part because of what LaFollette argues is its central role in changing racist habits. The discussions in subsequent chapters of paternalism, gun control, punishment, and assisted suicide are generally equally good. One of the strong features of these chapters is LaFollette’s use of findings from social science to inform his assessment of the arguments for various policies. For example, in his discussion of forward-looking justifications of punishment, he cites interesting findings to the effect that the severity of punishment has no deterrent effect on rates of recidivism, and the chapter on gun control makes good use of data on the number of crimes caused and prevented by the availability of guns in the United States.

3 The moral life

The final seven chapters discuss a variety of issues relating to the attitudes and habits of a moral person, the extent and stringency of morality’s demands, and the costs and rewards of being moral. Some passages devoted to relatively inconsequential questions display what is, to my ears at least, a rather preachy tone while arguing the obvious. (Several paragraphs are devoted to instructing us that being aggressive to functionaries, such as call-centre employees, is generally “unproductive, unnecessary, and does not treat them with the appropriate respect” (p. 205). Vicious gossip is also sternly condemned.) Fortunately, however, most of the attention is directed towards two pressing moral issues that may well demand a radical change in the way many of us conceive of a minimally decent life: our treatment of non-human animals and our response to widespread severe deprivation around the globe. LaFollette has been at the forefront of philosophical discussion of these issues, and he treats them in a balanced and careful way. For example, he discusses both the consequentialist argument in favor of a demanding duty to aid people in desperate need simply because we can often prevent great harm to others at relatively little cost to ourselves and the deontological arguments for the conclusion that we have a more stringent duty to cease acting in ways that (wittingly or unwittingly) contribute to others’ impoverishment. He also analyzes our duties to agitate for a reshaping of global institutions (like the borrowing and resource-control privileges that the international order grants to grasping and illegitimate governments) that incentivize and empower rulers to oppress their people and exploit their country’s resources.

Realizing that the conclusions in these chapters place demands on us that many readers may not be accustomed to, LaFollette discusses in subsequent chapters the demandingness of morality and our reasons to act rightly even when doing so comes at a cost. Though I agree that this is a good topic on which to conclude, the discussion is, in places, unsatisfactory. An example is LaFollette’s analysis of the doing/allowing distinction, which is sometimes invoked by those who wish to resist a very demanding

duty to aid. LaFollette attempts to cast doubt on the validity of this distinction, but his arguments are often unpersuasive. For example, he seeks to undermine the support that this distinction seems to get from our judgments about particular cases by citing the fact that in order to protect ourselves from harm “we establish systems of punishment knowing that at least some innocent people will be harmed. ... We [therefore] do precisely what the doing/allowing distinction presumably forbids: we undertake a policy we know will harm some innocent people to prevent harm to others.” He concludes from this that “[s]ince virtually everyone thinks this is a satisfactory tradeoff, it seems people do not think there is a *fundamental* moral difference between doing and allowing” (p. 267, emphasis in original). But LaFollette’s conclusion is of course unwarranted, since a proponent of the doing/allowing distinction may well maintain that this distinction plays a role in determining the permissible tradeoff between harm inflicted and harm prevented, with the latter having to be far greater than the former to justify a criminal justice system.

4 Conclusion

In sum, *The Practice of Ethics* is a partial success. Its best chapters provide accessible, balanced, informative, and provocative analyses of pressing moral issues in personal life and politics. These chapters could profitably be used in an undergraduate course in moral and political philosophy. But I would turn elsewhere for an introduction to general moral theories like consequentialism and nonconsequentialism.