FESTSCHRIFT

Ethics needs principles—four can encompass the rest—and respect for autonomy should be “first among equals”

R Gillon

It is hypothesised and argued that “the four principles of medical ethics” can explain and justify, alone or in combination, all the substantive and universalisable claims of medical ethics and probably of ethics more generally. A request is renewed for falsification of this hypothesis showing reason to reject any one of the principles or to require any additional principle(s) that can’t be explained by one or some combination of the four principles. This approach is argued to be compatible with a wide variety of moral theories that are often themselves mutually incompatible. It affords a way forward in the context of intercultural ethics, that treads the delicate path between moral relativism and moral imperialism. Reasons are given for regarding the principle of respect for autonomy as “first among equals”, not least because it is a necessary component of aspects of the other three. A plea is made for bioethicists to celebrate the approach as a basis for global moral ecumenism rather than mistakenly perceiving and denigrating it as an attempt at global moral imperialism.

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approach to bioethics for those new to the field, and possibly for ethics committees without substantial ethical expertise. . . . (and of course—implicitly—a pretty hopeless approach for experienced bioethicists). I don’t really consider myself a beginner in medical ethics but given that I have in my working life always combined it with a busy if part time medical practice I accept that I’m open to John’s charge of being a sort of ethical busker “improvising way beyond the four part harmony he advocates” (thank you John). Tom and Ruth, however, are long established, full time and highly respected philosophers and bioethicists (congratulations to Tom, incidentally, on his recent award from Georgetown University of its university wide top research award) and their paper is full of uncontroversially enunciated content of the value of the four principles approach even to experienced bioethicists.

John Harris’s mistake here, I believe, is to see the four principles merely as a four part moral harmony—they do function in that way, and recall that four part harmony allows for considerable musical complexity. But I think the four principles should also be thought of as the four moral nucleotides that constitute moral DNA—capable, alone or in combination, of explaining and justifying all the substantive and universalisable moral norms of health care ethics and I suspect of ethics generally! Certain that has been my hypothesis for many years, indeed since I first read the first edition of Principles of Biomedical Ethics. With increasing confidence over the intervening years I have routinely asked audiences and readers, be they philosophers, doctors, or anyone else who will listen or read, to offer disproof of the hypothesis by arguing either against the moral acceptability of any one of these four prima facie principles or by arguing for the need for additional normative and universalisable moral principles that can’t be explained and justified by one or some combination of the four. Sufficient it to assert that I have so far not heard or read or thought of plausibly argued counterexamples. Let me renew this Popperian request for disproof.

I should immediately add that I accept that major moral issues remain even if my hypothesis is accepted. The four principles approach does not purport to provide a method for dealing with irresolubly dilemmatic conflict of the principles or of the many more specific moral obligations encompassed by them (though Tom Beauchamp shows, both in recent editions of Principles of Biomedical Ethics and in his paper for this symposium how, by a process of specification of the principles, much conflict between the principles may be reduced). Nor does it purport to resolve disputes about the scope of the principles (to whom or to what are the moral obligations encompassed by the principles owed? These scope questions apply to each of the four principles but are particularly important in relation to the “imperfect” principles of beneficence and distributive justice—just whom do we have moral obligations to benefit, and to what degree?). Nor does it deny that good or virtuous characters are needed to instantiate in real life the principles and they encompass—the central concern of virtue ethics. Nor does it have a great deal to say about those aspects of virtue ethics, and of other moral perspectives, that do not involve universalisable, particular cultural and religious obligations may be seen as morally obligatory for members of those cultures or religions but not as morally obligatory for others; many virtues and ideals are supererogatory—above the call of duty. The four principles approach would presumably affirm that if non-universalisable moral claims are consistent with (even though not required by) the four principles then they are morally praiseworthy, but that if they contravene all of the four principles then they are morally unacceptable.

Given all these provisos let me assert again that I found no plausible example of disproof of my hypothesis in this symposium. The first part of the hypothesis seems to be uncontroversial. The second part of the hypothesis seems to be contentious. As John Harris (the most fervent critic within this group) puts it: these principles “are bound to figure in any adequate discussion of the ethics of any issue”—a view that I think it fair to say represents the views of all the participants. But while several argue that the principles are not sufficient for morality (with which, for the avoidance of doubt, let me hasten to reiterate I entirely agree) not one of them gives good reason to believe that they are not sufficient for the universalisable normative content of morality. That is to say, for all the additional considerations offered, where any substantive and universalisable moral norm is claimed I detect no plausible argument in these papers (or elsewhere) to show that the claim can not be explained and justified by one or some combination of the four principles.

Let me give just one example. In arguing for his proposal for a market in human organs—which he says “was arrived at also without four principled benefit”— John Harris mentions a variety of substantive moral concerns to which he gives more or less weight in the context of his proposal. These moral concerns include the following:

- people’s rights and claims;
- different sorts of interests and their relative strength;
- human wellbeing;
- loss of life;
- what would be good or bad for people;
- democratic acceptance;
- consultation;
- sensitive moments;
- benefits and harms;
- grief and distress;
- an obligation to make sacrifices for the community;
- an entitlement of the community to deny autonomy and even to violate bodily integrity in the public interest;
- the system of justice;
- public safety;
- public policy considerations;
- danger;
- civil liberties;
- individual autonomy,
- and saving and protecting the lives and liberties of citizens.

Now whether or not he acknowledges “four principled benefits” in his deployment of these various moral concerns, my hypothesis entails that all of them can be explained and justified by one or some combination of the four principles. It seems fairly obvious that each of John’s moral concerns listed in the previous paragraph can be so explained and justified. Like a good scientist I accept that my hypothesis may need to be modified either if it is shown that one or more of the four prima facie principles must be rejected (unlikely) or (more likely) because the quartet needs supplementing by additional principles that can’t be explained and justified by these four. But so far I have not heard or read—and cannot myself think of—any convincing evidence or argument for such a need.

Of course unthinking misuse of the four principles approach can lead to “sterility and uniformity of approach of a quite mind bogglingly boring kind” as John Harris puts it in his paper. And it can lead to a narrow, unimaginative approach to moral analysis, as Dan Callahan says in his. Any teacher of bioethics or medical ethics will have read “principlist” (but also utilitarian and Kantian and virtuist and feminist) and essays and papers that can be thus criticised. But acceptance that all our substantive universalisable moral norms are explainable and justifiable by one or a combination of the four prima facie moral principles need no more lead to sterility, uniformity, boredom, or narrowness of approach than acceptance that the infinite variety of genetic expression is the
result of some combination of only four nucleotides has led to in the blooming scientific discipline of genetics.

**PRINCIPLES AND VIRTUES**

How does the four principles approach relate to some of the other methods described in this symposium? Let me begin with virtue ethics, the subject of Alastair Campbell’s and Patti Gardiner’s papers.¹ I have discussed elsewhere in greater detail,² including at a conference given in honour of Alastair Campbell³ what I take to be the mutually dependent relationship of principles and virtues but let me summarise my position: there is simply no necessary conflict between the two approaches! Both are required for a full moral life and for a full moral theory. Virtues—morally desirable dispositions of character—are needed both for moral obligations to be instantiated and sustained in the moral life of real people and for all sorts of other functions but morally desirable aspects of life. In relation to universalisable moral obligations, moral principles—or at least some moral norms standards or values—are needed to decide which dispositions of character are to be properly regarded as virtuous and in which circumstances, which vicious, and which neither the one nor the other. Moreover principles (or other moral standards) are needed not only to decide which actions (including mental actions and attitudes) are morally obligatory or morally forbidden, but also which are (merely) morally commendable, (merely) morally undesirable or morally neutral. Thus to adopt and adapt the Statman categorisation described by Alastair in his paper, I am in the “moderate” camp, seeing “principlism” as complementary to virtue based ethics (“virtuism” to coin a term!) and vice versa; each “has its distinctive place in a full understanding of morality. ...By adding judgments of character to judgments of right action we get a richer account than either offers separately”.

But Alastair interprets what I have written as demonstrating an unequal complementarity between the two approaches, and a claim that the principles are “logically prior” to the virtues. And he ends with the plaint that “a note of imperialism seems to creep into [my] writings! We are left with the feeling that given scope principlism can account for all our moral worries”.⁴ I hope I have firmly scotched the notion that I believe the four principles approach can account for “all our moral worries” by pointing to all the moral lacunae that remain even if the possibility is accepted that the four principles can explain and justify all our substantive universalisable moral claims. As for logical priority, it depends what one means by “logically prior”. Without having delved into anthropology I am sure people were manifesting virtues long before anyone began thinking about moral principles. Virtues are thus temporally prior to principles and in that (I think unimportant) sense it is virtues that are “logically prior” to principles.

But presumably as soon as people began to ask why certain sorts of character dispositions (or indeed actions) were regarded as good, others bad, some moral explanation based on some sort of moral principles, standards or other moral values became necessary. And I find highly persuasive the Rawlsian notion adopted by Beauchamp and Childress⁵ of an ever developing and dynamic reflective equilibrium between the raw data of considered moral judgments and moral theory that explains them and then influences further judgments. In any case, on pain of irredeemable moral relativism character traits cannot simply be claimed to be self evidently virtuous or vicious or morally neutral. Thus for Aristotle character traits were virtuous in so far as they conduced to eudaimonia. Agreeing with Aristotle, Alastair adds the alternative variants of human flourishing or agape. Once the need for some moral standard is agreed there is indeed a further issue, as Alastair points out, about what that standard or those standards should be.⁶ Here I agree with him that the issue of the status and derivation of moral standards is as acute for “principlists” as it is for any other moral theorists including “virtuists”. My point is and was only that “virtuists” have to accept the requirement of some sort of moral standard. Thus for the purpose of moral judgment about whether a character trait is virtuous or vicious some moral standard is clearly logically necessary; but I have no interest in claiming that it is “logically prior”. Let me propose again, however, (without aiming in any way at moral imperialism) that the overarching moral standard he advocates—be it eudaimonia, human flourishing, or agape—is entirely compatible with that (for him subsidiary) four prima facie principles. Thus character dispositions that conduce to the creation of benefits, the avoidance or minimisation of harms, respect for people’s autonomy and a striving for justice, may reasonably be claimed to be character traits that conduce to eudaimonia, human flourishing or agape, and that should thus be categorised as virtues (and the converse for vices).

**MANY DIFFERENT WAYS OF DOING ETHICS**

One point that recurs in the papers in this symposium is that there are many different ways of doing ethics.²⁴ Of course there are—many more indeed than are represented by the eight of us. Think only of the range of religious approaches to ethics, of geocultural ethical variants, of contemporary modes of bioethics that include the different species of eco ethics, of feminist, feminine and “care” ethics, of narrative ethics, discourse ethics, hermeneutic ethics, phenomenological ethics, to mention contemporary interpretations of utilitarianism and Kantian ethics. So varied and extensive are the ways of doing ethics that the sirens calls of postmodern ethical relativism—either on its own or “double coded”¹² to combine with (and thus undermine!) one of the non-relativistic approaches—become increasingly seductive. To hypothesise as I do that all these various approaches share some prima facie common moral norms explainable and justifiable in terms of the four principles is not an attempt at moral imperialism, nor an attempt to impose some regimented method of doing ethics. Rather it is to say to the (non-relativist) exponents of this huge range of moral methods “Look! We all share some common prima facie moral norms”. I’m advocating moral ecumenism not moral imperialism.

**WHY ARE THE FOUR PRINCIPLES IMPORTANT?**

Why do I think the four principles approach is so important? Primarily because it can help us to avoid two polar dangers, moral relativism—any ethics will do—and moral imperialism—this is the one and only correct way of doing ethics. If these four prima facie principles are indeed compatible with the existing wide range of non-relativistic moral theories and perspectives (that are themselves often mutually incompatible) then they can help us avoid these two dangers. By providing a basis for the enlightenment project of a universal (or at least a very widely accepted) and universalisable set of ethical commitments it can help us avoid ethical relativism. On the other hand the prima facie nature of the principles, along with morally legitimate differences in their interpretation, in their prioritisation in particular circumstances, and in decision making about their proper scope of application, as well as a principle that positively encourages respect for people’s own deliberated thoughts for themselves, including their moral thoughts for themselves, allows the four principles to function sufficiently flexibly to avoid the polar moral pitfall of moral imperialism.

But if we do share these common norms—and it does seem that the eight of us here do accept, if sometimes reluctantly, these prima facie moral principles—it surely makes good sense moral standards and publicise this fact. As I’ve already indicated there are lots of things to celebrate about it. A set of universal moral norms—even merely prima facie moral
THE ROLE OF RESPECT FOR AUTONOMY

A recurrent complaint about the four principles approach is that although in theory it claims not to prioritise any one of the principles, in practice respect for autonomy recurrently is prioritised. In this symposium Dan Callahan puts it thus: “Autonomy is, then, de facto given a place of honour because the thrust of individualism, whether from the egalitarian left or the market oriented right, is to give people maximum liberty in devising their own lives and values”. Alastair Campbell imagines the case of a competent Jehovah’s Witness who rejects a life saving blood transfusion but who is a father of young children and whose earnings are critical for adequate support for his wife and family. Why, he asks me, should autonomy “trump non-maleficence and (perhaps) justice?” I own up unhesitatingly to believing that in such a case it should, and my main reason is that far more harm than good would result from a social or moral system that permits, let alone requires, compulsory medical treatment—even life saving treatment—of competent adults in cases where those adults have competently and voluntarily rejected that treatment. In terms of the four principles this is to argue that overall beneficence, to all potentially affected, as well as respect for autonomy, as well as rights based justice, all point in the same direction—even though it may be true, depending on the particulars of the case, that relatives and friends would be greatly helped if a person’s autonomy is thus overridden, and harmed if it is not.

Having avowed my own tendency to emphasise respect for autonomy, let me reiterate that the actual use made of the four principles approach can legitimately vary from person to person, culture to culture. Those who like Dan Callahan want less respect for autonomy, let me reiterate that the actual use made of the four principles approach is wrong; it is to argue against the substantive interpretation of distributive justice within that social system. That said, let me reiterate why I personally believe that emphasis on respect for autonomy is in many circumstances morally desirable and why I personally am inclined to see respect for autonomy as primus inter pares—first among equals—among the four principles. Firstly, autonomy—by which in summary I simply mean deliberate self rule; the ability and tendency to think for oneself, to make decisions for oneself about the way one wishes to lead one’s life based on that thinking, and then to enact those decisions—is what makes morality—any sort of morality—possible. For that reason alone autonomy—free will—is morally very precious and ought not merely to be respected, but its development encouraged and nurtured and the character traits or “habits of the heart” that tend to promote its exercise should indeed be regarded and extolled as virtues.

Secondly, beneficence and non-maleficence to other autonomous agents both require respect for the autonomy of those agents. Although there are some general norms of human needs, benefits and harms, people vary in their individual perceptions and evaluations of their own needs, benefits, and harms. Jehovah’s Witness attitudes to blood are widely varied and the variability of this is illustrated if even well intentioned attempt to benefit people with as little harm as possible requires, where possible, discovery of what the proposed beneficiary regards as a benefit, regards as a harm, and regards as the most beneficial and least harmful of the available options. Moreover even if the person agrees that one available intervention would be more beneficial than another, he or she may simply wish to reject the beneficial intervention. It may be because of an idiosyncratic basis of assessment of harm—for example, the autonomous belief that a blood transfusion will lead to eternal damnation or some equivalently massive harm. Or it may be a relatively trivial assessment.

Take my own case as an example of a relatively trivial assessment. I know it would be beneficial for me to do more exercise and eat less animal fats—less crispy bacon fat, roast duck, and roast pork with all the cracklings, foie gras, butter in my baked potatoes, and butter for sautéing the left over boiled potatoes, less Stilton, Roquefort, Camembert, Mont D’Or, and all the other delicious and wicked cheeses. Now of course I know that I would benefit from stopping—or greatly reducing—my intake of these delectable but oleaginous animal materials. But I have autonomously decided not to do so. Should I be made to do so on the basis that it would be better for me (as I agree it would be)? Would it be a better or happier world, would there be more eudaimonia, human flourishing or agape in a world where I and people like me were made to do what we acknowledge to be better for us? I freely acknowledge that avoidance of sufficient harm to others may justify overriding my autonomy (though this should be achieved through a political system that respects the autonomy of the governed through some form of democratic law making system). But when it comes to forcing autonomous agents to do, or have done to them, what is good for them despite their autonomous choices not to do so, my vote will be for respect for autonomy—both for its own sake and because overall I believe such respect will result in greater benefit, however it is to be measured.

When it comes to justice, again, I argue that respect for autonomy must play an important role. First comes the problem, true of all our moral values, but perhaps especially acute in the case of justice, of deciding which substantive account of justice we should adopt in different contexts such as those of distributive justice, rights based justice, and legal justice. But for any substantive theory within each of these contexts it seems morally impossible to avoid a place for respect for autonomy. In distributive justice, for example, while a needs based criterion must surely have a central role, so too must respect for autonomy. Why? Both because, as I’ve just argued,
responding to people's needs justly will require respect for those people's autonomous views, including autonomous rejection of offers to meet their needs; and, more importantly, because providing for people's needs requires resources, including other people's resources. Again it seems reasonable to claim that appropriating those resources without at least a political and law making system that, through a democratic process, respects the autonomy of those people would be unjust. But if this is accepted then respect for people's autonomy must be an integral component of any substantive theory of distributive justice just as meeting people's needs must be an integral component. When it comes to rights based justice, an integral component again must be, it is widely acknowledged, respect for people's autonomy rights. And in the context of legal justice (which I interpret as the prima facie moral obligation to respect morally acceptable laws) yet again respect for autonomy must surely play an important role. Why? Because if people are to be morally bound by laws they ought to have some opportunity to autonomously accept or reject being thus bound. Hence the moral need for some sort of democratic law making system—that to the extent possible—respects the autonomy of those governed by the laws it creates. Hence, too, the lack of an even prima facie moral obligation for people to obey laws that are not open to democratic revision (revision compatible with the four universal prima facie principles!).

So yes, for all these reasons it seems clear to me that respect for autonomy—in so far as such respect is consistent with respect for the autonomy of all potentially affected—should be seen as an integral component of the other three of the four principles and thus should be regarded as first among equals. Yet, perhaps paradoxically, I believe such emphasis on nurturing, encouraging, and respecting people's autonomy is actually the best way of encouraging autonomous acceptance of restrictions on our own autonomy, not only in order to respect the autonomy of others but also in the pursuit of the other moral concerns—benefits to others, avoidance of harm to others, and justice for others.

The centrality of respect for autonomy is, I believe, particularly worth emphasising to two groups who often scorn its importance. Those feminists who are inclined to reject its moral importance should ponder its value as a potentially powerful moral weapon to defend women against subjugation by men. A common methodology for male disrespect for women is to deny the existence—or the adequacy—of women's autonomy and thus of the need to respect it, particularly when those who are regarded as autonomous (typically their fathers, husbands, brothers, and other male authority figures) believe it to be against women's interests to have their autonomy respected. Thus it is surely in women's interests throughout the world both to emphasise respect for autonomy as a core moral obligation (something that powerful men rarely deny in respect of their own autonomy) and to emphasise that once they have matured out of childhood (something that girls typically do earlier than boys) women have as much right to have their autonomy respected as men. And incidentally, Amano once pointed out the great benefits that respect for women's autonomy brings in its wake.15

A second group to whom I would recommend the importance of respect for autonomy are those who, like Alastair Campbell in this symposium, tend to regard the four principles approach as a form of moral imperialism threatening to impose moral hegemony upon other moral perspectives. Two points should reassure them. The first is that the principle of respect for autonomy requires respect for the autonomy of all autonomous agents, including of course respect for their moral autonomy, in so far as such respect is compatible with respect for the autonomy of all potentially affected. The second restricts the empirical one (which I assume would be widely agreed) that people's cultural environments substantially influence their autonomous beliefs, including their moral stances. Human nature being thus, respect for autonomy contingently builds in a prima facie moral requirement to respect both individual and cultural moral variability.

These are, however, but rough outlines of my own, doubtless idiosyncratic autonomy emphasising approach to the application of the four principles. As I have stated, alternative approaches will prefer to diminish the importance of respect for autonomy in the overall balance between the four. But even if my arguments for the centrality of respect for autonomy in the application of the four principles are accepted this does not necessitate reduction of the four principles approach to “a one note theory with a few underlying supportive melodies”, as Dan Callahan puts it. Rather, the complexity of respect for autonomy in these different areas of morality becomes emphasised; here as a principle in its own right that none the less applies to all autonomous agents (of whatever sorts—human, animal, robotic, or extraterrestrial); there as a complexifier of the notions of beneficence and non-malefice when applied to autonomous agents, and recurrently as an element within the harmonies that comprise justice in its various manifestations.

Overall, then, my appreciation of the value of the four principles approach has been further strengthened by reflecting on the contributions to this symposium (but then I would say that wouldn't I?). Although the approach is basically simple (and ethics should be basically simple for it is there to be used by everyone, not just by people with PhDs in philosophy or theology) it is also indefinitely complexifiable—certainly capacious enough to incorporate the many insights offered by alternative approaches, with most of which it is compatible. It certainly leaves some important issues in morality unresolved, notably scope issues and conflict issues and much work remains for us all! It is undoubtedly enhanced by consideration of human virtues, ideals, and supererogation. As Dan Callahan surmises, it plays a particularly valuable role in medical and other health care ethics for it systematises the traditional core components of medical ethics (what I am inclined to call the Hippocratic moral commitment of providing health benefits with minimal harm) and adds to them the key concerns of respect for autonomy and justice, neither of which have, until fairly recently, been notably prominent in medical ethics. Taken together the four principles afford the moral underpinning for a contemporary summary “moral mission statement” for the goals of medicine in whatever culture; the provision of health benefits with minimal harm in ways that respect people's deliberated choices for themselves and that are just or fair to others, whether in the context of distribution of scarce resources, respect for people's rights or respect for morally acceptable laws.17

In the long run, however, I believe the four principles approach to ethics will be recognised to have far wider moral relevance than its application to health care ethics. Indeed I predict its increasing acceptance as the basis for a global ethics, compatible with and acceptable across the range of the world's moral cultures, sensitively negotiating the delicate path between moral relativism and moral imperialism and helping in the pursuit of morally acceptable world peace. If I am right, one day the pioneering work of Tom Beauchamp and Jim Childress will be recognised for its global importance—if it were in my power I'd put them up for the Nobel Peace Prize today!

REFERENCES

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