“Dissecting Bioethics,” edited by Tuija Takala and Matti Häyry, welcomes contributions on the conceptual and theoretical dimensions of bioethics.

The section is dedicated to the idea that words defined by bioethicists and others should not be allowed to imprison people’s actual concerns, emotions, and thoughts. Papers that expose the many meanings of a concept, describe the different readings of a moral doctrine, or provide an alternative angle to seemingly self-evident issues are therefore particularly appreciated.

The themes covered in the section so far include dignity, naturalness, public interest, community, disability, autonomy, parity of reasoning, symbolic appeals, and toleration.

All submitted papers are peer reviewed. To submit a paper or to discuss a suitable topic, contact Tuija Takala at tuija.takala@helsinki.fi.

If You Have Said A, You Must Also Say B: Is This Always True?

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In bioethical argument we can make a distinction between constructive argument—argument trying to build up some coherent position with regard to a specific ethical question—and critical argument—argument trying to show that some position that the author does not agree with is incoherent in some way or leads to conclusions that make it unsustainable. In critical argument many different strategies can be adopted, but one of the most common in bioethics is to show that the position one wishes to argue against not only leads to the conclusions that its proponents argue for but also to other conclusions that they might not like.

This kind of “If you have said A, you must also say B” argument is technically known as a parity of reasoning argument (PRA). In this article I briefly consider under what conditions a person can say A without being committed to saying B.

Complete and Incomplete Parity of Reasoning Arguments

The simplest form a PRA may take is the following:

1. X puts forward an argument A leading to conclusion B.
2. The argument A will (perhaps with the addition of some further premises that X accepts) also support conclusion C.
3. X is therefore by parity of reasoning committed to accept conclusion C.

An example could be someone who claims that abortion is wrong because it involves the killing of innocent human beings. She would also commit herself to the conclusion that the destruction of embryos in connection with in vitro fertilization is wrong.
because it also involves the killing of innocent human beings.

The only way the simple PRA may fail is if additional premises are needed in step 2 and if the additional premises introduced are not premises that X is willing to accept.

A slightly more complex situation arises if the argument A that X puts forward is not complete—that is, if it has hidden premises. This situation often occurs in real life because even arguments in academic papers are often not complete. The precise meaning of central concepts like “sanctity of life,” “respect for persons,” “reproductive liberty,” or “justice in healthcare allocation” is often not completely specified, and their underlying justification often not spelled out in full. In this case we must therefore introduce one further step in our PRA:

1. X puts forward an incomplete argument A leading to conclusion B.
2. A can be made complete by the addition of premises P_1–P_n.
3. The complete argument A will (perhaps with the addition of some further premises that X accepts) also support conclusion C.
4. X is therefore by parity of reasoning committed to accept conclusion C.

An example could be someone who claims that respect for persons requires us to allow people to access genetic information about themselves (i.e., that paternalism in the context of access to genetic testing is wrong). If we then explicate “respect for persons” as “respect for personal autonomy and self-determination,” we can argue that he thereby also commits himself to allowing people to remain in ignorance about their genetics if that is their decision.

This version of the PRA may fail for the same reasons as the simple PRA, but it may also fail if X rejects the way in which A is made complete. In many cases, a valid complete argument can be produced from an incomplete argument in a number of different ways, and unless X himself has completed the argument—and thereby brought us back to the simple PRA—he is not necessarily bound to accept the completion. He may simply say something like “That was not what I meant when I used the term ‘respect for persons.’ I meant respect for a person’s rational decisions, and it cannot be rational to limit one’s access to information.”

In some situations we may be able to find support for the specific completion of the argument in X’s other writings or statements, but if that is not the case our PRA is severely weakened. These considerations entail that a PRA based on an incomplete argument is often much weaker than a PRA based on a complete argument, because we cannot conclusively show that X is (or should be) committed by our completion of his argument.

Regulation, Legislation, and Parity of Reasoning Arguments

A final form of the PRA is the one proceeding from official regulation or legislation. This type of PRA occurs in two subtypes. The first subtype is:

1. Authority X promulgates regulation R.
2. X puts forward an incomplete argument A supporting R.
3. A can be made complete by the addition of premises P_1–P_n.
4. The complete argument will (perhaps with the addition of some further premises that X accepts) also support regulation C.
5. X is therefore by parity of reasoning committed to accept regulation C.
The second subtype is:

1. Authority X promulgates regulation R.
2. The justification for R can be reconstructed as argument A*.
3. The argument A* will (perhaps with the addition of some further premises that X accepts) also support regulation C.
4. X is therefore by parity of reasoning committed to accept regulation C.

These “official policy” based PRAs may fail for the reasons already discussed, but a further possible mode of failure occurs if the regulation is a result of a compromise, either because X has openly engaged in a compromise with some other group, or because X has already taken the views of some other group into account when drafting the regulation (for instance, to ensure a smooth passage through the political process). If a regulation is based on a political compromise, it may well be the case that no one wants to defend or justify the position reached in the regulation, except as a legitimate result of a legitimate political process. This means that there is no argument to reconstruct, and no one saying A that we can also commit to say B.

An example could be the abortion legislation in countries allowing abortion on demand until a certain gestational age. It is unlikely that many people would actually claim to have an argument that can justify the exact limit legislated in a specific country, but many more might be willing to accept it as a legitimate political compromise between those wanting a higher limit and those wanting a lower limit. Such laws, therefore, do not necessarily imply that something radical is thought to happen to the moral status of the fetus or the moral rights of the mother when the gestational age in question is reached.

A PRA based on official policy also needs to take into account that there are limits to the preciseness with which one can draft regulation and that ethically extraneous factors play a role. As Tom Beauchamp and James Childress write:

Public policy is often formulated in contexts that are marked by profound social disagreements, uncertainties, and different interpretations of history. No body of abstract moral principles and rules can determine policy in such circumstances, because it cannot contain enough specific information or provide direct and discerning guidance. The specification and implementation of moral principles and rules must take account of problems of feasibility, efficiency, cultural pluralism, political procedures, uncertainty about risk, noncompliance by patients, and the like. (pp. 8–9)

**Parity of Reasoning and the Use of Examples**

A close relative of the PRA often employed in bioethics is the use of a hypothetical example, followed by recourse to the PRA or a more general injunction of consistency when the interlocutor has responded to the example. A classical example of this kind of argumentative strategy can be found in James Rachels’ famous article “Active and Passive Euthanasia,” where he presents us with the case of two uncles, Smith and Jones, to convince us that there is no morally relevant difference between killing and letting die. Rachels writes:

So, let us consider this pair of cases:

In the first, Smith stands to gain a large inheritance if anything should happen to his six-year-old cousin. One evening while the child is taking his
bath, Smith sneaks into the bathroom and drowns the child, and then arranges things so that it will look like an accident.

In the second, Jones also stands to gain if anything should happen to his six-year-old cousin. Like Smith, Jones sneaks in planning to drown the child in his bath. However, just as he enters the bathroom Jones sees the child slip and hit his head, and fall face down in the water. Jones is delighted; he stands by, ready to push the child’s head back under if it is necessary, but it is not necessary. With only a little thrashing about, the child drowns all by himself, “accidentally,” as Jones watches and does nothing.

Now Smith killed the child, whereas Jones “merely” left the child to die. That is the only difference between them. Did either man behave better, from a moral point of view? If the difference between killing and letting die were in itself a morally important matter, one should say that Jones’s behavior was less reprehensible than Smith’s. But does one really want to say that? I think not. (p. 32)

As soon as we assent to Rachels’ “I think not,” we are—at least as far as Rachels is concerned—on the parity of reasoning hook and can be forced to admit that there is no difference between killing and letting die in a range of other circumstances, including the case that Rachels is really interested in—that is, the case of euthanasia by medical doctor.

Rachels’ hypothetical case and his interpretation of it are problematic in a number of ways, as has been pointed out by many critics over the years. There is a certain amount of overdetermination at play, and there is an unargued elision of the moral evaluation of an act and the moral evaluation of the agent performing the act. It could be the case that, although Smith’s and Jones’s acts are not morally equivalent, the two men are equally reprehensible.

However, in the current context, the possible deficiencies of Rachels’ case are not as important as the light it can shed on the use of the PRA based on hypothetical examples.

What Rachels wants to argue is something like the following:

1. In this pair of cases, “killing” and “letting die” are morally equivalent because both cases involve the death of the cousin as a result of an action by the uncle.
2. Anyone who accepts (1) must accept that, in other situations where cases differ only in being either “killing” or “letting die,” there is by parity of reasoning no moral difference between the cases.

If we are unconvinced of the moral equivalence at this stage, it would be possible to devise other hypothetical examples to deal with the objections raised, and we would get a chain of examples leading inexorably to the conclusion that there is no difference between “killing” and “letting die.” Such examples can be found in many papers and books on euthanasia, and the conclusion argued for is almost invariably that what matters is not the nature or description of the act but its consequences.

It is, however, important to see that we could just as well have moved through a quite different chain of hypothetical examples to a quite different conclusion. This chain would start with an only slightly different PRA:

1. In this pair of cases, “killing” and “letting die” are morally equivalent because both cases involve the intended and directly aimed at death of the cousin.
2. Anyone who accepts (1) must accept that, in other situations where cases differ only in being
either “killing” or “letting die,” there is by parity of reasoning no moral difference between the cases.

The endpoint of this chain of hypotheticals would be that what matters is not the description of the act but its underlying (objective?) intention.

The more general point is that most hypothetical cases are not self-interpreting or straightforwardly interpretable in only one way. When a person concurs with a judgment about a specific case, there are often a number of different possible justifications for that judgment, and we cannot necessarily decide from the judgment which of the justifying arguments the person will assent to (it may even be the case that he or she will assent to more than one). The situation can be illustrated by Figure 1.

As the author of an article using the strategy for argumentation it is up to me to decide which of the possible underlying distinctions to emphasize in my choice of further positive or negative hypothetical examples, and by choosing wisely I can try to lead my reader to believe in the relevance or truth of any of the distinctions and arguments that are a possible justification for his initial judgment.

The Principle of Charity—A Forgotten Principle in Bioethics?

As I have shown, most applications of the PRA and the use of hypothetical examples combined with the PRA involve the analysis and interpretation of arguments put forward by others and their completion or reconstruction.

It is generally accepted in the field of logic and the analysis of informal arguments that in this process one should apply the Principle of Charity, even in those cases where one disagrees with one’s interlocutors.

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**Figure 1.**

**Initial case**

Judgment can be supported by:

- argument A
- argument B
- argument C...

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**Repeated application of PRA to modified cases**

- The distinction underlying argument A is correct
- The distinction underlying argument B is correct
The principle can be stated in the following way:

This principle requires that we try to make the best possible interpretation of the discourse being evaluated, whether we are trying to decide if an argument occurs in a passage, looking for the main point of an argument, attempting to clarify the meaning of questionable words or phrases, or formulating missing premises. The aim is to give the benefit of the doubt to the speaker or author. Rather than ridiculing someone for a remark that doesn’t follow from what was said earlier or that isn’t strictly true, it is more reasonable and responsible to try to reinterpret the passage so that it will make more sense....

The Principle of Charity is a reminder to attend to the main thrust of an argument and deal with it fairly.

The Principle of Charity also offers sound practical advice by telling us to avoid setting up a “straw man”—a weak imitation of the argument we are considering. It may be easy to break down a “straw man,” but it will also be easy for an adversary to rebut an attack by reformulating the argument slightly to meet your objections. The arguer will simply claim, correctly, that you have misinterpreted the argument by making it seem weaker than it really is. (p. 58)

If the Principle of Charity was always applied in the development of a PRA, many of the problems I have identified would not occur, because the completions and reconstructions of our opponents’ arguments would always be done to give them the best and strongest possible form. Only if that is done can we really claim that, if they have said A, they must also say B!

Notes