

Review of: "Kantian Constructivism and Practical Reasoning in Clinical Bioethics"

Luis Moisés López Flores

Potential competing interests: No potential competing interests to declare.

Review of "Kantian Constructivism and Practical Reasoning in Clinical Bioethics"

The paper's main objective consists in relate abstract philosophical problems with actual problems in the field of biomedicine. This task is carried out through an ethical discussion in metaethics, normative ethics and applied ethics concerning the irrationality of decision process (practical deliberation) in patients, family and professionals of medicine. The core argument runs as follows: Kantian Moral Constructivism (KMC) can accommodate some empirical intuitions in biomedicine practices.

The article deals with this argument by a) making a reconstruction of Kantian moral constructivism (emphasizing the link with practical reason); b) connecting the conclusions of point "a" with the biomedical debate. For this last point the article argues for both blocking and proactive strategies. Proactive strategies need complement KMC framework with Viafora care ethics.

I have some suggestions for the improvement of the paper:

1. Clarify the task of ethical theory. What means "relate" to empirical evidence? Solve empirical problems? View empirical problems from formal perspective? For this debate I highly recommend Louden (1992, pp. 125-142)
2. Contextualize the KMC as metaethical stance. Moral constructivism is the last member of a long-standing debate called now metaethics. The metaethical debate can be traced back to Moore (1903 "Principia Ethica") and the responses of non-cognitivist (Ayer, Stevenson and Hare). In this first wave of metaethics the debate was centered on "moral language". The second wave of metaethics follows the criticism advanced by Quine and others against language-centered philosophy. So, the domains of the metaethical debate are now expanded to moral metaphysics, moral epistemology and moral psychology. KMC is a position defended by neokantians like Korsgaard against Robust Moral Realist like Sayre-Mccord, Boyd, Enoch and against moral skeptics (or empiricist in Korsgaard's terms) like Schroder, Mackie, Joyce. For this discussion I recommend the introduction of Timmons (1998).
3. Metaethics and normative ethics are not the same. Some authors think that metaethics is not a normative endeavor (Mackie and Moore). While normative ethics look and provide moral criteria (categorical imperative, principle of utility, Christian decalogue) metaethics is the research about philosophical presuppositions of normative ethics. Sometimes the distinction between normative ethics and metaethics is presented as first and second order analysis (Mackie 1977, Dworkin, 1996).
4. Kant and KMC. Make clear the distinction between Kant and Kantians in the metaethical debate. Remember that the tag "Kantian constructivism" was a proposal made by Rawls (1980) within the political debate. The KMC as metaethical

stance was advanced by Korsgaard (2008 and 2009) and her followers. This is an important distinction because some people think that KMC can be a local or a global perspective (Street, 2008 and 2010). It is only KMC as global perspective that deserves the name of “metaethical”.

5. Practical reasoning. Why should one assume that ethics deals with “practical reason”? This presupposes that ethics is about norms. Some people think this is not the truth since classic moral philosophy (the Greeks) deals with “the good”. The identity between ethics and norms of reason are product of modern philosophy. See, Williams (1985) and Ridge (2012)

6. Instrumental principle. Two observations: a) constructivist theories can be constructivist about instrumental reason (against some non-cognitivist or robust realist position). See, Korsgaard (2008, 27-68); b) The moral principle is not the only constitutive norm of action. Korsgaard (2009) holds that both instrumental and moral principle are constitutive principles of action (and practical reason). Instrumental principle aims efficiency while CI principle aims autonomy. Both principles give unity and identity to agency (pp. 81-108)

References:

- Dworkin, R. (1996), Objectivity and Truth: You'd Better Believe It. *Philosophy & Public Affairs*, 25: 87-139.
<https://doi.org/10.1111/j.1088-4963.1996.tb00036.x>
- Korsgaard, C. (2008). *The Constitution of Agency. Essays on Practical Reason and Moral Psychology*. Oxford.
- Korsgaard, C. (2009). *Self-Constitution: Agency, Identity and Integrity*. Oxford.
- Lenman, James & Shemmer, Yonatan (eds.). (2012). *Constructivism in Practical Philosophy*. Oxford.
- Louden, R. (1992). *Morality and Moral Theory*. Oxford.
- Mackie, J. (1977). *Ethics: Inventing Right and Wrong*. Penguin Books.
- Miller, A. (2013). *Contemporary Metaethics: An Introduction*. Polity Press.
- Moore, G. (1903). *Principia Ethica*. Cambridge University Press. 1993.
- Rawls, J. (1980). "Kantian Constructivism in Moral Theory: The Dewey Lectures 1980". *Journal of Philosophy*, 77, 515-572.
- Ridge, M. (2012). Kantian Constructivism: Something Old, Something New. *Constructivism in Practical Philosophy*, Lenman, James & Shemmer, Yonatan (eds.). Oxford
- Schroeder, M. (2010). *Noncognitivism in Ethics*. Routledge.
- Street, S. (2008). "Constructivism about Reasons". *Oxford Studies in Metaethics*, 3, 208–245.
- Street, S. (2010). "What is Constructivism in Ethics and Metaethics?". *Philosophy Compass*, 5, 363–384.
- Williams, B. (1985). *Ethics and the Limits of Philosophy*. Routledge, (2006).