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Writing applied ethics and the peculiar case of the non-identity problem: a reply to Tony Hope

(Note: although this is the final version I submitted, between this stage and publication – at the proof stage – the title of the paper changed. So the actual published version of this reply to Tony Hope had the title: "Questioning the significance of the non-identity problem in applied ethics: a reply to Tony Hope".)

I am writing this reply to Tony Hope's response to my "Questioning the significance of the non-identity problem" not to counter Hope's reply, and to restate my objections, but rather to clarify my position, and in particular to clarify the nature of my objections. In particular, I would like to emphasise that my objections to Hope (and Savulescu and their co-authors) should be read as philosophical objections, and not as accusations of academic irresponsibility.

Hope interprets me as being primarily interested in the "more general" issue of "our responsibilities as writers in applied ethics", just happening to choose to make this point "in the context of the non-identity effect". As it happens, this was not my intention. My main interest was specifically in the way in which the non-identity problem *in particular* is often appealed to in applied ethics. Ben Saunders has also pushed me on this, suggesting that if I argue that Hope and Savulescu ought to have highlighted the philosophical disagreement in relation to the non-identity problem, there must be a general principle behind this.[i] That may be true, but nevertheless there is something particularly peculiar about the non-identity problem in applied ethics. If you have never read any of the more theoretical literature on the non-identity problem, and if you have only read about the non-identity problem in discussions of applied ethics, it would be understandable if you came away thinking that Parfit had presented the non-identity *argument*, arguing that we ought to change our judgements in a range of actual cases as a result. It would also be understandable if you came to the conclusion that this view is shared by most philosophers. My concern is that this is far from true. This was why I wrote my paper – to highlight this oddity, and to provide balance.[ii]

I emphasise the impression one might get from the applied ethics literature *as a whole* because the problem would be much less significant if it was just one author who discussed the non-identity problem in this way. My concern was *not* about any single author, but about the prevalence of people talking as if Parfit challenged our intuitions about particular cases.

I oppose the view Hope defends, but the aims of my paper were relatively modest. I did not want to present a conclusive argument for a particular view, or even to present an objection to the non-identity argument (although I intend to do that elsewhere). I simply wanted to emphasise the extent to which there are many ways in which this problem might be resolved, and to emphasise the fact that other philosophers have reached very different conclusions. But all of this should be understood in the context of a philosophical disagreement, not as an accusation of academic irresponsibility.

In particular, I would like to say something about Tony Hope's defence of the approach he took in writing his *Medical Ethics: A Very Short Introduction*.

Hope writes:

> The implication of Lawlor's argument, if I have understood it, is that in such a book – one intended for a multidisciplinary audience or a lay audience – it is the (?moral) duty of the writer to provide, for any issue discussed, a balanced overview of all the areas of controversy among experts in the field.[iii]

I can certainly appreciate why Hope would suggest that this is the implication of my view, but I would hope that it is *not* the implication of my view. If it is, I would consider this to be a compelling reason to reconsider my view. I would see this as a significant obstacle to writing good, interesting and accessible books on ethics. Despite my objections relating to his discussion of the non-identity problem, I consider Hope's book to be a very good example of how to do this well, and I have recommended it to many medical students. I do not doubt, for a minute, that Hope gave these issues "a great deal of thought". (More generally, I think that most of my favourite "introductory" books are closer to Hope's than to the alternative "balanced overview".)

Again, perhaps this comes down to interpretation. If judged as a paper about our responsibilities as writers, it would appear that I am presenting Hope and Savulescu as examples of authors who have failed to do what they ought to have done. As such, the paper may appear to come close to accusing them of being irresponsible. Alternatively, if it is interpreted as a paper specifically about the non-identity problem, it is more natural (I think) to read the paper as a contribution to the philosophical discussion of the non-identity problem, and its relevance to applied ethics. The paper challenges the move from the non-identity effect to the non-identity argument, and draws attention to the "problem" and the alternative solutions available. I want readers to think twice before accepting the move from the non-identity *effect* to the non-identity *argument*.

That said, Hope's response has made me reflect more on the responsibilities of authors. In particular, Hope's discussion of his own process in writing his excellent *Medical Ethics: A Very Short Introduction* (and his observation that my argument seems to imply that we should only ever aim to write textbooks that present a "balanced overview") has given me reason to question what our responsibilities actually are. I do not want the conclusion to be that we must *always* present a balanced overview. As with most things in ethics, I suspect that my conclusion will be that it has to be a matter of finding the right balance, to be judged on a case by case basis. And – as with most things in ethics – I do not expect people to get the right balance every time, and I do not assume for a minute that I always find the right balance myself.

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[i] Personal correspondence, 9th June, 2015 (emails).

[ii] In addition to my paper, focusing on Hope and Savulescu (and their co-authors), also see Ben Saunders objections to Rebecca Bennett in "Why procreative preferences may be moral – and why it may not matter if they aren't", *Bioethics*, forthcoming. Although the issues are a

little different, also see J. Paul Kelleher, 'Is There a Sacrifice-Free Solution to Climate Change?', *Ethics, Policy and Environment*, 18 (2015), 68-78.

[iii] Tony Hope, "Response to: 'Questioning the significance of the non-identity problem in applied ethics' by Lawlor", *Journal of Medical Ethics*.