Reviewer's report

Title: The normative background of empirical-ethical research. First steps towards a transparent and reasoned approach in the selection of an ethical theory

Version: 1  Date: 3 December 2014

Reviewer: Guy Widdershoven

Reviewer's report:

This paper reflects on an aspect of empirical ethics that gets little attention in the literature, namely the choice of ethical theory/theories. It develops criteria for choosing ethical theories and illustrates these with experiences during a concrete empirical-ethical study. The subject of the paper is important. The line of argument is clear.

The authors rightly state that in the context of empirical ethics research, the choice of ethical theory should be well-considered. A problem is that they seem to imply a rather simplistic picture of the process of choosing theories. It looks like picking a marble out of a box, based on what colour the marble has or how large it is. This image resembles a simplistic view of informed consent to medical treatment, in which the patient chooses the treatment which best suits his or her purposes from a range of options provided by the physician. This is a highly idealized model, which in the case of medical treatment can be questioned on both empirical and normative grounds. Likewise, it may be doubted whether the choice for an ethical theory in empirical ethics research is simply a matter of finding a match between the aims of the project and a given set of normative theories in the ethical library. The meta-theory concerning theory choice which underlies the article requires further reflection and critical discussion, if only to counter the image sketched above.

In the core of the paper, the authors present three requirements for choosing an ethical theory. The first is that the ethical theory should be adequate for the issue at stake. This requirement seems rather weak. Most ethical theories which are current in the domain of medical ethics will be relevant for issues in medical practice. The counterexample of an ecological theory is somewhat farfetched. The authors rightly state that theories which at first sight do not seem fit for certain issues, might provide an interesting point of view. They mention the possible relevance of virtue ethics for issues concerning justice. An example would be helpful here. The capability-theory (Senn/Nussbaum) might be relevant in this context.

The second requirement is that the normative theory should fit to the purpose of the empirical ethical project. If the aim is largely descriptive, ‘weak normative’ theories such as narrative ethics are helpful; these theories are, according to the authors, less suitable to provide normative guidance. One may wonder whether
this does justice to the potential of narrative ethics. The work of Arthur Frank, a sociologist who describes the way in which people deal with illness in terms of various narratives, is clearly normative, in that one narrative is regarded as better than another. This theory can be used to develop normative guidance for medical practice. In reflecting upon their own project, the authors state that ethical theory serves different purposes at different stages of the empirical ethical research process. This may imply that for various phases in the project, different theories are regarded as useful. Yet, the relationships between these theories, and the coherence of the overall approach, require attention. As ethical theories are based on various presuppositions concerning human life and action, the mutual compatibility of the ethical theories used needs to be addressed. This does not mean that theories should be based on the same presuppositions. One might combine various theories with different views of social life, as long as the combination itself is theoretically well-founded (see for example the combination of symbolic interactionism and systems theory in Habermas’ Theory of communicative action).

The third requirement concerns the relationship between ethical theory and the theoretical foundations of the empirical research methods. The authors rightly state that the background assumptions of ethical theory and those of empirical research methods should be compatible. In this context, they discuss the normative assumptions underlying Grounded Theory, and state that these are in line with most ethical theories, especially those that stress the autonomy of individual actors. This conclusion can be questioned. Grounded Theory, like other sociological approaches which emphasize interaction and social aspects of meaning-making, does not focus on individual rational choices (as many ethical theories on autonomy do), but on shared processes of interpretation and understanding. The background assumptions of most qualitative empirical research methods are critical of the individualism which can be found in ethical theories. Coherence between ethical theory and qualitative empirical research methods requires choosing an ethical theory which regards human action as socially constructed, and autonomy as relational. One might even argue that empirical ethics is motivated by the need to develop alternative ethical theories, which are more subtle and more contextual than the standard theories in normative ethics.

For each of the three requirements, the authors aim to show the relevance of their analysis by referring to their own empirical ethical research project. They state that in the project they used the criteria developed in the paper. Yet, it remains unclear what actually were the results of this endeavour. It would be helpful if, for each of the three aspects, the concrete outcomes of the choice of the theory would be described, and if the authors would discuss in what sense the chosen theory made a difference.

Major revisions:
1. Reflect on what it means to choose an ethical theory.
2. Sharpen the discussion of the requirements, paying more attention to the underlying views of human action and social relationships in ethical theories and
social science research.

3. Pay more attention to the relevance of ethical theories and sociological approaches which emphasize contextual and relational aspects of human life; refine the discussion of these theories and approaches (such as narrative ethics and Grounded Theory).

4. Elaborate on the application of the requirements in the ETHICO project, in order to show their relevance in a more concrete way.

Minor revisions:

1. Provide an example of the relevance of virtue ethics for issues concerning justice
2. Pay attention to the issue of coherence between theories chosen in various phases of the empirical ethics research project

Level of interest: An article of importance in its field

Quality of written English: Acceptable

Statistical review: No, the manuscript does not need to be seen by a statistician.

Declaration of competing interests:

I declare I have no competing interests