

## Baruch Brody (1943-2018) — A Tribute by Two of His Students —

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### バルッフ・ブローディに捧ぐ — 学生二人による追悼文 —

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A Tribute by Ya-Yun Kao

Baruch Brody was the Andrew W. Mellon Professor Emeritus of the Humanities at Rice University and the Distinguished Emeritus Professor of Medicine and Medical Ethics at Baylor College of Medicine.

In 2001, in recognition of his distinguished achievements, Dr. Brody was elected to the Institute of Medicine of the National Academies of Sciences, one of the highest honors in the scientific field in the United States. In 2002, he was awarded Baylor's highest research honor, the Michael E DeBakey Research Award. He presented the result of his research both in bioethics and in philosophy in six original books and 105 peer-reviewed articles. The books are: *Abortion and the Sanctity of Human Life* (MIT Press: 1975), *Identity and Essence* (Princeton University Press: 1980), *Life and Death Decision Making* (Oxford University Press: 1988), *Ethical Issues in Drug Testing, Approval and Pricing* (Oxford University Press, 1995), *The Ethics of Biomedical Research: An International Perspective*

(Oxford University Press, 1998), and *Taking Issue* (Georgetown University Press: 2004). The width and depth of his ethical thoughts are impossible to be fully captured by the limited space here. The following is a glimpse into this giant's ethical reflections.

Dr. Brody was a moral realist and pluralist. Each major moral theory, such as consequentialism, deontology, virtue ethics, etc., captures part of the moral truth, which explains their appeal to us. But none of them captures the whole truth. When facing the question of what is the right thing to do, he argued that neither a lexical priority between the theories nor detailed specifications of the theories in all possible circumstances will work. Instead, he advocated that all we can do is to form a reasonable judgment about which moral theory guides us best in any given case. As a result, he argued that reasonable moral generalizations do not always hold in all circumstances. For instance, although in general patients or their surrogate are often the ultimate decision makers about medical care, it is not

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always the case. Sometimes other more important value considerations justify acting otherwise. It is, for example, justified to give less consideration to a marginally competent adolescent's right to noninterference than to a fully competent adult's same right in cases where they are mistaken about the consequence of their action. He developed his "guided judgement-based moral pluralism in detail in *Life and Death Decision Making*.

Given this feature of making judgments case by case, he called his methodology "a case-dependent casuistic pluralism. Our particular moral judgments about the rightness or wrongness of particular actions play a crucial role in our moral reflection. He pointed out that we attempt to generalize and systematize these judgments so that the systematizations can guide us in hard and troubling cases. But the process of generalization is ongoing. Sometimes we need to discard a certain generalization if it cannot address well powerful counterexamples. In *Taking Issue* he applies this case-dependent casuistic pluralism in critical issues in research ethics and clinical ethics.

I will end by saying a bit about my personal experience with him as his advisee. I am extremely lucky to be his student. He was extremely good at ideas, always asking penetrating questions, and was always challenging and supportive at the same time. I had always been excited about meeting with him each time because I knew I can have a significant breakthrough and enjoy the process of running ideas by him. The kind of intellectual stimulation will be deeply missed. He always encouraged me to come up with all kinds of ideas and worked closely with me to see whether and how those ideas work out. At the same time, he taught me to enjoy life as well—he asked me not to work too hard, reminding me to relax and have fun in life. He is the most

extraordinary person I know of. He was extremely smart yet he could utilize his intelligence to help people without making them feel embarrassed.

A Tribute by Shohei Edamura

Although Dr. Brody was primarily known as a distinguished professor of bioethics, his contributions to metaphysics, philosophy of religion and history of philosophy are also prominent.

Dr. Brody wrote important papers on metaphysics including "Natural Kinds and Real Essences" and "Why Settle for Anything Less than Good Old-Fashioned Aristotelian Essentialism." And his researches on metaphysics crystallized to the influential book *Identity and Essence*. There he defended a version of Aristotelian essentialism, according to which there are essential and accidental properties of an object. And Brody held that an object can change by acquiring or losing accidental properties, but it cannot continue to exist without essential properties. Since his research has been considered as important, John. D. Kronen wrote "Essentialism Old and New: Suarez and Brody," in which Kronen made a comparison of Francisco Suarez and Brody, representative figures of medieval and contemporary periods. As Kronen rightly pointed out, Brody's theory is interesting in that it explains the identity of something without introducing old-fashioned substantial form that unites all the essential properties.

Dr. Brody characterized his metaphysics as "Aristotelian," despite that it is quite different from a scholastic version, which seems to show his remarkable respect for historical figures and the long tradition of Western philosophy. He was a distinguished analytic philosopher in his own

right. But he never forgot to learn many things from classical texts, and he wrote articles on the history of philosophy as well. For instance, he published “Leibniz’s Metaphysical Logic” when his colleague Mark Kulstad edited a collection of papers on Leibniz. There we learn how he understood discussions on essence and identity after Aristotle. Moreover, Dr. Brody is known as an editor of historical works. One of his important contributions to the history of philosophy is to be the editor of collections of Thomas Reid’s works, titled as *Essays on the Intellectual Powers of Man* and *Essays on the Active Powers of the Human Mind*. Brody also edited *Readings In The Philosophy Of Religion: An Analytic Approach*, where he picked out relatively minor figures who still had written texts that are worthwhile to read today.

Dr. Brody’s insight into identity, based upon his broad and deep knowledge of the history of philosophy, was utilized in the field of applied ethics. For example, he gave a philosophical speculation on

the process of brain death, and when a person ceases to exist within his own framework. In my view, he took metaphysical theories to be interesting in their own right. But not only that, he was motivated to apply the fruits of metaphysics to practical issues.

As Ya-Yun Kao did, I close my tribute with my personal experiences shared with Dr. Brody. When I took his seminar on ethical theory, I learned how to connect discussions in classics with contemporary issues. I am sure that he was one of the best professors to teach it. I also have a memory of one session that was held at his home, where he and his wife welcomed all the students. Later I audited his class on philosophy of religion, and I enjoyed discussions with him and his stories took place at the graduate school of Princeton and other places. When I asked him to write a letter of recommendation on occasion of applying to a postdoc position, he was eager to do it. And he was kind enough to attend my dissertation defense. I regret to miss chances to talk to him more.

