

Short literature notices

Gazzaniga, M.S.: 2005, *The ethical brain*. New York: Dana Press, 225 pages, ISBN 1-932594-01-9, Price: \$25.

The rapid progress in neuroscience has posed new and stimulating challenges to current ethical decision-making, anthropological constructs and normative criteria. These challenges are now articulated and commented on in a sweeping, popularly written overview by Michael S. Gazzaniga, who seems to bring the best expertise for such an overview as a professor of cognitive neuroscience at Dartmouth College (USA) and member of the US President's Council on Bioethics.

Beginning with "lifespan neuroethics", he considers how knowledge about brain development might help to define human life and thus shed new light on the controversy about conferring moral status on an embryo. He finally opts for the eighth week as the beginning of human life, although without giving any ethical argumentation for this, rather grounding it on a "gut reaction" (page 8) which is in self-admitted contradiction even to neuroscientific knowledge. This chapter is closed with a discussion on the ethical challenges that emerge as the brain ages. Gazzaniga proposes that society should provide mechanisms for personal choice regarding the option of euthanasia, yet once again does not support this thesis with any ethical arguments.

In the chapters about enhancement, Gazzaniga opens up a distinction between physical enhancement (enhancement of the body) and mental enhancement (enhancement of the brain and mind), rejecting the former, but welcoming the latter in a naively optimistic way. A clear justification for why this distinction should hold - either in descriptive or in normative terms - is missing.

In chapters on free will, personal responsibility, and the law Gazzaniga argues that the issue of responsibility is a social choice to which neuroscience cannot contribute (pages 101–102). This thesis is based on the assumption that neuroscience would only study brains, which are "automatic, rule-governed, determined devices", but not people, who are "personally responsible agents, free to make their own decisions"(page 90). Such

an argumentation reveals (i) a problematic dualism between the brain and the person, and (ii) a striking dichotomy between determinism and free will. The large amount of current literature about naturalist perspectives on personhood and free will is completely ignored.

The final chapters of the book claim that there was a universal nature of moral beliefs. The universality would result from "common subconscious mechanisms that are activated in all members of our species in response to moral challenges" (page 172). Based on the fact that such an intrinsic universal ethics was allegedly implemented in our brains, it would be guaranteed that the whole human endeavour will come to a good end: "In the end, we humans are good at adapting to what works, what is good and beneficial, and, in the end, jettisoning the unwise, the intemperate, the silly and self-aggrandizing behaviours" (page 53).

To sum up, the issues raised in this book are indeed of major importance for science, ethics and society and they do deserve explicit interdisciplinary ethical investigations. But this challenging task can certainly not be achieved so simply. Gazzaniga neglects not only the ethical research on the issues he discusses, but even the most basic ethical distinctions such as between "is" and "should" or between descriptive and normative ethics.

Matthis Synofzik
Tübingen, Germany

Hildt, E.: 2006, *Autonomie in der biomedizinischen Ethik: Genetische Diagnostik und selbstbestimmte Lebensgestaltung*. Campus Verlag, 530 pages. EAN 9783593380117. Price: Euro 59.

In this extensive book Elisabeth Hildt deals, in more than 500 pages, with the concept of autonomy and the principle of respect for autonomy, especially in the context of genetic diagnosis. Hildt's book consists of five parts and the overall structure of argumentation is straightforward and clear.

In the first part she focuses on the biomedical ethics as a genuine interdisciplinary field of research. After a short discussion of the relation

between medicine and ethics and an also rather short discussion of the function of justification, Hildt presents the main structure of principlism which is understood as a version of coherentism in ethics. In the second part the notion of autonomy is analysed and different philosophical conceptions are discussed. In this part the relation between the concepts of autonomy, freedom and personhood are analysed. In the third section Hildt takes the conception of informed consent as the specific version wherein the autonomy of a patient is manifest in medical contexts. In this part the central elements of informed consent are distinguished and presented to the reader. Then the principle of respect for autonomy (taken as informed consent) is put into context with other important principles in biomedical ethics: beneficence and justice. In the fourth part, which is the most extended one covering nearly half of the book, Hildt applies this overall ethical and meta-ethical framework of principlism. The topic now is predictive genetic diagnosis. In this part she firstly informs the reader about this medical technique and then she analyses the different ethical aspects which come into play here. The huge material is organised along a temporal axis: ethical questions rising before the test and after the test are distinguished. The former includes the right to know and not to know, the latter the question how an autonomous person should deal with the genetic knowledge gained by these tests. The fourth section is devoted to the special context prenatal genetic diagnostics and deals with the question how reproduction and autonomy are related to each other. In the final section of part four Hildt tries to draw some overall conclusions, asking how autonomy and responsibility should be related in this context and dealing with the question whether genetic knowledge increases the possibilities for personal autonomy or causes the danger of paternalism.

Hildt's main interest lies in the concept of autonomy and her main strategy is not to confront autonomy and the social nature of human beings but to emphasize that autonomy should be understood as essentially social. Due to this in the fourth part of her book Hildt is interested in demonstrating how solidarity, social embeddings and personal autonomy should go together to overcome the shortcomings in current biomedical ethics which are caused by an insufficient conception of autonomy. Therefore the conclusion Hildt gives in the fifth part of her book emphasises once more the need for and the usefulness of a rich (or thick)

concept of personal autonomy. Thereby she shows persuasively that autonomy should not be reduced to informed consent and cannot be spelled out in purely individualistic terms. Since I have developed the concept of personal autonomy along similar lines I am basically in sympathy with Hildt's account. Her book shows the ethical importance and the power of a thick concept of autonomy. Nevertheless: Read from a philosopher's point of view Hildt's discussion of the philosophical theories is not satisfying since she is not discussing the arguments and objections against such a thick concept of autonomy although she refers them. This is, at least in a philosophical book, a serious omission. But readers with less philosophical interest or readers who want to get a detailed overview on the ethical problems in human genetics will find this book to be helpful.

Michael Quante
Köln, Germany

Parens, E. (ed.): 2006, *Surgically Shaping Children. Technology, Ethics, and the Pursuit of Normality*. Baltimore, Maryland: Johns Hopkins University Press. 274 pages. ISBN 0-8018-8305-9.

Erik Parens is known as a very careful and balanced ethicist and researcher in the field of bioethics. This reputation stems, from my point of view, for the most part from the pioneering reader entitled *Enhancing Human Traits*, which he edited in 1998. The title and some of the articles of the new reader suggest a continuation of this work. However, it is questionable whether surgically *shaping* children is the best title for the book, because the reader is a result of a research project on treatment possibilities for Achondroplasia, children with atypical genitalia and craniofacial surgeries for cleft lips and palates. Although one should always be careful to attribute deviant bodily states the titles of diseases or handicaps, this seems to be appropriate in the named cases. Even if one takes a relatively fundamental understanding of health and disease such as the absence of pain, bodily functioning and coping with daily routine, there will often be the necessity for therapeutic interventions in these cases. Therefore, it would have been helpful for readers of the book, who are less familiar with the discussion on a distinction between medical treatment and enhancement to invest some additional work on conceptual and analytical issues. And there remain some doubts,

whether it is useful to compare the motivation to treat these bodily states with, for example, cosmetic surgery for more beautiful feet such as described in the article of Arthur W. Frank. Nevertheless, the reader gives a lot of valuable examples towards the thesis that the motivation for treating deviant bodily states stems at least from two normative sources: one objectivist-medical source, which argues from the point of view of bodily functioning, the other the question of societal acceptance of people with handicaps or deviant appearances. It is important to distinguish both sources, because for example in the case of atypical genitalia, the problem of past treatment regimes obviously were that physicians did not only try to achieve health and proper bodily functioning, but also to give children a sexual identity by surgical means – which often went wrong. There is currently not very much literature on the ethics of surgery, and this makes the book an important starting point for the ethical discussion between patients, surgeons and ethicists. However, there remains one blind spot in the multitude of approaches in this reader: the European Convention on Human Rights and Biomedicine, for example, formulates that “Parties to this Convention shall protect the dignity and identity of all human beings and guarantee everyone, without discrimination, respect for their integrity [...] with regard to the application of [...] medicine”. Although this seems to be one of the main points in ethical thinking in a liberal society and of some relevance for the discussed issues, it comes rather short in the present reader.

Christian Lenk
Goettingen, Germany

Stier, M.: 2006, *Ethische Probleme in der Neuro-medicin: Identität und Autonomie in Forschung, Diagnostik und Therapie*. Campus Verlag. 377 pages. EAN 9783593380339, Price: Euro 39.90.

The overall aim of Stier is to defend the thesis that we should regard neuro-ethics as a unified ethical complex of problems. Although the diversity of subjects and methods gives the impression that neuro-medicine cannot be a unified subject of biomedical ethics we should revise this impression since in it we ultimately deal with the question, “wer wir als Menschen sind, wie wir sein wollen und was wir akzeptieren können, wollen und sollten” (19).

Stier’s book is wide ranging, in its five sections he deals with problems which might be the subject of books of their own. The first two sections are more of the conceptual or philosophical kind while the following ones deal with problems of applied ethics and are related to empirical questions more directly. In the first section the concept of personal identity both in philosophy and neuro-science is analysed. Then the problem of consent in the context of human experimentation is discussed as it presents itself in neuro-medicine. In this second chapter informed consent is addressed on a more conceptual or philosophical level. Additionally the notion of “research” is analysed here. The third section presents an overview of ethical problems which are specific for diagnosis in neuro-medicine. The normative principle of informed consent is discussed in the context of genetic knowledge and questions how to deal with this new information within our society are dealt with. The fourth section presents those ethical problems stemming from therapy in neuro-medicine. Coercion and autonomy in psychiatry and the problem of personal identity in this context are main topics Stier discusses in this section. The fifth and final section presents an outlook: Stier deals with the neuro-medicine of the future discussing body-transplantation, hybrid brains or cyborgs. These fancy cases are taken seriously and Stier tries to give a kind of assessment of the ethical impact of these future options discussing private and social consequences on the one hand and consequences for our concept of personal identity on the other hand.

Stier’s book delivers a lot of informations and is neither intended as a philosophical analysis of personal identity or autonomy nor as a self-standing book on ethics. The author admits that questions concerning meta-ethics are not taken into consideration but that he restricts himself to the level of applied ethics. Although it should be clear that one cannot separate these two levels in the end this is acceptable since Stier always is very careful not to draw ethical conclusions which are too strong. His main aim is to make visible the ethical problems in the different contexts on the one hand and to demonstrate the reader the options available here. In this respect Stier’s book is valuable and helpful for the reader who is in search of orientation. From a philosophical point of view the main problem with Stier’s book is his dealing with the notion of personal identity. This topic is treated in much detail so that it must be regarded as one of the centres of this book. Unfortunately Stier only gives overviews of the

several theories concerning personal identity which have been developed in the last five decades. He neither tries to discuss the positions which are not compatible. Nor does he pay enough attention to the problem that scientism or naturalism is a serious problem if one discusses personal identity from within the perspective of neuro-science or neuro-ethics. In some sections one must even get the impression that Stier's overall arguments commit himself to some version of naturalism.

But since he does not discuss this at all, it is not easy to decide this issue. Because of this a reader who is aware of these problems will find the book dissatisfying or even misleading. But one should keep in mind that Stier did not want to address these philosophical problems.

Michael Quante
Köln, Germany