

Book Reviews

Ethics and the Acquisition of Organs. By T. M. WILKINSON. Oxford: Oxford University Press, 2011. 224 pp. Hardback. ISBN 978-0-19-960786-0. RRP £35.00

Organ transplantation is a medically successful and cost-effective way to treat people whose organs have failed. But with the UK's Organ Donation and Transplantation service reporting that more than 10,000 people in the UK currently need a transplant but only 31% of us have joined the Organ Donor Register, the simple fact is that there are not enough organs available to meet demand. In this light it is therefore not surprising that vigorous attempts are being made to improve both the rates and system of donation.

T. M. Wilkinson is Associate Professor in Political Studies at the University of Auckland. A political philosopher at heart, he has shown great interest in the area of organ transplantation, chairing the New Zealand government's Bioethics Council and currently serving as a member of its National Ethics Advisory Committee. He brings this interest and expertise of the subject to bear in his latest book published by Oxford University Press entitled *Ethics and the Acquisition of Organs*.

The book offers a robust and highly useful volume, working through many of the issues which get raised when discussing this topic but seldom are offered the necessary time and attention to think through the implications. This is what Wilkinson does with skill, critical engagement and coherency, bringing together different strands of thought and perspective in order to try and create a synthesis of the major issues. The result is an inspiring and intellectually rigorous text which draws from across the disciplines. For me it was one of those books which once I had finished reading it I wanted to start reading it again in order to improve my understanding of the book's material and imbibe its many salient points. I am sure it is destined to be a text which many will thumb through again and again in order to learn from its perspectives owing to the fact that in one place the reader can find a detailed account and discussion of the key issues surrounding the ethics of organ transplantation.

Amongst the commentary, evaluation and analysis of various issues such as rights of the dead, conscription of organs, opt-in, opt-out systems and organ trafficking, you will not necessarily find definitive solutions to the problem of how organs should be retrieved. However, this is not the purpose and intent of the book, as clearly expressed by the author. Rather Wilkinson intends that the book constitutes "a better worked out and more coherent intellectual foundation than usual for deciding how organs should be required" (p. 10). I agree with him; not only in terms of the end result (he successfully achieves the intellectual foundation) but also in terms of adopting this approach in the first place, for there is a pressing need for a thorough working through of the issues and themes which arise from this subject. The multidisciplinary approach is demonstrated through the author's use of concepts from moral and political theory such as autonomy, rights, posthumous interests, justice and well-being, in a context informed by the clinical, legal and policy aspects of transplantation. By methodically working through the main arguments and positions on organ donation he helps to unravel some of the thinking, identifying weaknesses and strengths. The exploration which therefore results helps to clear the ground for clearer thinking and discussion to take place regarding the practical outworkings. Consequently, I see this book as being an excellent resource to not only those studying in the field of applied ethics and bioethics but also policy-makers, clinicians, and lobby groups interested in transplantation and those coming at the issues from the legal perspective. A comprehensive

bibliography at the end of the book provides a rich resource in terms of further reading and a one-stop reference for some of the best and authoritative literature on the matter of organ transplantation.

Structure

The book consists of ten chapters with roughly the first half concentrating on philosophical discussion and the latter half (chapters 5–10) addressing the ethical problems specific to transplantation. Wilkinson writes in a clear and lucid style which is easy to follow and understand. Although an extensive amount of material is referred to, it does not impinge upon the flow and construction of the arguments being built but probably encourages the reader to stop and reflect upon completing each chapter in order to consolidate the points being made. Whilst the author conjectures that those interested in the practical problems of transplantation may jump straight into the latter half of the book (and this can be done relatively easily), this book's real worth will be found in reading it from beginning to end in order to create the synthesis which the author has so diligently sought to establish.

In brief and of particular note for me were the following three chapters. Tackling the issue of rights over our bodies, chapter 2 helps to make the useful distinction from the outset of rights and rights over our bodies. Prof. Donna Dickenson, in her book *Body Shopping*, explains our bodies are not the subject of property rights in any conventional sense. We possess a right to give or withhold consent to an operation but this is different to controlling the use of any tissue removed during the procedure. Under common law it is generally assumed that once tissue has been removed from the body, the tissue has been “abandoned” by its original “owner” so that it belongs to no one when it has been removed. Wilkinson's discussion makes a further insightful contribution to this ongoing understanding of the legalities and rights surrounding the human body, something which I believe we should all be made more aware of as we progress further in the biotech century. The author's use of the term “personal sovereignty” as that which constitutes bodily integrity and rights to individual autonomy is particularly helpful and the corresponding discussion concerning informed consent and self-ownership beneficial in bringing clarity and understanding to what is meant by these terms in the wider discussion of acquiring organs. Bodily integrity may be in large part non-controversial but the model of personal sovereignty, and the idea that people should be able to make choices over what happens to and how they use their own bodies, appears to be great in theory but not so great in practice, seemingly running in stark contrast to practices adopted around the world today. For example, in the regulation and control of medicines.

Moreover, chapter 5 looks at the role of the family and how, if individuals have rights over their bodies after death, does the role of the family fit within this. Given the current discussions taking place in Wales concerning an opt-out system and the oft-cited case study of Spain appearing as evidence for the adoption of such a system, Wilkinson's analysis helps to shine light on an issue that can often be overlooked and the case of Spain's success in donor rates also exemplifies: the need to have the family more involved in the process of decision-making.

Consent and issues of uncertainty about the wishes of the dead is the focus of chapter 6. Wilkinson defends a policy under which organs may be taken where there is no good reason to think the deceased would have objected and the family do not object. In this chapter the author offers a helpful discussion of the ambiguity surrounding presumed consent and an opt-out system bringing distinction between consent and wanting before dealing with the issue of uncertainty.

Conclusion

As a *New York Times* article reported in 2006 to an economist, organ transplantation represents a basic “supply-and-demand gap with tragic consequences.” The need is great and yet the vital raw material is in short supply. Every place in the world that has a transplantation programme has to face up to and attempt to resolve the ethical consequences raised by this scarcity. Wilkinson’s new book is a timely and welcome contribution to the debate, helping to shine a clear and strong light upon crucial material which will help to inform conversation and ultimately help to shape solutions and policy approaches.

Reviewed by MATT JAMES

Centre for Bioethics & Emerging Technologies, St Mary’s University College,
Twickenham, London, TW1 4SX
jamesm@smuc.ac.uk

Peter Singer and Christian Ethics – Beyond Polarization. By CHARLES CAMOSY. Cambridge University Press, 2012. 278 pp. Hardback. ISBN 978-0521199155. RRP £50.00. Paperback. ISBN 978-0521149334. RRP £18.99

There are few books which have a unique theme but this attempt to find common ground between Peter Singer and the Catholic Church is certainly one of them. Moreover it is both scholarly, full of surprises and of interest to a much wider spectrum of readers than members of either camp at the heart of the analysis.

Camosy considers that the mutual rejection of each other’s views by Singer and Catholic ethicists stems largely “from a kind of ignorance which comes from defining oneself in opposition to another” (p. 7) which severely restricts serious engagement. Camosy argues that such differences as there are between the two camps are actually relatively narrow and there is scope for “working together on many important issues of ethics and public policy” (p. 7).

Starting with the unpromising-looking topic of abortion, Camosy manages, even here, to find significant overlap between Singer and Catholic and indeed broader Christian teaching. Both hold that the intentional killing of persons constitutes a serious wrong, legally and ethically. They also agree that the claim that abortion rights are part of a broader right to privacy is spurious, since such rights can only be claimed when they do not result in harm to an “other” – which is precisely the point that needs to be proven before applying such rights to abortion. Though of course differing markedly over whether the foetus is an “other,” both sides agree that governments should focus on changing those social factors which drive women to seek abortions and both show moral consistency in extending their differing views of the foetus to the moral status of the new-born infant and infanticide, with Singer supporting the latter and Christian ethics rejecting it.

Moving to end-of-life issues, Singer and Catholicism agree that that the definition of death for a human is primarily a philosophical issue about “who she is (or was) and why she is no longer there” (p. 57), whereas empirical definitions of death can only determine the clinical signs, tests or criteria which separate life and death. Thus Singer and Catholicism have a mutual suspicion about the moral integrity of the concept of brain death. Singer considers “the idea that someone is dead when their brain is dead is, at best, rather odd” (p. 46) as it confuses the two distinct concepts of being alive as a person and being alive as a member of the human species. Though Catholicism firmly rejects personhood as a criterion for decisions about ending human lives, it shares Singer’s scepticism about declaring a brain-dead individual (who may well be biographically dead) as biologically dead.

Both Singer and Catholics would agree, however, that in the case of those correctly diagnosed as brain dead, it would be ethical to turn off the ventilator – Singer, because it is a waste of valuable resources on a “non-person,” and Catholics because the burden of treatment outweighs the benefit to the patient, and removing ventilation, though it foresees death, does not primarily intend death but rather to remove burdensome treatment.

With regard to the ethical duty to alleviate poverty, “the similarities between the two approaches are striking” (p. 137). Singer in his “drowning child” thought experiment and Jesus in his story of the “Good Samaritan” both demonstrate we have a moral duty to provide aid to those who need it. Moreover Singer and Catholicism go further in claiming it is morally wrong not to provide such aid – that giving aid is not just a question of being charitable but a matter of moral duty. Camosy even shows how Christians could work together with Singer in achieving his objectives of identifying and connecting with victims of poverty and creating a culture of generous giving, and concludes that Singer’s concept of poverty might be usefully widened from a consideration of purely material needs to encompass inability to participate in society as another form of poverty on which we have a moral duty to act.

Singer has long been a champion of animal rights, whereas the Christian Church has been viewed not only as indifferent to them, but as part of the problem – not least by Singer himself who ‘thinks that the Christian tradition is radically “speciesist”’ (p. 84). Camosy acknowledges the huge importance of Singer’s work in this area and quotes swathes of Singer’s accounts of the factory-farming measures of debeaking poultry and tail-docking pigs to illustrate how important his work is in reforming such inhumane practices.

Nevertheless, Camosy paints an alternative picture of Christianity’s approach to animal welfare and ecology from the one Singer portrays. He also sympathetically discusses Singer’s well-known views that some animals have arguably more justification to be considered as persons than some members of the human species.

Despite ultimately disagreeing with Singer on the issue of animals being persons, even though they could “also be described as persons in some limited sense,” Camosy urges that “the massive scale on which our culture inflicts overwhelming cruel practices on non-human animals cries out for a partnership between Christians and Singer” (p. 134).

The penultimate chapter examines how Singer’s preference utilitarianism and Catholicism’s rule-based reasoning might be reconciled, pointing out that Singer shares many of the rules Christians uphold such as not killing persons, supporting the needy and telling the truth. Camosy also suggests that Catholicism shares “much consequentialist reasoning about the universal common good and destination of goods that would determine whether a rule should be followed or broken in a given situation” (p. 192).

Finally Camosy sketches what he perceives as a definite shift in Singer’s thinking, namely his new openness to the objectivity of practical reason in grounding ethical thought.

For most of his career, Singer has held to Hume’s view that reason, being “the slave of the passions” and hence concerned with means and not ends, is incapable of moving us to moral action. As Hume put it in his *Treatise on Human Nature*, “It is not contrary to reason to prefer the destruction of the whole world to the scratching of my finger.” Derek Parfit, however in *On What Matters*, argues *contra* Hume, that someone who dislikes pain but discounts pain on Tuesdays, makes an objectively irrational preference in choosing severe pain on a Tuesday over mild pain on a Monday. Singer agrees with Parfit and so now needs to find grounding for such objectivity. At present, Singer and Parfit ground such objectivity in rational intuition, in the same sort of way we come to see that two plus two equals four.

Camosy considers however that “once one opens the door to objectivity in one’s moral theory, it is quite difficult to limit its place” and he concludes with some challenges to Singer to shift his position yet further. In the final chapter of *Practical Ethics*, Singer agrees with Sidgwick that “we could show that it is rational to act morally by showing that it is in our long-term interests to do so.” For Singer, these long-term interests boil down to a happiness

which consists of choosing *a coherent life of meaning* which goes beyond the mere satisfaction of preferences of the moment, however enjoyable they may be. Singer's connection of this understanding of happiness with the reason one should be ethical in the first place is very similar, suggests Camosy, to the Christian grounding of ethics in human purpose as outlined in Jean Porter's *Nature as Reason*. Singer even agrees with Christianity in being as much concerned about the happiness of others as about the happiness of the agent. Just as Christ taught us to "love our neighbours as we love ourselves," so Singer suggests that we are "not able to find full satisfaction by deliberately setting out to enjoy ourselves without caring about anyone or anything else."

The fact that the book sports a cover commendation from the very man Camosy puts under the spotlight says a lot about both authors – "despite the deep disagreements between us, I regard [this book] as a valuable contribution to philosophy in general and applied ethics in particular," Singer states. He's right and it deserves wide readership and debate.

This review is an abridged and adapted version of one previously published on the BioCentre website and appears here by permission.

Reviewed by DR TREVOR STAMMERS

Programme Director in Bioethics and Medical Law at St Mary's University College London
trevor.stammers@smuc.ac.uk

The Picture of Health: Medical Ethics and the Movies. Edited by HENRI COLT, SILVIA QUADRELLI and FRIEDMAN LESTER. Oxford University Press, 2011. 527 pp. Paperback. ISBN 9780199735365. RRP £27.50

Russian film director Andrei Tarkovsky said that "Juxtaposing a person with an environment that is boundless, collating him with a countless number of people passing by close to him and far away, relating a person to the whole world, that is the meaning of cinema." This juxtaposition can be beneficial in many ways particularly in terms of academic study. Viewers have the chance to relate to the actors and the situations that they face as well as the plot lines and context of the film. Very often abstract ideas and concepts can be extracted from film for discussion and debate. With very little knowledge or experience, viewers of a film can offer their opinions, ideas, reflections, argue contradictory positions and display emotions in direct relation to a narrative played out in a movie. It is with this thinking in mind that has helped shaped the idea behind a recent release from OUP, *The Picture of Health: Medical Ethics and the Movies*.

An edited volume of some 84 essays subdivided into nine sections, the book acts as a one-stop source for a rich variety of films which help to raise questions relevant to the teaching of medical ethics. The essays are short (3–4 pages on average) but most are well written, concise and informative. Some tend to provide a general overview of a particular ethical issue and how it relates to the film whilst others drill down deeper, tackling a particular issue in more precise detail and presenting a more nuanced discussion and analysis. Consequently the essays provide an excellent insight not only for a teacher or group leader to read prior to showing the film to a group, but also as a short discussion article for a group to read in order to kick-start discussion prior to watching the film. What is more, for those wishing to use a short specific clip from the film as opposed to watching the film in its entirety, relevant DVD chapters and timings are given at the beginning of each chapter to help with cueing up DVDs. Each chapter has end notes and references providing an ample springboard for further study. Furthermore, a filmography is also given at the end of the book of a further 140 films *not* covered in the book. This in itself helps to point to the immense breadth of material within cinematography, making it rich pickings in assisting with the discussion of medical ethics.

In terms of target audience, the book has probably been prepared with an A-level audience in mind. However, as is the case with many films, the depth of discussion and analysis is largely determined by the group you are working with. Comparing a group of A-level students and a group of undergraduate medics, similar themes will emerge from discussions but the depth of the conversation will undoubtedly vary. Therefore, in my opinion, *The Picture of Health* is not and cannot be limited by a particular age range.

The book is fairly multidisciplinary in terms of the contributors. Whilst many hail from a medical background, there is representation from the fields of law, bioethics, philosophy and various areas of the arts and humanities. More disappointing is the fact that the contributors tend largely to be from the USA, with the odd one or two from other countries (such as Brazil, Argentina and Europe). I think the book's value would have been further enhanced by broadening the variety of opinions, ideas and reflections presented as a result of including more contributors from across the globe.

Structure

Part one of the book is entitled "Personal Reflections about Film and Ethics" where four contributors offer their thoughts and insights into the use of film in teaching medical ethics and how it has shaped and enhanced their teaching of it. Certainly Albert R. Jonsen's opening essay on *Frankenstein* and the birth of medical ethics helps to frame the discussion well and demonstrates persuasively how the medium of film can exemplify the many pertinent aspects of medical ethics including pursuit of perfection, the duty to heal, disease, the power of science, human rights and human dignity. It is therefore no surprise that Jonsen brands *Frankenstein* as the "modern Prometheus."

To highlight some other essays of note, Michael D. Dahnke's essay "The Challenge of Personhood" which addresses the film *Lorenzo's Oil* tackles the ethical differences and problems encountered with the concept of personhood. Dahnke presents a balanced summary of the main issues whilst weaving in the aspects of the film which help to exemplify the key difficulties. In many respects this is a perfect exemplar of the focus of the essays presented in the book. Lois L. Nixon's essay "Speaking Truth to Power" draws upon the poignancy of the film *Pan's Labyrinth* in order to cover the important themes of patient-professional and professional-professional relationships within the field of medicine. Her essay also helps to highlight the significant cross-cutting themes which transcend disciplinary lines, reaching not only medical ethics but also lessons in business and leadership.

Marcia Santana Fernandes' focus on the film *Artificial Intelligence* sets the scene for a discussion on emerging technologies, picking up on the slippery slope principle as well as the challenge to humanity and how we treat one another. As someone with a particular interest in new emerging technologies this seemed like a good but basic discussion of the issues. In my opinion the film offers so much more material to fuel discussion and debate than what is highlighted in this essay. At this point I think it is useful to recall the main purpose of the essays and their purpose to initiate a conversation but by no means provide a comprehensive analysis and development of the main themes. Other books and articles can do that and may well help to contribute to the discussions which ensue from watching the film.

Probably one of the most quintessential bioethics films ever made, *Gattaca* is not overlooked and is the focus of Alexander M. Capron's essay. A film which is rich in many different ways, Capron's discussion provides a clear overview of some of the main themes of utilitarianism, genetics discrimination, human worth, the artificial versus the natural and offers some good signposts for further reflection.

The avid film buff may well wish to sit down and read the book from cover to cover, but *A Picture of Health* will probably be used by the majority of readers as a reference volume, to be thumbed through and referred to when in need of a relevant film to show. In this

regard, the book is an excellent resource, bringing together a rich variety of films and themes in one book. Without doubt, it is not a new idea to use film to illustrate a particular point, to help bring context to abstract concepts or to kick-start discussion. What is new is to have a book that has been edited with specific themes in mind and which offers a compendium of examples that can help do this. This is where *A Picture of Health* shines.

Reviewed by MATT JAMES
Centre for Bioethics & Emerging Technologies, St Mary's University College,
Twickenham, London, TW1 4SX
jamesm@smuc.ac.uk