

- Principle of autonomy – self-determination and allowing people to make their own individual choices
- Principle of tolerance – respect and tolerate subjective views as equal and legitimate
 - o Relativistic concept of tolerance
- Accepts pluralism of values
- Self-determination can be juridically ensured
 - o Positive liberty – making room for having the freedom to choose
 - o Negative liberty – removing obstacles for choice
- Kant said that subjective views cannot be universalised
- Very individualistic theory and very accepting of individual views

Utilitarianism

- Consequentialist theory – good and bad is derived from the evaluation of the consequences of an action
- Things are good when they are useful, and bad when they are not
- Useful is meant as being convenient to maximise pleasure and minimise suffering
- Principle of utility – best optimal balance of benefits over costs, pain over suffering
- Principle of maximisation of the interests of all individuals as a whole – collective interest
- Importance of sensation and ability to distinguish between pain and pleasure
 - o E.g. issue of euthanasia
- Ethical theory based on the quality of life

Personalism

- Cognitivist – common objective truth is possible through the use of reason giving something objective value
- Intrinsic dignity of the person regardless of views, conditions of existence, stage of life, or whether it is formally recognised
- Principle of physical integrity – no manipulation of the body
- Therapeutic principle – allowed to intervene in order to cure
- Principle of liberty and responsibility – liberty has to be limited by responsibility

When does a person become a person?

- Personhood is identified with relationship with others
 - o A person is no longer a person in vegetative state
 - o A person becomes human when the embryo implants in the womb, 1 week after conception
 - o Assumes that a human is already existing for a relationship to exist
- Personhood is identified with individuality
 - o Become a person once totipotentiality in the embryo stops (cells having the ability to become anything), 2 weeks after conception
 - o You are not individual at this point, so are not a person
 - o This is the law in the UK, and allows experimentation, though it runs the risk of creating genetically identical twins, which is artificial cloning
 - o Objections in saying that this doesn't happen in nature
- Personhood is identified with the ability to feel pain and pleasure
 - o First biological ability and then emotional ability

Multicultural bioethics

- Relativist perspective – bioethics of each culture must be placed on the same level, since all cultures are equal
- Tolerance – passive and indulgent acceptance of every culture, without making any ethical judgement
- Juxtaposition of multiple and diverse bioethics means that the search for common values is undesirable, since plurality is better than unity as an expression of richness and originality
- Model of separation – each culture is a closed world, which internally affirms its own values and preserves its own traditions, and externally tolerates other cultures
- Objections
 - o Equivalence cannot be neutral and uncritical since cultural conflict will always happen and the stronger culture will prevail over the weaker one
 - o Equivalence can lead to self-closure of each culture into itself, resulting in an inability to communicate

Intercultural bioethics

- Against hierarchy among cultures and also against equivalence
- All bioethics in every culture should and can be judged
 - o It is a duty to express judgement on the bioethics of different cultures
 - o Not a judgement of superiority, but a judgement of truth in reference to human dignity, considered as the minimum common value
- Affirming equality means assuming the differences, since equality is the precondition for recognition of the difference between cultures as significant interaction between human beings

Applying these to bioethics

- The role of bioethics is not to impose a vision as superior, nor is it to uncritically legitimise every request from each cultural group
- The structural reference to human rights acquires priority in ethno-ethics, since human rights are the “units of meaning”

Bioethics and communication

- Negative paths
 - o Egalitarianism – assimilation in that all men of diverse cultures should conform to the dominant culture
 - o Differentiation – separation meaning that the individuals of different ethnic groups should be guaranteed by the broadest possible conservation of what makes them different
- Intercultural bioethics
 - o The critical search for continuous mediation and integration of human rights and the specific needs of diverse cultures
 - o Affirming the relational logic of diversity in equality

- Other legal systems are more liberal in this aspect (e.g. UK says embryo is an object until the 14th day, allowing for manipulation)
- Against the law to select for sex, physical characteristics
- Libertarians say embryo is not a person since it cannot freely choose or exercise will
 - Anyone can have IVF basically; is extremely open, since the only criteria is having a sense of responsibility and the principle of non-discrimination
 - Allows for manipulation of the embryo, even waste, overproduction etc.
 - Procreative freedom – positive reproductive rights
 - You can also have natural spontaneous miscarriages; you should overproduce to increase chances of success; selection is allowed to ensure a healthy child
- Personalists say the embryo is a person with intrinsic dignity
 - Only people who are infertile can have IVF, and only heterosexual couples
 - Limit use of reproductive technologies and strict guidelines to stop manipulation/overproduction/selection of embryos – priority of the dignity of the embryo over the desires of the adults
 - Only allows heterologous fertilization, not donor gametes, since this can create psychological effects within the family
 - Principle of procreative responsibility

Family:

- Libertarians say the family is a product of society, but depends on the decisions of the individual families
 - Priority of individual choices
 - Family is the free expression of will as a voluntary association or agreement between individuals, or social convenience
- Personalists say there is value only in the traditional (natural) family – heterosexual married couple
 - Natural because they can naturally give birth to children

Surrogate motherhood

- Use another woman's uterus to be pregnant and give birth to your child (can be paid for or done voluntarily)
- Issue of fragmentation of motherhood
- Different legislations have different rules for the right of the surrogate mother
 - Right to end up keeping the child or change their mind (creates issues of genetic vs. psychological motherhood and who has the right to have it)
 - Visitation rights
- Is this objectification or exploitation the mother's body?
 - Feminism is divided on this point
 - On one hand they say that women should have the right to do what they want with their body
 - On the other hand, they say this makes the body into an object and violates the dignity of the woman
- Book by Shalef (US feminist) strongly in favour of surrogate motherhood

Persampei lecture on the Italian National Bio-ethics Committee (CNB)

SEE SLIDES

- Balance between protecting human rights/dignity and allowing scientific/technological progress
- Committees had to adapt to ever-changing issues in the scientific and medical field
- Works closely with parliament (prime minister and members of parliament) to give them advice when they legislate
- Their documents or opinions are not binding, only advisory, but can become binding law if enacted upon by parliament
- Mainly follow 2 important recommendations
 - o One is about research on embryos and fetuses (council of Europe)
 - o The other is about genetic engineering (European parliament)
- Some bioethical issues were discussed as a matter of international and national requirements
- Deal with issues that require urgent intervention from government because of ethical concerns
- Bioethics is governed by society and how quickly it changes

Tasks

- Scientific advisory body
- Expressing opinions and providing solutions – often controversial due to ethical pluralism
 - o One solution would slow down scientific progress, but no solution goes against values, so usually there has to be a plurality of solutions
- Raise awareness
- Makes either motions (short) or opinions (longer)

Composition

- Not huge number of members (30-36)
- Doesn't have detailed rules regarding its composition (usually interdisciplinary and encompassing different ethical positions in order to mirror society)
 - o Have to make sure all ethical opinions in society are also found in the committee
 - o Shown through use of personal remarks within draft documents
 - o Makes it democratic

Working methods

- Plenary meetings – monthly and private
- Working groups – created for urgent issues with experts in that specific field (also monthly)
- Can involve external experts not in the committee to make sure they make a truly informed decision
- Motions and opinions are usually by request of parliament/minister of health