



Original article

What is so specific about moral judgment in bioethics?

¿Qué es lo específico del juicio moral en la bioética?

Jure Zovko^{a,b}

^a University of Zadar, Croatia

^b Institute of Philosophy Zagreb, Croatia

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Abstract

In this article, some of the consequences will be considered that may follow from a paradigm-shift from humanism to trans-humanism. In the view of the supporters of transhumanism, human beings are imperfect, so all scientific achievements need to be used in order to accelerate the evolutionary process. In the bioethical discussions of human enhancement, two positions are distinguished: a *permissive* and a *prohibitive*. The permissive position takes into account potential benefits of enhancement, and its ability to reduce the negative consequences for human beings. This article lists the reasons for restrictive application of human enhancement, of which the most important is respect for human dignity. The definition of humans as hermeneutical beings that interpret themselves in the context of social possibilities should be considered in the context of the existing threats created by biotechnological development.

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E-mail address: profjure_zovko@yahoo.com

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Resumen

En este artículo se consideran, desde el punto de vista bioético, algunas consecuencias relacionadas con el cambio de paradigma desde el humanismo hacia el transhumanismo. Según los defensores del transhumanismo los seres humanos son imperfectos, entonces se deben usar todos los avances científicos con el fin de acelerar el proceso de la evolución. En la discusión bioética acerca del fortalecimiento humano yo distingo dos posturas, una *permisiva* y una *prohibitiva*. La permisiva considera los beneficios potenciales del fortalecimiento y su capacidad de reducir las consecuencias negativas para los seres humanos. En este artículo se presentan las razones para una aplicación limitada del fortalecimiento humano, la más importante de las cuales es el respeto para la dignidad humana. La definición de los seres humanos como seres hermenéuticos que interpretan a sí mismos en el contexto de las posibilidades sociales debería ser considerada en el contexto de las amenazas que son creadas por el desarrollo tecnológico.

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Palabras clave: Fortalecimiento humano; Transhumanismo; Autonomía; Dignidad humana; Hermenéutica; Juicio

Introduction

Science is according to Ernst Cassirer “the highest and most characteristic attainment of human culture” (Cassirer, 1954). It seems that science and culture in the twentieth century took separate paths, because there were different methodologies in explaining scientific research and understanding cultural creativity.

The German philosopher, Wilhelm Dilthey (1833–1911), who played a key role in the development of hermeneutic philosophy in the 20th century, contributed most to the strict separation of natural sciences and humanities. His distinction between “explanation” (*Erklären*) and “understanding” (*Verstehen*) led to the radical bias that all human experience divides naturally into two parts:

1. the explanation of the natural world, in which “objective necessity” rules, and
2. understanding, in which the inner experience of life dominates (Dilthey, 1894).

For Dilthey the notion of “explanation” is derived from the methodology of the natural sciences and has in this respect its primary application in this field. In this

context, it is important to emphasize that understanding is not only a feature of the humanities, but also a crucial segment of the natural sciences and engineering.

The Neo-Kantian philosophers (Wilhelm Windelband, Heinrich Rickert) retained Dilthey's distinction between natural sciences and humanities. Sociologist Max Weber emphasized that natural sciences and mathematics cannot prescribe the method or way of argumentation of humanities and social sciences, especially because of their special analysis of social practice. Weber argues that the scientific researcher has the primary task of explaining empirical facts and should refrain from judging ethical issues. In his famous essay "The 'objectivity' of knowledge in social science and social policy" (1904) Max Weber maintains he is "of the opinion that it can never be a task of a science of empirical experience to determine binding norms and ideals from which practical prescriptions may then be deduced" (Weber, 2012). Weber claims that experimental science is "value-free" in its structure and, as such, cannot give criteria for moral judgments.

For a long time, the view that science is value-free was accepted in the philosophy of science. Over time, three criteria of scientific research have become established: *impartiality*, *neutrality* and *autonomy* (Lacey, 1999). The neutrality of the sciences with regard to values is justified because scientific theories have no value judgments among their logical implications. During the first half of the 20th century, it was quite common among philosophers to regard ethics as beyond rational justification (e.g. the representatives of logical empiricism, philosophers of existentialism like Heidegger and Sartre) (Brandner, 1992). These tendencies are found even today, mostly among scientists who have not followed the developments in philosophy, but also among postmodernists.

The impact of biotechnologies

The rapid development of biotechnological science over the last 20 years, has confronted us with the fact that scientific research is intimately tied to ethical questions. The future and destiny of the human species may be endangered by biotechnological research, in particular by gene technology. It is important to emphasize that there is a wide variety of conflicting views and the conflict extends even into legislation, where the laws differ to such an extent from country to country. Some years ago a biologist complained that the same research (non-therapeutic research on embryos) could lead to a Nobel Prize in France and England, but in Germany to five years in prison.

The idea to engineer the human genome for the purpose of improving or enhancing *Homo sapiens* is like the crossing of the Rubicon. With this step, the epoch of transhumanism begins. We are not yet aware of all the consequences that will follow from this paradigm-shift from humanism to transhumanism.

Modern biology confronts us with a number of difficult moral challenges. We cannot just rely upon our feelings when we make ethical decisions, we have to use our reason.

A main aim of bioethics in our time should be to help us to deal with such difficult and controversial issues in contemporary biological research and biotechnology in an enlightened and reasonable way. According to Roberto Andorno ([Andorno, 2009](#)), “The emphasis on human dignity is impressive enough to lead scholars to characterize this notion as ‘the shaping principle’ of international bioethics” ([Bostrom & Savulescu, 2009](#)).

The quest for perfection promoted by sympathizers of enhancement ostensibly aims at progress and improvement in humanity. Representatives of transhumanism in bioethics (Nick Bostrom, Julian Savulescu, Ingmar Persson, Thomas Douglas, Mark Alan Walker) consider it the moral obligation of scientists to carry out scientific research in the field of genetic engineering in order to further the process of evolution, because human beings, as they are now, are obviously not perfect ([Agar, 2004, 2013](#)).

Human beings have not always existed, they came into existence as the result of natural selection. The most prominent transhumanists claim that the purpose of science and technology is to improve human capacities, especially, intelligence, memory, ability to concentrate, and prolonging the period of healthy life. Enormous advances in medical technology, such as, for example, stem cell therapy have resulted in some deadly diseases becoming treatable. Successes like these lead some scientists to wonder why we should limit ourselves to the treatment of the disease, why not continue to improve the countless aspects of human functioning. It is questionable, however whether and to what extent human enhancement is morally acceptable. How far should a scientist go in pursuit of this aim?

The ethical issue of human enhancement

Under the term “enhancement” we mean interventions in the human organism in order to improve the functionality and efficiency of human beings. Human

enhancement is defined as “any kind of genetic, biomedical, or pharmaceutical intervention aimed at improving human dispositions, capacities, or well-being, even if there is not pathology to be treated” (Coady, Sanyal, & Giubilini, 2016).

In the scientific discussions on human enhancement we distinguish two positions: a *permissive* and a *prohibitive*. The permissive position takes it into account potential benefits of enhancement, and its ability to reduce negative consequences for human beings. The prohibitive position refers primarily the dignity of human being, such as in Michael Sandel’s objection to genetic engineering ‘playing God’ (Sandel, 2007).

Among the supporters of the permissive position, we differentiate those who advocate for the unlimited liberty in pursuit of human enhancement, and those who are for the restrictive application of human enhancement. I personally plead this position.

The arguments of the permissive options of Human enhancement are the following: if we permit the athletes’ trainers using enhancement methods, plastic surgery, stimulants and performance-enhancing drugs, why should be prohibit human enhancement in the form of bioengineering and gene therapy?

It must be acknowledged that “*tertium comparationis*” in this case is very weak, because in all these mentioned examples we are also familiar with the consequences, which may be both beneficial and harmful. In the case of human enhancement, the harmful consequences could be even more serious, since the fundamental basic parameters of the human condition are being manipulated, so that basic human capacities might be changed in the near future.

Human enhancement has emerged in recent years as a blossoming topic in applied ethics. Reasons for limited use and application of human enhancement should be carefully considered. Some philosophers point to the problem of social justice as a reason why human enhancement should be limited because human enhancement should introduce inequality, injustice and unfairness. We have similar arguments against the free market, and the practice in the communist countries has shown the consequences of restricting and prohibiting the free market. The principle “equal treatment for equal need” (B. Williams) is far from being applied in today’s medicine.

Science and current scientific research could lead humankind into an irreversible situation where it is no longer possible to return to the status *ante quem*. In this light, we can no longer insist on the separation of the biomedical sciences and the human

sciences, because both analyze and interpret human beings. The definition of human beings as “self-interpreting animals” (Charles Taylor) requires a hermeneutic transformation of scientific research, in particular with regard to the biomedical sciences, because biomedical sciences are trying to determine a person through her human enhancement. According to Taylor, Hermeneutics as method of studying humanity differs substantively from the natural sciences that studied the nomological structures in the world (Taylor, 1985). This definition of hermeneutics is unacceptable if we consider the current development of biotechnical sciences. As a “self-interpreting animal”, human being must “interpret himself” in the context of the existing threats created by biotechnological development.

In difference to Ch. Taylor I maintain that there is no firm difference between hermeneutics and the hypothetical-deductive method of natural sciences. Similar views are represented by scholars such as Evandro Agazzi, Dagfin Foellisdal, Stephen Toulmin, Nicholas Rescher. The hermeneutic method is very similar to the hypothetical-deductive method because both methods, strictly speaking, represent a process of systemic analysis and argumentation. In hermeneutics, as in natural science, we go back and forth between hypothesis and materials until we achieve a fit. A good hypothesis must fit the whole material, and so will have to be modified until we find an interpretation that fits all the parts.

The hermeneutic horizon

The task of hermeneutics today should be to consider a human subject in the context of the situation of transhumanism and human enhancement. The development of biotechnological science has put us in a serious situation where we must be aware of all the dangers and threats for human existence. Advocates of biomedical engineering argue that ethics and consideration of moral principles are in fact a major obstacle to free scientific research. Modern technology and genetic engineering ignore the normative principles that aim to preserve and protect human dignity. At the same time, ethicists have been accused of a dubious sanctification of human nature, which in the opinion of genetic research experts threatens freedom of research.

We are now in a situation where we need to ask ourselves whether shopping in the genetic supermarket truly represents “progress of the consciousness of freedom” (Hegel, 1969), or poses perhaps the greatest danger to humanity in the history of the human spirit by confronting us with a situation in which the future existence of humanity as we know it is at risk?

In their constitutions, most Western European countries have given human beings a special status among living beings, as bearers of a dignity needing to be protected and promoted by principles, laws and regulations. Thereby, humans have been legally distinguished from their evolutionary predecessors. The problem of the proper application of principles and proper judgment is a crucial issue in medicine, law and bio-technological research. False diagnoses and false subsumptions arise in medicine not only and not primarily because of failures of science, but because proper treatment depends on the physician's power of judgment. The physician's expertise obviously does not depend on his training through purely scientific research alone, but also on his ability to apply his general knowledge to concrete life-situations. In any case, it is not possible to set aside the question of humaneness in the art of healing because it is primarily about life itself which is entrusted to the physician's ability.

The ethical horizon

We are still far from grasping all the possible and shocking consequences of genetic engineering and cloning of living beings, including human beings. Accountability for human action under the conditions of the modern scientific and technological development in the digital society can by no means dispense with normative ethical justification. Without shared ethical norms, human beings would entirely lose their orientation in modern society and have no starting point for cultivating their faculty of judgment and no compass for guiding its application in specific contexts.

In light of contemporary developments in the field of genetics one may justifiably ask whether it is necessary to sacrifice scientific research in order to preserve the *humanum*. The danger that we may reach a point of no return in the process of emending the genetic make-up of human beings appears to be imminent, and reaching that point could result in a catastrophe of yet unknown proportions. For this reason, one of the primary tasks and perhaps the ultimate aim of philosophical critique as a form of cultivation of our humanity is to protect what is human with all its abilities and possibilities, so that human beings may continue to exist as individuals and in community.

If, as regards the future of human nature, together with Ronald Dworkin, Thomas Nagel and Jürgen Habermas, we are prepared to regard as acceptable genetic therapy of birth defects in the embryo, and therewith, after the Copernican and Darwinian revolutions, to acquiesce to a “third decentration of our worldview” (Habermas,

2003), it is vital to keep in mind that only cultivated responsibility and respect for human beings can prevent unscrupulous commercial exploitation of gene therapy and the kinds of abuse which could arise by making this sort of therapy available as a consumer product to be purchased on demand “in the genetic supermarket” like any other commodity.

In criticizing the biological conception of human beings advocated by the French materialist Julien Offray de Lamettrie, Kant, in his essay “What is Enlightenment?” explicitly emphasizes that human beings because of their freedom of choice and action are “far more than machines” and that it is necessary to consider them “in keeping with their dignity”, which proceeds from their autonomy (Kant, 1923).

In a time of crisis, there is no alternative to morality based on respect for human dignity. I see the task of the ethical reflection in the context of modern biotechnological research – as well as with regard to other groundbreaking areas of scientific research – as consisting in the preservation of human dignity. Morality and cultivation of moral judgment provide the basis for interpretation of what it is to be human, and protect us from a “Weltanschauung” destructive of what is most valued in the human spirit.

Transhumanism could prove to be the greatest danger of modern and future society. I conclude with a famous quote from the German poet Friedrich Hölderlin: “But where the danger is, also grows the saving power” (Hölderlin, Patmos). The primary task of bioethical judgment is to consider how to contribute to this process of preserving our life-world.

Conflicts of interest

The author has no conflicts of interest to declare.

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