Program on the Ethics of the New Biosciences

Professor Savulescu, Director

We are delighted to report two major successes for BEP this newsletter: firstly the award of the John Fell grant (full details opposite), and secondly the publication of the Philosophical Gourmet 2006 report , which recognised applied ethics at Oxford as a world-class programme, in the top group of Universities.

With a full team of researchers in place, BEP is continuing this momentum with two conferences planned to take advantage of the knowledge and skills in other parts of the James Martin 21st Century School, and to turn our knowledge of ethics towards two of the most important challenges we face: the environment and the spread of infectious diseases.

See the next few pages for a taste of BEP's publications, presentations and media.

Science in the 21st Century may radically and profoundly change human life. Without practical ethics, our knowledge of what we can do will rapidly outstrip our understanding of what we should do.

Applied Ethics at Oxford ranked 'in the highest group in the world'

The Philosophical Gourmet Report, the most important ranking of Graduate Programs in Philosophy in the English speaking world, has just published their 2006 rankings.

Applied Ethics at Oxford University appears in the highest group, Group 1, with median and mean scores of (4, 4). The other Universities in Group 1 for Applied Ethics were:

Georgetown University (4.25 median, 4.5 mode)
Harvard University (4, 3.5 & 4.5)
Rice University (3.75, 3.5)
Rutgers University(4.25, 5)
Bowling Green State University was added by the Board

This is a tremendous achievement for Applied Ethics at Oxford. Our applied ethics program was only established in Oxford in 2003 on a modest budget.

Philosophy overall at Oxford is ranked equal second in the world. There are 31 specialisations of Philosophy. Other specialisations in Oxford Philosophy to be ranked in Group 1 are: Ancient Philosophy, Philosophy of Language, Philosophical Logic, Philosophy of Religion, Philosophy of Law, Medieval Philosophy, Early Modern Philosophy: 18th Century. Other related disciplines in Philosophy at Oxford are Metaethics (Group 3) and Normative Ethics/Moral Psychology (Group 2).

The ranking system gives each institution a mean and median score out of 5, based on expert evaluations. With a score of (4, 4) we estimate that we are ranked third for applied ethics in the English Speaking world.

John Fell Research Award for Neuroethics Programme

Dr Guy Kahane

Professor Julian Savulescu and **Dr Guy Kahane** have received a major award from the John Fell OUP Research Fund, given by Oxford University to foster creativity and proactive approach to research opportunities. This award will fund a two-year research project entitled **'Brain Reading and the Privacy of the Inner: A Contribution to Neuroethics'**, which will consider ethical questions raised by advances in neuroscience and brain imaging technology.
This multidisciplinary inquiry will be part of a larger project to set up and promote a programme on neuroethics at Oxford.

We would like to take this opportunity to congratulate Dr Kahane for this major achievement

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2007 Collaborative Conferences

We are pleased to announce two conferences to be organised in collaboration with our fellow James Martin 21st Century School Research Institutes. For further details please see p 2

- **Ethics and Infectious Diseases with the Infectious Diseases Institute**
- **The Ethics of Commodifying the Environment with the Environmental Change Institute**

Welcome Party

Dr James Martin and Dr Ian Goldin, Director, James Martin 21st Century School

On October 4, BEP and the Future of Humanity Institute held a joint party at St Cross College to celebrate the projects, and to thank those who were instrumental in getting the projects started, as well as to welcome James and Lillian Martin to Oxford., where they were publicising Dr Martin's new book 'The Meaning of the 21st Century'.

The Ethics of Healthcare Resource Allocation

Dr. Mark Sheehan led a workshop for GPs to discuss resource allocation in healthcare. After discussing a series of real funding decisions, the group discussed how funding decisions should be made in the face of increasing costs of effective treatments and the often emotive cases that can make these decisions so difficult. Mark will be providing similar sessions in January and May 2007.

Reading Group: The Parfit Mountaineering Club

In Michaelmas 2006, S. Matthew Liao and Guy Kahane ran a weekly reading group on Derek Parfit's forthcoming book with OUP *Climbing the Mountain*. Members included S. Matthew Liao, Guy Kahane, Julian Savulescu, Nick Bostrom, Rebecca Roache, Tom Douglas, Gustaf Arrhenius, Nick Shackel and Mark Sheehan.

Newsletter Mailing List

To be added to the mailing list to receive the BEP newsletter by email, please email bep@philosophy.ox.ac.uk

Advising parliament: Sports Ethics

Linford Christie

Over the long vacation, Professor Savulescu advised the House of Commons Science and Technology Select Committee on the Ethics of Human Enhancement Technologies in Sport, in a seminar that marked the beginning of their enquiry into the use of performance enhancing drugs.

Speaking to MPs and peers, Julian presented the argument from a paper he co-authored with Bennett Foddy, that performance enhancement occurs, it is not against the spirit of sport, and that we should remove anti-doping legislation to permit safe performance enhancement. We should focus more on testing athletes' health and fitness to compete.

In a wide-ranging argument, Professor Savulescu discussed the inconsistencies in the current rules, where some substances and techniques are permitted and others are banned despite similarity of effect on performance, and defined the 'human spirit' as the ability 'to choose to be better and to modify oneself to improve one's performance'. With properly regulated performance enhancement, with decisions made solely on the grounds of safety and athletes' health, Julian argued that sport would be made fairer and safer for the professional athlete.

Linford Christie and Roger Maughan (Loughborough University) also presented.

The Ethics of Human Enhancement Conference

S. Matthew Liao and Julian Savulescu organised a satellite conference in Beijing before the International Association of Bioethics 8th World Congress. In collaboration with the EU funded ENHANCE project, this conference brought together leading bioethicists, including the President of the World Congress, Qui Renzong, John Harris, and Dan Wikler amongst others discussing the ethics of human enhancement.

Julian Savulescu presented the paper 'What is Enhancement and When Should We Enhance People?' And S. Matthew Liao presented 'Issues in the Pharmacological Inducement of Emotions'

Helping Improve Science Journalism Worldwide

Professor Savulescu is currently advising the Korean Reuters Fellow in journalism. The Fellow, Kim Sang Woo, is a science journalist in Korea, and is using his fellowship to research the case of the ethical issues raised by the case of Dr Hwang Woo Suk's stem cell research in Korea, a celebrated scientist who claimed to have cloned human stem cells, but who was later found to have fabricated results, amongst other poor and unethical research practices.

Kim Sang Woo will be developing new guidelines for Korean science journalism to prevent a recurrence.

2007 Conferences

We are pleased to announce two conferences organised in collaboration with fellow James Martin Research Institutes.

The first, on the **Ethics of Infectious Diseases**, will take place in March, and will be a joint event with **the Institute for Emergent Infections in Humans**, and Dr Michael Selgelid, Senior Research Fellow at the Centre for Applied Philosophy and Public Ethics whose paper 'A Tail of Two Studies: Ethics, Bioterrorism, and the Censorship of Science' provides the theme of the event.

The second conference, planned for September will bring together the Program on the Ethics of the New Biosciences, and the **Environmental Change Institute**, to consider '**The Ethics of Commodifying the Environment'**.

For more information about the research institutes that form the James Martin 21st Century school, please see www.21school.ox.ac.uk

8th World Congress of International Association of Bioethics

Julian Savulescu and Anders Sandberg presented two papers at this years' World Congress of Bioethics, which took place in August. The first paper, *Intelligence and Happiness*, argued that the 'link' between intelligence and unhappiness is a misunderstanding of the data. The second paper, *Prenatal Modifications*, looked at how eating certain foods during pregnancy can affect the foetus' cognitive ability, and compared the ethical issues involved with those of genetic enhancement.

Invited Lectures

Professor Jeremy Sugarman of Johns Hopkins University gave a special seminar for the James Martin 21st Century School Advanced Research Seminar Series. He argued that informed consent is a key protection for research participants, but evidence suggests that the consent process needs improvement. His team have developed an explicit self-monitoring 'check-list' for the person obtaining informed consent, and tested its effectiveness in a nationwide trial in the USA. He hypothesized that the use of an explicit approach to self-monitoring will focus the attention of the person obtaining consent, and prompt them to attend to each aspect of the process in greater detail. His talk described the emerging results from this research effort and their implications for informed consent.

Professor Ruud ter Meulen, the Director of the Centre for Ethics and Medicine at Bristol University responded to Professor Sugarman's talk. Other invited speakers at this term's seminars included Professor Jennifer Radden who presented on the psychology of pain, and Dr Stephen Grover who presented an overview of the doomsday argument.. Dr Gustaf Arrhenius will be speaking in week 9. For this term's full programme and for details of how to be added to the seminar mailing list, please see page 20.

From left, S. Matthew Liao, Mark Sheehan, Ruud ter Meulen, Jeremy Sugarman, Julian Savulescu

Policy, Advice and Outreach

Advising the Health Protection Agency

Professor Savulescu has been asked to advise the health protection agency on the ethics of testing for CJD disease.

Editing Nanoethics Journal

Julian Savulescu and Stephen Clarke recently joined the editorial board of the new journal Nanoethics, dedicated to the ethics of nanotechnology. Submissions are invited to John Weckert, the Editor-in-chief by emailing jweckert@csu.edu.au.

James Martin 21st Century School Collaboration

Sheehan, M., *Trust & Ethics in e-Science Agenda Setting Workshop*, St Cross College, 11th September

Dr Sheehan presented a workshop, held jointly with the e-Horizons Institute, which considered the role of trust in the development and use of e-science. It was an Agenda Setting Workshop, and was part of an initiative by the National Centre for e-Social Science (NCeSS) to encourage the uptake of e-science tools and technologies for a broad range of research activities. The aim of the workshop was to identify the challenges posed to the development of e-science by issues related to trust and ethics. The workshop brought together a small group of users of e-science tools and technologies; researchers and practitioners with first hand experience and understanding of the issues as they emerge in the contexts of medical, sociological, anthropological, and information science research; and philosophers and social scientists with an interest in ethical issues in e-science, to explore these issues. Dr Sheehan will be collaborating further with the e-Horizons Institute over the coming year.

Solving the Stem Cell and Cloning Puzzle

BY JULIAN SAVULESCU

In March 2006, a 21-year-old Cleveland man, Christopher Challancin, was driving home from a party with his 17-year-old girlfriend, Jessica Karos. She was four months pregnant. They began to argue about her ability to care for their child. Challancin, who had been drinking, became angry and began to weave at high speed through traffic. He lost control of the car and crashed. Karos was left paralysed from the chest down, and the baby died. Challancin was unhurt. Because he killed the baby, he was charged with homicide, as well as assault for "ruining her life," as her father put it.

In January 2005, Alison Miller and Todd Parrish sued their fertility clinic, the Centre for Human Reproduction in Chicago. They had been having IVF treatment in 2002 and had stored nine embryos, one of which was "mistakenly" discarded. The clinic apologized and offered the couple a free cycle of IVF, but they sued the clinic for the "wrongful death" of their embryo.

Every year in Australia, about 100,000 fetuses are aborted. Nearly all of these are normal and healthy. No one is charged over these deaths. Thousands of embryos are destroyed in Australia each year. In fact, the law on IVF in Victoria requires their destruction after five years.

How can killing a fetus at once be homicide and yet no crime at all? How can the destruction of embryos at the same time be required by law and widely practiced but also, in some places, be the crime of wrongful death and a moral abomination? How can the one act – killing early human life – be both right and wrong? We have polar opposite attitudes, moral norms, and laws relating to embryos and fetuses. How can this conflict be reconciled?

One solution has been proposed by the Christian Right, the Catholic Church, "pro-life movements," and some politicians. That solution is to give the embryo, from the moment of creation, a full right to life – to treat it like a child. In Australia, where the debate over stem cell research has recently become more heated, this proposal has been championed by the health minister Tony Abbott. Australia, like the United States, has very conservative laws on cloning and stem cell research, only allowing research on spare embryos formed before 2002. However, Australian politicians will be given a free conscience vote on reforming its laws some time late in 2006.

The strategy of giving the embryo a full right to life certainly resolves the conflict in our practices in relation to early human life. Killing embryos and fetuses would then be always wrong. But it also leaves us in a world with no abortion (even after rape or when the pregnant woman's life is at stake), no effective contraception (the commonest effective methods – IUD and the pill – destroy early human life), no IVF, and ultimately no effective control over our own reproduction. Many conservative religious and political leaders joyfully embrace these consequences. They seek to impose their values on the rest of society because they believe that those values are right. This is just the sort of disrespect of liberty and intolerance that we find so contemptible in countries like Iran.

Tony Abbott recently wrote of the importance of Christian values in public life and lauded Australian Christian politicians. However, the kinds of Christian values which claim that the embryo and fetus have the same right to life as other humans account poorly for the way any modern liberal society actually functions, and they conflict with widely accepted and valued practices, regardless of whether a few good men disagree. Good men can be wrong.

There are other values, which can be embraced by Christians and non-Christians, which can account for our moral norms, attitudes, practices, and law, and the tension in them. There is a value to controlling our reproduction, to deciding how many children we will have and when to have them. "Go forth and multiply" – but there is a limit. Early human life has value when it is a part of plan, sometimes a well-formed plan in the context of a blissful loving marriage, but sometimes an inarticulate intention in a chaotic or immature relationship, to have a child. The moral reason Challancin was wrong to act in a way which killed his girlfriend's baby was because she wanted to have that baby. Challancin is more like a drunk driver who recklessly kills an innocent child than a doctor who performs an abortion at a woman's request. It should have been Miller and Parrish who decided the fate of their embryos, not the Chicago clinic. No matter what the law, the destruction of the embryos is a moral crime when parents want them. If they do not want them, there would be nothing wrong and, in some cases, the law would require that they be destroyed.

Here is the solution to the puzzle of our conflicting attitudes towards the embryo: embryos have special moral value when they are part of a plan to have a child, or at least desired by the people who made them. Embryos do not have special moral value when they are not desired by the people who formed them. One of the great ethical advances has been to give people the freedom to control their own reproduction – to decide how many children to have and when to have children. This is reproductive liberty. Women no longer must have the 10 or 20 children they could have during their reproductive lives.

How does this relate to stem cell research? Creating embryos for research, either by cloning or by IVF, does not destroy any embryo or fetus that is a part of anyone's plan to have a family. It does not destroy anything of special moral value. It is morally equivalent to engaging in sex using contraception. Both create and destroy embryos, the difference being that research is to save lives, but sex is just for fun.

Opposing cloning and embryonic stem cell research represents a backdoor assault on our reproductive liberty – the freedom to control our reproduction. It holds the embryo as sacred and commits us to a world of vast overpopulation and oppressive family size.

Valid scientific research on embryos has the potential to develop new treatments for common human diseases. It does not deny any person or couple a child of their own who wanted one. It does not deny the world of a child that would otherwise have existed. We are not morally obliged to have as many children as we could have. And the world could not cope with all the children we could have.

There is nothing wrong with creating embryos, by IVF or cloning, for the purposes of scientific research. Embryos and fetuses do have a special moral value – when they are a part of project to bring a new child into the world. But when a person does not want to bring a new child into the world, there is nothing wrong with that person creating an embryo for potentially life-saving research.

The two missing pieces in the puzzle of early life are the value of reproductive liberty and the conditional moral status of early life. Once we fit these pieces, rational opposition to creating embryos for research melts away. We solved the puzzle of embryo research when we gave people the freedom to control their reproduction by destroying embryos that could have created a new person.

A short version of this piece was commissioned by The Age newspaper in Australia.

Recent and Forthcoming Media Appearances

Look out for a forthcoming interview with Professor Savulescu, which will be appearing in the *Observer Sports Monthly* on November 26, where Julian explains his views on the use of performance enhancing drugs.

Professor Savulescu was widely quoted in papers including the Telegraph and on the BBC website for his response as part of the Hinxton Group to the Catholic Church's statement that scientists should be excommunicated. This article is from the New Scientist:

"CATHOLIC stem cell researchers could be banned from taking Holy Communion, relieved of church duties and even denied a church burial. That's if Cardinal Alfonso López Trujillo gets his way.

Head of the Vatican's Pontifical Council for the Family, Trujillo is the most senior Catholic official so far to proclaim on the morality of stem cell research. "Destroying human embryos is equivalent to an abortion," he said in an interview in the Catholic weekly *Famiglia Cristiana* on 2 July. "Excommunication will be applied to the women, doctors and researchers who eliminate embryos [and to the] politicians that approve the law."

It remains unclear whether Pope Benedict XVI supports Trujillo. Nor was it clear whether the threat applies only to researchers who destroy embryos to extract embryonic stem cells, or whether it extends to researchers who later work on the derived cells.

Whatever the answer, many scientists are horrified. Chris Shaw of King's College London, who has a licence to create cloned embryos to study motor neuron disease, says that if stem cell researchers are to be punished for "abortion", so too should Catholic couples who use the pill or intrauterine devices.

"This amounts to religious persecution of scientists," says Julian Savulescu, an ethicist at the University of Oxford. "Presumably God will be the one to judge the scientists, not Church leaders."

Professor Savulescu's role in the HETS enquiry into Sports Enhancement was also picked up by the media, and Julian appeared on the Westminster Hour on Radio 4, and on BBC Channel 4 news.

Mark Sheehan has also been active in the media, with a regular column debating ethical issues, as well as being quoted on research ethics. Please see below for a full list of Mark's media.

Mark Sheehan

Is there an obligation to participate in medical research? (with Dr. John McMillan) *BBC MindGames*, Issue 6, (forthcoming) November 2006.

Should we use the data from Nazi Experiments? (with Dr. John McMillan) *BBC MindGames*, Issue 5, (forthcoming) October 2006.

Is patriotism a good thing? (with Dr. Iain Brassington) *BBC MindGames*, Issue 3, August 2006.

Is there an enforceable obligation to help strangers? (with Dr. John McMillan) *BBC MindGames*, Issue 2, July 2006.

Should those with unhealthy lifestyles have restricted access to health care?" (with Dr. John McMillan) *BBC MindGames*, Issue 1, June 2006.

Times Higher Education Supplement, 11th August 2006: 'Protect Yourself and the Subject' by Harriet Swain

Michaelmas 2006 Teaching

We are fast approaching the end of Michaelmas term, and below is a sample of the many topics that have been discussed as part of the James Martin 21st Century School Advanced Research Seminars. Presenters have been drawn from staff, students, and visitors, and all sessions are opened to group discussion. Seminars have been used to present new ideas and to polish thesis drafts and articles sent for publication. If you would like to attend the seminars, please email bep@philosophy.ox.ac.uk. We will shortly be preparing the Hilary Term schedule, so if you would be interested in presenting, please let us know and we will be in contact.

Bringing together students from across Oxford is BEP's Applied Ethics Graduate Discussion group, which boasts students from Politics, Theology and law faculties, as well as Philosophy students, all of whom are studying for a research degree in Applied Ethics.

Undergraduates are also catered for by BEP, with a lecture series 'Ethics of the New Biosciences' currently running for undergraduates, and BEP will be reaching out to the Biochemistry department with a lecture series next term teaching the Ethics of science to Biochemistry undergraduates.

James Martin Advanced Research Seminar Programme– Michaelmas 2006

Week One- October 13
S. Matthew Liao: A Defence of Intuitions

Colin Farrelly: Genetic Justice

Week Two- October 20
Nick Bostrom: Dignity

Tienmu Ma: Does Genetic Enhancement Threaten Autonomy?

Week Three- October 27
Scott Harper: Toward a Defense of Evolution as a Truth-Sensitive Process

Nick Bostrom: Dignity

Week Four-November 3
Stephen Grover: Overview of the Doomsday Argument

Rebecca Roache: Human Nature

Week Five- November 10 *Whole session*
Jeremy Sugarman: Studying Informed Consent

Respondent: Ruud ter Meulen

Week Six- November 17
Alice Farrands: Interlocking Heresies: Ethics and Policy in the Regulation of Stem Cell Research

Jennifer Radden:

Week Seven- November 24
Dov Fox: Eggs for Sale: Paying for Particulars in People-to-be

Mark Sheehan: The Presumption Against Interfering With Nature

Week Eight- December 1
Steve Clarke: Living in SIMCity: Philosophical and practical implications of Haidt's social intuitionist model of moral judgement

Tom Douglas: What Makes a Person Moral?

Week Nine- December 8
Anders Sandberg: The social impact of cognitive enhancement

Guy Kahane: TBA

Waterhouse, T., Hope, R.A., Savulescu, J., Stein, A., and Pollard, A.J., Children's Consent and Paediatric Research: Is it appropriate for healthy children to be the decision-maker in clinical research?, *BMJ, submitted 2006*

Guidelines regulating paediatric clinical trials are increasingly placing the emphasis on the views and decision-making of the child whilst sidelining the role of parents. In an attempt to determine the appropriateness of asking healthy children to make a decision regarding participation in a research study a pilot study was conducted with children aged between 6 and 8 years taking part in the follow-up to a vaccine study. Parental views concerning their child's ability to make a decision regarding research participation were also sought.

We found that many of the children involved in the study lacked the capacity to understand concepts relating to a simple study and the findings show there to be a vast gulf in the understanding and needs between different individual children of a similar age. The majority of children and parents believed that the parent should make the decision about study participation, though it is clear that a significant minority of parents believed that it is right to involve the child in that process.

New guidance about the requirements for informed consent involving children is needed, that can respect the autonomy of the child and the role of the parent, whilst recognising the limited capacity of some children to understand age-appropriate information.

Savulescu, J., and Ward, M., Patients Who Challenge, *Best Practice & Research Clinical Anaesthesiology* 5 October 2006.

Individuals have different values. They seek to express their individuality even when receiving medical care. It is a part of modern medical practice and respect for patient autonomy to show respect for different values. We give an account of what it means to respect for different values and to challenging patients in medical practice. Challenging choices are often choices which are perceived by many to be either irrational or against a person's interests, such as engaging in harmful or excessively risky activities. When the medical profession is involved in such choices, the basic medical principle of acting in a person's best interests is challenged. Often doctors refuse to respect controversial choices on paternalistic grounds. We should all respect and facilitate the controversial choices of competent individuals, subject to resource limitations, our own and others well-being and autonomy, and the public interest. But more importantly, sometimes such choices make for a better, more autonomous life. Sometimes, such choices reflect considerations of global well-being or altruism, or idiosyncratic attitudes to risk. Sometimes, they reflect unusual values. However, in some other cases, controversial choices are irrational and are not expressions of our autonomy. Doctors should assist patients to make rational if individual choices.

Savulescu, J., Bioethics: Utilitarianism Encyclopaedia of Life Sciences, September 2006

Utilitarianism is a moral theory defining the right action as the action that maximizes the total of human well-being. Applied to genetics, this theory broadly supports genetic testing, genetic selection of offspring with the opportunity to enjoy the best lives, gene therapy and genetic enhancement.

Duncan R.E., Gillam, L., Savulescu, J., Williamson, R., Rogers, J.G., Delatycki, M.B., Holding Your Breath: Interviews With Young People Who Have Undergone Predictive Genetic Testing for Huntington Disease *Am J of Medical Genetics* Submitted Aug 06

There is ongoing debate concerning the age at which young people should be able to undergo predictive genetic testing for adult-onset, untreatable conditions. In the case of Huntington Disease (HD), guidelines recommend that testing should be deferred until the age of majority (18 in most countries). However, there is opposition to this position, with some professionals arguing that testing may be beneficial for young people, and should be considered much earlier. Empirical evidence is minimal and unable to substantiate either position. In particular, there have been no studies specifically investigating the thoughts and experiences of young people who have undergone predictive genetic testing for HD themselves. Method: Eight young people who had undergone predictive genetic testing for HD were interviewed. They ranged in age from 17 to 25 years at the time of their test. Four were female and two had received a gene-positive test result. Interviews were taped, transcribed and analysed thematically. Results: Three themes emerged related to the time before the test was performed: 'Living as though gene-positive', 'Risk behaviours' and 'Complex pasts'. Two themes emerged related to the time after testing: 'Identity difficulties' and 'Living again'. Conclusion: Some young people at risk of HD have difficult experiences, feeling blocked and unable to move forward, wondering what their future will hold. Clinicians should be encouraged to consider that for mature young people in this situation, a predictive genetic test might be appropriate, even if they have not reached the official age of majority.

Savulescu, J., Justice, Enhancement and Fairness, in Bainbridge, W. and Roco, M. (eds.), Progress in Convergence: Technologies for Human Wellbeing, *New York Academy of Sciences,* December 2006

This chapter begins by considering four traditional definitions of enhancement, then proposes a fifth, the Welfarist definition. It then considers fairness-based objections to enhancement, using the example of performance enhancement in sport. In so doing it defines sport and the values proper to it, surveys alternative theories of justice, considers the natural distribution of capabilities and disabilities, and draws a distinction between social, psychological and biological enhancement. The chapter advances a new argument that justice requires enhancement.

Savulescu, J., In Defence of Procreative Beneficience: Response to Parker, *Journal of Medical Ethics* Forthcoming 2006.

The Principle of Procreative Beneficence is the Principle that we should select the best child, of the possible children we could have. I elaborate this principle and defend it against a range of objections. In particular, I focus on four objections which Michael Parker raises: that is it underdetermining, that it is insensitive to the complex nature of the good, that is self-defeating and it is overly individualistic. Procreative Beneficence is a useful principle in reproductive decision making. We should be more active in making selection decisions about what kind of child to have.

Savulescu, J., Enhancement and Fairness, in Peter Healey (ed) Tomorrow's People: The Challenges of Technologies for Life- Extension and Enhancement, Earthscan in Society Series, James and James, Submitted September 2006

This chapter begins by considering four traditional definitions of enhancement, then proposes a fifth, the Welfarist definition. It then considers fairness-based objections to enhancement, using the example of performance enhancement in sport. In so doing it defines sport and the values proper to it, surveys alternative theories of justice, considers the natural distribution of capabilities and disabilities, and draws a distinction between social, psychological and biological enhancement. The chapter advances a new argument that justice requires enhancement.

Savulescu, J., Foddy, B., Addiction Is Not an Affliction: Addictive Desires Are Merely Pleasure-Oriented Desires, American Journal of Bioethics

Hyman sees two extremes in the addiction debate: views which conceptualise addiction as a brain disease, and views which conceptualise addiction as a moral condition. We have characterised addiction not as a brain disease or a moral condition, but as a particularly strong preference, similar to appetitive preferences (Foddy and Savulescu, 2006). Sometimes the results of this preference are not to the addict's liking, but they choose to take their drug, just the same. "Addiction" is merely a form of pleasure-seeking.

Savulescu, J., Procreative Beneficience: reasons not to have Disabled Children, *The Sorting Society,* ed Janna Thompson*,* Submitted September 2006

I provide further arguments and expand the principle which I have called Procreative Beneficence: couples (or single reproducers) should select the child, of the possible children they could have, who is expected to have the best life, or at least as good a life as the others, based on the relevant, available information. I argue that we have a moral obligation to strive to have disability-free children. I give an analysis of the nature of this obligation. I give an analysis of what constitutes a disability and the social construction of disability. I argue for the biopsychosocial correction of disability. In same cases, disability should be removed by altering social institutions and circumstances. But in other cases, it should be removed by altering our biology or psychology, or selecting our children.

Savulescu, J., Thiagarajan, M., Skene, L., Deciding About Life-Support: A Perspective of the Ethical and Legal Framework in the UK and Australia. *Journal of Law and Medicine*, Accepted 2006

Savulescu J., Foddy, B., Performance Enhancement and the Spirit of Sport: Is there Good Reason to Allow Doping? In Ashcroft, Draper, Dawson and McMillan eds. Gillon's Principles of Healthcare Ethics. Wiley. Forthcoming 2007

Savulescu J., Kahane G., Procreative Beneficence and disability: Is there a moral obligation to create children with the best chance of the best life? Forthcoming. *Ethics*

Savulescu, J., Foddy, B., Book Review of Sports Ethics: An Anthology, *Br J Sports Med, Sep 2005; 39: 686 - 687*

Savulescu J., Genetic Interventions and the Ethics of Enhancement of Human Beings. In Steinbock B., London A.J., Arras J.D., (ed) Ethical Issues in Modern Medicine Forthcoming May 2007 McGraw-Hill.

Savulescu J., Human Enhancement and the Human Spirit: Ethical Enhancement in Sport. In Savulescu J., Bostrom N., eds. Enhancement of Human Beings Oxford: Oxford University Press. Forthcoming summer 2007.

Savulescu, J., Solving the Stem Cell and Cloning Puzzle, *Bioethics Forum,* 21 September 2006 URL: http://www.bioethicsforum.org/australian-debate-on-stem-cells-and-cloning.asp. Please see a reprint of the full article on page 4

Savulescu, J., Saunders, R., The Hinxton Group Considers Transnational Stem Cell Research, *Hastings Centre Report,* Volume 36, No.3 (2006)

Savulescu J., Foddy B*., Comment: genetic test available for sports performance. Br J Sports Med. 2005* Aug;39(8):472

Savulescu J., Hemsley M., Newson A., & Foddy B., (2006) Behavioural Genetics: Why Eugenic Selection is Preferable to Enhancement. *Journal of Applied Philosophy 23 (2), 157-171 May 2006*

Lott J.P., Savulescu J., Towards a Global Human Embryonic Stem Cell Bank under review, *American Journal of Bioethics*.

Savulescu, J., and Hope, R.A., The Elderly and Financial Decision– Making. In *the Oxford Handbook of pensions and Retirement Income, Forthcoming November 2006.*

Spriggs,M., Savulescu, J., The Ethics of Surgically Assigning Sex for Intersex Infants. In David Benatar (ed) *Cutting to the Core: the Ethics of Contested Surgeries,* Rowland and Littlefield Publishers, April 2006

Sheehan, M., Is the Community Consultation Requirement Necessary?, *American Journal of Bioethics* 6 (3):38, May-June 2006.

In my view the community consultation requirement of the consent waiver for some emergency medicine research is an unnecessary requirement if the process of ethical review is adequate. If IRBs/RECs are constituted according to something like Daniels and Sabin's four criteria, then arguably, this gives them the required authority to grant the consent waiver. Holloway's discussion of this issue combined with the racial element of the PolyHeme case provides an interesting and difficult example of the role of the community consultation. In the end however, the two issues should be separated: the attitude of black Americans to the health system is distinct from the appropriate process of ethical review.

Sheehan, M., Moral Relativism, in R. Ashcroft, et. al. *The Principles of Biomedical Ethics* (2nd Ed.) forthcoming 2007.

Levy, N., Neuroethics: Challenges For The Twenty-First Century. Cambridge University Press (in press).

Neuroethics is the study of the ethical implications of the sciences of the mind, and of the ways in which these sciences are transforming our understanding of human powers and nature. This book devotes equal attention to the ethical issues and to philosophical reflection. It provides a comprehensive summary and assessment of the main ethical questions, and advances an account of how neuroethics illuminates free will, self-control, self-deception and the foundations of morality.

Levy, N., The Responsibility of the Psychopath Revisited. *Philosophy, Psychiatry & Psychology*, forthcoming 2007.

The question of the psychopath's responsibility for his or her wrongdoing has received considerable attention. Much of this attention has been directed toward whether psychopaths are a counterexample to motivational internalism: do they possess normal moral beliefs, which fail to motivate them? In this paper, I shall argue that this is a question that remains conceptually and empirically intractable, and that we ought to settle the psychopath's responsibility in some other way. I argue that recent empirical work on the moral judgments of psychopaths provides us with good reason to think that they are not fully responsible agents, because their actions cannot express the kinds of ill-will toward others that grounds attributions of distinctively moral responsibility. I defend this view against objections, especially those due to an influential account of moral responsibility that holds that moral knowledge is not necessary for responsibility.

Levy, N., Determinist Deliberations, *Dialectica*, forthcoming 2007.

Many incompatibilists, including most prominently Peter Van Inwagen, have argued that deliberation presupposes a belief in libertarian freedom. They therefore suggest that deliberating determinists must have inconsistent beliefs: the belief they profess in determinism, as well as the belief, manifested in their deliberation, that determinism is false. In response, compatibilists (and others) have advanced alternative construals of the belief in freedom presupposed by deliberation, as well as cases designed to show that determinists can deliberate without inconsistency. I argue that the compatibilist case requires a convincing demonstration not merely that belief in determinism is consistent with deliberation, but also that such a belief does not place great psychological strain on agents, and that cases so far advanced have not succeeded in showing this. I then present a case designed to show that agents can accept determinism and deliberate, without inconsistent beliefs and without psychological strain.

Levy, N., The Social: A Missing Term in the Debate over Addiction and Voluntary Control. *American Journal of Bioethics (AJOB-Neuroscience),* forthcoming.

When it comes to assessing an addict's responsibility for his or her actions – whether the action of consuming the drug, or (often more significantly) the series of actions required for procuring it – the question whether the addict suffers from some kind of disorder that weakens her ability to control her actions is very important. But if we want to properly understand the addict's responsibility, and to understand how she can best regain control over her actions, we need to move beyond the focus on her: her dispositions, desires and judgments, in abstraction from the context in which she finds herself. Instead, we properly assess her responsibility by replacing her in her environment.

Levy, N., Bad Luck Once Again. *Philosophy and Phenomenological Research*, forthcoming.

In a recent article in this journal, Storrs McCall and E.J. Lowe sketch an account of indeterminist free will designed to avoid the luck objection that has been wielded to such effect against event-causal libertarianism. They argue that if decision-making is an indeterministic *process* and not an event or series of events, the luck objection will fail. I argue that they are wrong: the luck objection is equally successful against their account as against existing event-causal libertarianisms. Like the event-causal libertarianism their account is meant to supplant, the process view cannot offer a reasons explanation of the agent's choice itself; that choice is explained by nothing except chance. The agent therefore fails to exercise freedom-level control over it.

Levy, N., Against Sex Selection. *Southern Medical Journal,* forthcoming.

Sex selection is usually wrong. It is not *intrinsically* wrong: there are certain contexts in which it is or would be acceptable. However, in most cases in the world today, it is wrong, because it violates the child's right to an open future.

Levy, N., Doxastic Responsibility. *Synthese*, forthcoming.

Doxastic responsibility matters, morally and epistemologically. Morally, because many of our intuitive ascriptions of blame seem to track back to agents' apparent responsibility for beliefs; epistemologically because some philosophers identify epistemic justification with deontological permissibility. But there is a powerful argument which seems to show that we are rarely or never responsible for our beliefs, because we cannot control them. I examine various possible responses to this argument, which aim to show either that doxastic responsibility does not require that we control our beliefs, or that as a matter of fact we do exercise the right kind of control over our beliefs. I argue that the existing arguments are all wanting: in fact, our lack of control over our beliefs typically excuses us of responsibility for them.

Levy, N., Respecting Rights… To Death. *Journal of Medical Ethics*, forthcoming.

Ravelingien, et al. argue that given the restrictions that must be imposed on recipients of xenotransplanted organs, we should conduct clinical trials of xenotransplantation only on patients in a persistent vegetative state. I argue that there is no ethical barrier to using terminally ill patients instead. Such patients can choose to waive their rights to the liberties that xenotransplantation would likely restrict; it is surely rational to prefer to waive rights rather than die, and permissible to allow patients to make this choice.

Levy, N., Agents and Mechanisms: Fischer's Way. *Philosophical Quarterly*, 57 (2007): 123-130.

John Martin Fischer's semicompatibilist account of moral responsibility is the most sophisticated available. However, it is not clear that it gives the right account of agential capabilities. I consider cases in which capabilities are dependent upon the intervention of other agents, and argue that these cases cast doubt on Fischer's ability to account for Frankfurt-style cases.

Levy, N., What Evolves When Morality Evolves? Studies in the History and Philosophy of Science. Part C: Studies in History and Philosophy of Biological and Biomedical Sciences 37 (2006): 612-620.

In The Evolution of Morality Richard Joyce tries to accomplish two things: to show that morality is very likely innate, and to argue that if morality is innate we all ought to be moral sceptics. Since natural selection is not sensitive to moral facts, Joyce claims, if we possess moral concepts because such concepts increased the inclusive fitness of our ancestors, we have no reason to believe that any moral claims are true. The virtues of Joyce's book consist in his careful delineation of what the claim that morality is innate amounts to, and in his powerful sceptical arguments. However, his account of innateness is inadequate, both considered in itself and for the purposes of his project. Showing that morality is innate in Joyce's sense does not tell us enough about its evolutionary history to support his sceptical argument. Moreover, Joyce gives us little reason to believe that morality is in any case innate, in a relevant sense: explanations that cite cultural elaboration seem as well supported as those that invoke only endogenous development. Finally, I briefly sketch a naturalistically respectable meta-ethical view which captures enough of the folk conception of morality to ward off Joyce's scepticism.

Levy, N., Cognitive Scientific Challenges to Morality. Philosophical Psychology 19 (2006): 567-587.

Recent findings in neuroscience, evolutionary biology and psychology seem to threaten the existence or the objectivity of morality. Moral theory and practice is founded, ultimately, upon moral intuition, but these empirical findings seem to show that our intuitions are responses to non-moral features of the world, not to moral properties. They therefore might be taken to show that our moral intuitions are systematically unreliable. I examine three cognitive scientific challenges to morality, and suggest possible lines of reply to them. I divide these replies into two groups: we might confront the threat, showing that it does not have the claimed implications for morality, or we might bite the bullet, accepting that the claims have moral implications, but incorporating these claims into morality. I suggest that unless we are able to bite the bullet, when confronted by cognitive scientific challenges, there is a real possibility that morality will be threatened. This fact gives us a weighty reason to adopt a meta-ethics which makes it relatively easy to bite cognitive scientific bullets. Moral constructivism, in one of its many forms, makes these bullets more palatable; therefore, the cognitive scientific challenges provide us with an additional reason to adopt a constructivist meta-ethics.

Levy, N., Autonomy and Addiction. *Canadian Journal of Philosophy* 36 (2006): 427-448.

None of the standard accounts of autonomy currently on offer satisfactorily explain the autonomy-impairment characteristic of addiction. Addiction is not characterized by literally irresistible desires; instead, addicts typically *choose* to consume their drug. Moreover, when they make this choice, they may genuinely value consumption over abstention; they may even approve of the process whereby they came to acquire their addictive desires. I suggest that the impairment of autonomy characteristic of addiction should be understood as a failure of extended agency: addicts are, to an abnormal degree, unable to ensure that their future selves will share their current preferences. Addiction is a disunfying force; it causes the fragmentation of the agent. Autonomy, I claim, should be understood as self-government; fragmented agents are not able to govern themselves. The account of autonomy defended, in which it is equated with self-government, is procedural; nevertheless it implies some weak substantive conditions upon autonomous agency.

Levy, N., (with Edgar Dahl) The Case for Physician-Assisted Suicide: How Can it Possibly Be Proven? *Journal of Medical Ethics* 32 (2006): 335-338.

In her paper "The Case for Physician-Assisted Suicide: Not (Yet) Proven", Bonnie Steinbock argues that the experience with Oregon's Death With Dignity Act fails to demonstrate that the benefits of legalizing physician-assisted suicide outweigh its risks. Given that her verdict is based on a small number of highly controversial cases that will most likely occur under any regime of legally implemented safeguards, she renders it virtually impossible to prove the case for physician-assisted suicide. In this brief paper, we suggest some ways that may enable us to weigh the risks and benefits of legalisation more fairly and, hopefully, allow us to close the case for physician-assisted suicide.

Levy, N., Self-Deception without Thought Experiments. In J. Fernandez and T. Bayne (eds) *Delusions, Self-Deception and Affective Influences on Belief-formation*. New York: Psychology Press, forthcoming.

Theories of self-deception can be usefully divided into what I call incongruent and congruent mental state accounts. Incongruent mental state accounts hold that some kind of synchronic tension or conflict between propositional attitudes is a necessary condition of self-deception, whereas congruent mental state accounts deny this. The most attractive feature of congruent mental state accounts is their parsimony: they do not require us to postulate any psychological mechanisms beyond those which have been independently verified. Incongruent mental state accounts, in contrast, are often accused of psychological extravagance, in supposing that the self-deceived somehow manage to entertain conflicting (sub)-doxastic states. If we can show that there are real cases of motivated believing which are characterized by conflicting propositional attitudes, however, the parsimony argument against incongruent mental state accounts is undermined. I argue that anosognosia presents us with a real-life example of motivated belief together with (sub)-doxastic conflict.

Levy, N., Addiction, Autonomy and Ego-Depletion. *Bioethics*, 20 (2006): 16-20.

In a recent paper, Foddy and Savulescu argue that the addiction -as-compulsion view is false. In fact, they argue, addictive desires should be seen as simply one more appetite, albeit rather stronger than most of the desires most of us are subject to. It no more compromises the freedom of choice of addicts than do our ordinary desires. Foddy and Savulescu are certainly right that the addiction-as-compulsion view is false: the evidence is overwhelming that addicts retain a great deal of scope for choice and action. However, as I shall show, they go too far. Though addicts are not automata, as the dominant view seems to imply, nor are they unimpaired in their autonomy. My aim here is to show how addiction impairs autonomy without, for all that, overwhelming agency.

Levy, N., Against the Unity of the Virtues. In J. Hanfin and T. Coady (eds) The Unity of the Virtues. Aldershot: Ashgate. Forthcoming.

The purpose of this paper is to re-examine the question of the unity of the virtues. I will show that the answer to it depends crucially on one's conceptions of the virtues. On a strong conception, the virtues are indeed unified – but we have no reason to accept this strong conception of virtue, and good reason to reject it. On a weaker, more plausible, view of the virtues, they are not unified: it is perfectly possible to have one virtue and not another.

Levy, N., The Wisdom of the Pack. *Philosophical Explorations*, 9 (2006): 99-103.

This short article is a reply to Fine's criticisms of Haidt's social intuitionist model of moral judgment. After situating Haidt in the landscape of meta-ethical views, I examine Fine's argument, against Haidt, that the processes which give rise to moral judgments are amenable to rational control: first-order moral judgments, which are automatic, can nevertheless deliberately be brought to reflect higher-order judgments. However, Haidt's claims about the arationality of moral judgments seem to apply equally well to these higher-order judgments; showing that we can exercise higher-order control over first-order judgments therefore does not show that our judgments are rational. I conclude by sketching an alternative strategy for vindicating the rationality of moral judgments: by viewing moral argument as a community-wide and distributed enterprise, in which knowledge is produced by debate and transferred to individuals via testimony.

Levy, N., Restrictivism is a Covert Compatibilism. In N. Trakakis (ed) *Essays on Free Will and Moral Responsibility*. Cambridge Scholar Press, forthcoming.

Libertarian restrictivists hold that agents are rarely directly free. However, they seek to reconcile their views with common intuitions by arguing that moral responsibility, or indirect freedom (depending on the version of restrictivism) is much more common than direct freedom. I argue that restrictivists must give up either the claim that agents are rarely free, or the claim that indirect freedom or responsibility is much more common than direct freedom. Focusing on Kane's version of restrictivism, I show that the view holds people responsible for actions when (merely) compatibilist conditions are met. Since this is unacceptable by libertarian lights, they must either accept that compatibilist conditions on moral responsibility are sufficient, or make their restrictivism more extreme than it already is.

Levy, N., Open-Mindedness and the Duty to Gather Evidence. *Public Affairs Quarterly* 20 (2006): 55-66.

Most people believe that we have a duty to gather evidence on both sides of central moral and political controversies, in order to fulfil our epistemic responsibilities and come to hold justified cognitive attitudes on these matters. I argue, on the contrary, that to the extent to which these controversies require special expertise, we have no such duty. We are far more likely to worsen than to improve our epistemic situation by becoming better informed on these questions. I suggest we do better to embrace the views of experts who are also morally wise. I argue that this is likely to lead to more accurate beliefs about these political and moral controversies; in any case, it will avoid the incoherence and irrationality which are the likely consequence of open-minded evidence gathering.

Levy, N., Punishing the Dirty. In Igor Primoratz (ed) *Politics and Morality*. Ontos Verlag, forthcoming.

Michael Walzer has famously argued that agents who justifiably get their hands dirty must be made to pay a price for their actions. If we understand the claim as saying that those with dirty hands ought to be punished, I show, then no matter how we understand punishment Walzer's claim is unjustified. I then turn to the question of the responsibility of the public. I argue that the responsibility for dirty handed actions is widely shared in a democracy. So long as dirty-handed actions are a predictable feature of political life, when we elect officials, we ask them to carry the burden of having to perform such justified and yet wrong actions on our behalf. It might be argued that asking others to bear this burden is itself a dirty act.

Levy, N., Institutions, individuals, and accountability. In S. Clarke and J. Oakley (eds) *Informed Consent and Clinician Accountability: the ethics of auditing and reporting surgeon performance*, Cambridge: Cambridge University Press, forthcoming.

Clarke and Oakley (2004) advance a novel rationale for the publication of data on surgeons' performance: to provide patients with information they need for genuinely informed consent. I argue that enhancing autonomy, while a laudable goal, is not the only good at stake, nor is it always the most important good pursued in medicine. It is plausible to claim that autonomy should always be given some weight in ethical decision-making, but it need not always be given overriding weight. When enhancing autonomy threatens other goods, we need to weigh up the competing considerations carefully. In this case, I suggest, we ought to trade some autonomy for other goods; respecting autonomy without maximizing it. Surgeons' report cards would have costs, in the forms of inequalities and unfair burdens, as well as benefits. I shall suggest that we would do better to implement a reporting system that publicises the performance not of individual surgeons but of institutions.

Levy, N., Physician-Assisted Suicide and the Slippery Slope. In Edgar Dahl & Dieter Birnbacher (eds), *Physician-Assisted Suicide: Moral, Legal, and Social Implications of Giving Death a Helping Hand*, Kluwer, forthcoming.

People who oppose PAS often claim that it is a step onto a slippery slope down which we shall inevitably tumble. They argue that once we are on the slope, pressures, either rational (there are no principled distinctions to be drawn between the cases which put us on the slope in the first place, and other cases in which PAS would be objectionable) or irrational (once we allow PAS in cases which are rationally justifiable, we shall not be able to prevent its extension to cases in which it is unjustifiable) will force the extension of the practice to cases in which it is clearly wrong. I argue that neither version of the slippery slope argument succeeds. The rational version is simply confused; we ought to welcome, not reject, the extension of entitlements to people who rationally can be shown to deserve them. The irrational version faces a dilemma: either its proponents are themselves already on the slippery slope they hope to avoid, or they fail to give appropriate weight to the value of autonomy. I argue, finally, that there is no slippery slope here at all. Instead we confront only a single slippery step.

Levy, N., (with Tim Bayne) The Feeling of Doing. In Sebanz, N. & Prinz, W. *Disorders of Volition*. MIT Press, 2006.

Disorders of volition are often accompanied by, and may even be caused by, disruptions in the phenomenology of agency. Yet the phenomenology of agency is as still little explored. In this paper we attempt to describe the experience of normal agency, in order to uncover its representational content – what the world would have to be like for the phenomenology of agency to be veridical. We examine three components of the phenomenology of agency: the experience of "mental causation"; the experience of authorship; and the experience of effort. We argue that, contrary to the claims of some prominent cognitive scientists, there is little reason to think that the phenomenology of agency is systematically unreliable. We also explore the difference ways in which breakdowns in the phenomenology of agency might give rise to disorders of volition.

Translations: Levy, N., (with Edgar Dahl) Der ärztlich assistierte Suizid in *Oregon: Wiegen die Kosten den Nuzten auf? Aufklärung und Kritik* 11 (2006): 55-63.

Liao, S. Matthew., **Time-Relative Interests and Abortion, *Journal of Moral Philosophy*, January, 2007, forthcoming. URL: http://www.smatthewliao.com/texts/triaabortion.pdf**

The concept of a time-relative interest is introduced by Jeff McMahan to solve certain puzzles about the badness of death. Some people (e.g. McMahan and David DeGrazia) believe that this concept can also be used to show that abortion is permissible. I first argue that if the Time-Relative Interest Account permits abortion, then it would also permit infanticide. I next reject the suggestion that the Time-Relative Interest Account can at least explain the permissibility of early abortion, even if it cannot explain the permissibility of late abortion. Given this, early and late abortions have to be justified on other grounds.

Liao, S. Matthew, Pascal J. Goldschmidt, and Jeremy Sugarman, Ethical and Policy Issues Related to Progenitor Cell-based Strategies for Prevention of Atherosclerosis, *Journal of Medical Ethics*, forthcoming.

Experiments have suggested that umbilical cord blood stem cells can be used to prevent diseases such as atherosclerosis. This paper discusses ethical issues surrounding such usage such as the uncertainty that individuals at risk of a disease will actually get the disease; issues related to research with children; safety issues; from where these stem cells would be obtained; and whether these usages should be considered as therapies or as physical enhancements.

Liao, S. Matthew, The Right of Children to Be Loved, *Journal of Political Philosophy*, 14 (4), 2006, 420-440. URL: http://www.smatthewliao.com/texts/liaorctbl.pdf

A number of international organizations have claimed that children have a right to be loved, but there is a worry that this claim may just be an empty rhetoric. In this paper, I seek to show that there could be such a right by providing a justification for this right in terms of human rights, by demonstrating that love can be an appropriate object of a duty, and by proposing that biological parents should normally be made the primary bearers of this duty, while all other able persons in appropriate circumstances have the associate duties to help biological parents discharge their duties. I also consider some policy implications of this right

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Liao, S. Matthew, The Embryo Rescue Case, *Theoretical Medicine and Bioethics*, 27, 2006, 141-147. URL: http://www.smatthewliao.com/texts/embrescue.pdf

In the debate regarding the moral status of human embryos, the Embryo Rescue Case has been used to suggest that embryos are not rightholders. This case is premised on the idea that in a situation where one has a choice between saving some number of embryos or a child, it seems wrong to save the embryos and not the child. If so, it seems that embryos cannot be rightholders. In this paper, I argue that the Embryo Rescue Case does not independently show that embryos are not rightholders.

Reprints: Liao, S. Matthew, The Right of Children to Be Loved, Reprinted in *Competing Paradigms of Rights and Responsibility? Children in the Discourses of Religion and International Human Rights*, eds. Martha Fineman and Karen Worthington, forthcoming, 2007.

Liao, S. Matthew. The Idea of a Duty to Love, *Journal of Value Inquiry*, forthcoming. URL: http://www.smatthewliao.com/texts/dutytolove.pdf

Can there be a duty to love someone? Many people do not think so. One common objection, what I call the commandability objection, says that duty requires that the action required by the duty to be commandable, but love is an emotion and emotions are not commandable. Another objection, what I call the motivation objection, says that really to love a person, one must be motivated to love the person for the person's sake. However, to have a duty to love means that one would not be motivated to love the person for the person's sake, but for the sake of the duty. In this paper, I examine both objections and I argue that neither undermines the idea of a duty to love.

Liao, S. Matthew. The Organism View Defended, *The Monist*, 89 (3), 2006, forthcoming. URL: http://www.smatthewliao.com/texts/organism.pdf

What are you and I essentially? When do you and I come into and go out of existence? A common response is that we are essentially organisms, that is, we come into existence as organisms and go out of existence when we cease to be organisms. Jeff McMahan has put forward two arguments against the Organism View: the case of dicephalus and a special case of hemispheric commissurotomy. In this paper, I defend the Organism View against these two cases. Because it is possible to devise more McMahanian-type cases, I also provide a more general solution to these kinds of cases.

Clarke, S., and Levy, N., On the Competence of Substance Users to Consent to Treatment Programs', in *Intervening in Drug Use: Ethical Challenges*, edited by John Kleinig and Stanley Einstein, Huntsville TX, OICJ Press, 2006, pp. 309-322.

Many thinkers hold that regular drug users are incompetent to consent to medical treatment. In this article, we set out minimum criteria for agents to count as competent to give informed consent, and argue that regular drug users—even those who are considered addicted to a drug—typically meet these conditions. Though addiction does impair autonomy, it does not impair it to a degree incompatible with the provision of informed consent. Studies of the behaviors of addicts show that they generally retain sufficient control over their behaviors and their decision making to qualify as competent to consent.

Clarke, S., The Fundamental Attribution Error and Harman's Case against Character Traits*, South African Journal of Philosophy*, 25, December 2006, pp. 351-369.

Gilbert Harman argues that warrant for the lay attribution of character traits is completely undermined by the 'fundamental attribution error' (FAE). He takes it to have been established by social psychologists, that the FAE pervades ordinary instances of lay person perception. However, examination of recent work in psychology reveals that there are good reasons to doubt that the effects observed in experimental settings, which ground the case for the FAE, pervade ordinary instances of person perception. Furthermore, it is possible to make sense of these experimental results without invoking the FAE. Harman's argument against lay character trait attribution is unsubstantiated.

Clarke, S., and Oakley, J., (eds) *Informed Consent and Clinician Accountability: The Ethics of Report Cards on Surgeon Performance*, Cambridge, Cambridge University Press, in press

Clarke, S., Against the Unification of the Behavioral Sciences, *Behavioral and Brain Sciences*, forthcoming

The contemporary behavioral sciences are disunified and could not easily become unified as they operate with incompatible explanatory models. According to Gintis, tolerance of this situation is 'scandalous' (p. 28). I defend the ordinary behavioral scientist's lack of commitment to a unifying explanatory model and identify several reasons why the behavioral sciences should remain disunified for the foreseeable future.

Clarke, S., and Oakley, J., (eds) Accountability, Informed Consent and Surgeons' Report Cards, in *Informed Consent and Clinician Accountability: The Ethics of Report Cards on Surgeon Performance*, Cambridge, Cambridge University Press, in press.

Clarke, S., Some Optimism for the Pessimist: a Response to Nola, in *Rethinking Scientific Change and Theory Comparison*, edited by Lena Soler, Howard Sankey and Paul Hoyningen-Huene, Dordrecht, Springer, forthcoming.

Clarke, S., Appealing to the Fundamental Attribution Error: Was it All a Big Mistake?, in *Conspiracy Theories: the Philosophical Debate*, edited by David Coady, Aldershot, Ashgate, 2006, pp. 135-140.

Clarke, S., and Oakley, J., (eds) Surgeons' Report Cards, Heuristics, Biases and Informed Decision Making, in *Informed Consent and Clinical Accountability: The Ethics of Report Cards on Surgeon Performance*, edited by Steve Clarke and Justin Oakley, Cambridge, Cambridge University Press, in press.

Clarke, S., Conspiracy Theories and Conspiracy Theorizing, Reprinted in *Conspiracy Theories: the Philosophical Debate*, edited by David Coady, Aldershot, Ashgate, 2006, pp. 81-98

Recent and Forthcoming Presentations

Liao, S. Matthew, *A Defense of Intuitions*, James Martin 21st Century Advanced Research Seminar, Oxford, Oct 15, 2006

Radical experimentalists argue that we should give up using intuitions as evidence in philosophy. I first argue that the studies presented by the radical experimentalists in fact suggest that some intuitions are reliable. I next consider and reject a different way of handling the radical experimentalists' challenge, what I call the Argument from Robust Intuitions. I then propose a way of understanding why some intuitions can be unreliable and how intuitions can conflict, and I argue that on this understanding, both moderate experimentalism and intuition as evidence approaches to philosophy can help resolve these conflicts.

Wasserman, David and S. Matthew Liao. *Issues in the Pharmacological Induction of Emotions*, World Congress of Bioethics, Beijing, China, Aug. 2006

We examine issues raised by the possibility of regulating emotions through pharmacological means. We argue that emotions induced through these means can be authentic phenomenologically, and that the manner of inducing them need not make them any less our own than emotions arising "naturally." We recognize that in taking drugs to induce emotions, one may lose opportunities for self-knowledge; act narcissistically; or treat oneself as a mere means. But we propose that there are circumstances in which none of these concerns arise. Finally, we consider how the possibility of drug-regulation might affect duties to feel emotions

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Liao, S. Matthew. *A Defense of Intuitions*, American Philosophical Association Pacific Division Meeting, Apr 8, 2007

Clarke, S., Medical Humanities Forum, Oxford: *Informed Consent, Surgeons' Performance Information and the Presentation of Risk Information,* 26 October

Clarke, S., Monash University Department of Philosophy, "Consistency, Consent and the Military" (with Jessica Wolfendale), also presented at the Centre for Applied Philosophy and Public Ethics, Melbourne Division 30 August, 1 September

Clarke, S., Centre for Applied Philosophy and Public Ethics, Canberra Division: *Surgeons' Report Cards: Arguments and Implementation* 8 August:

Savulescu, J., *Priority Setting in the Allocation of Treatment*, Symposium at the ANZAC Annual Scientific Meeting, 18 August 2006

Savulescu, J., *Stem Cells: Science, Policy, Ethics and Ambition*, Keble College Alumni Event, University of Oxford, 24 June 2006

Savulescu, J., *Procreative beneficence and the social construction of disability: the nature of the moral obligation to have the best child*, Workshop on Ethics and Genetics, Bioethical Commission of Valdese Church Board, Torino, October 6, 2006

Savulescu, J., and Sandberg, A., *Intelligence and Happiness*, International Association of Bioethics, 8th World Congress, Beijing, August 6 – 9, 2006

Savulescu, J., and Sandberg, A., *Prenatal Modifications*, International Association of Bioethics, 8th World Congress, Beijing, August 6 – 9, 2006

Savulescu, J., *Payment for organs*, Plenary Session at ANZAC Annual Scientific Meeting, 17 August 2006

Savulescu, J., *What is an Enhancement, and When Should We Enhance People?,* ENHANCE Workshop, Beijing, a part of the IAB Bioethics 8th World Congress, 5 August 2006

Sheehan, M., Dublin: *Ethical issues in Radiology*, 27– 28 October 2006

This workshop was part of an EU project, SENTINEL, established to look at cutting edge ethical issues in Radiology and Radiation Protection. It included participants from all over Europe with diverse backgrounds and disciplines. The programme focussed on three main areas:

- Some aspects of current practice within radiology
- Concerns related to Ethical Issues from other professions, such as law, social and political sciences, theology and philosophy,
- Concerns from those involved with the formation and response to public opinion, such as patient groups, politicians, and the media.

Mark gave two presentations at the meeting: one on the role and relevance of public attitudes to the ethical and policy issues and the second summing up and drawing some conclusions about future directions in ethics and policy.

Sheehan, M. *Ethics and Human Nature*, Royal Institute of Philosophy Public Seminar Series, Centre for Law, Ethics and Society, Keele University, 21st March 2007

Sheehan, M., *Artificial Reproduction and Interfering with Nature*, Science and Society Public Lecture Series, University of Ulster, NI, 19th June, 2007

Sheehan, M., NHS Scotland, *GP training: Resource Allocation and Expensive Treatments*, November 2006

Program on the Ethics of the New Biosciences

Professor Julian Savulescu, Director

Julian Savulescu's areas of research include: the ethics of genetics, especially predictive genetic testing, pre implantation genetic diagnosis, prenatal testing, behavioural genetics, genetic enhancement, gene therapy. Research ethics, especially ethics of embryo research, including embryonic stem cell research. New forms of reproduction, including cloning and assisted reproduction . Medical ethics, including end of life decision-making, resource allocation, consent, confidentiality, decision-making involving incompetent people, and other areas. Sports ethics. The analytic philosophical basis of practical ethics.

S. Matthew Liao, James Martin Senior Research Fellow and Deputy Director

Dr S. Matthew Liao obtained his doctorate in philosophy from Oxford University and graduated magna cum laude with an A.B. from Princeton University. He is interested in a wide range of philosophical issues in ethics, bioethics, metaphysics, and moral psychology, and has published in journals such as The Monist, Journal of Value Inquiry, Journal of Political Philosophy, Journal of Moral Philosophy, Journal of Medical Ethics, American Journal of Bioethics, and Theoretical Medicine and Bioethics. He was the Harold T. Shapiro Research Fellow at the University Center for Human Values at Princeton University in 2003-2004, and a Greenwall Research Fellow at Johns Hopkins University and a Visiting Researcher at the Kennedy Institute of Ethics at Georgetown University from 2004-2006.

Mark Sheehan James Martin Research Fellow

Mark Sheehan received his PhD in Philosophy from The City University of New York, an MA (Hons) and a BA (Hons)/ BSc from the University of Melbourne. Prior to joining the Program he was a lecturer in the Centre for Professional Ethics at Keele University, Ethics Fellow at the Mt. Sinai Medical School, New York and Adjunct Lecturer in the Philosophy Department at The City College of New York. His current research interests in applied ethics are arguments about interfering with nature, particularly as they are applied to new reproductive technologies, problems of distributive justice in healthcare and various issues in research ethics. He has published in a number of edited collections and in such journals as the *Journal of Medical Ethics*, the *American Journal of Bioethics* and the *British Medical Journal*.

Dr. Neil Levy, James Martin Research Fellow

Dr Neil Levy specialises in free will and moral responsibility, and empirical approaches to ethics. He has published widely on many topics in philosophy, including bioethics, applied philosophy, continental philosophy and free will. He is the author of 4 books and over 50 articles in refereed journals. He is currently writing a book on neuroethics for Cambridge University Press.

Dr Stephen Clarke, James Martin Research Fellow

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