Personalist Neuroethics

Practical Neuroethics.
Volume 2

James Beauregard
Rivier University

Philosophy of Personalism

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For Beth Ann who, amazingly,
teaches bioethics to teenagers every day.

The new volume by the author James Beauregard, "Personalist Neuroethics: Practical Neuroethics. Volume 2", is the essential complement to the first one "Philosophical Neuroethics: A Personalist Approach. Volume 1," on whose foundations of philosophical-anthropological construction the building of the practical application of Neuroethics can now be built, not only to knowledge but also to human praxis and behavior.

Thus, it responds to the true vocation of Bioethics, one of whose most urgent subspecialties is Neuroethics. The work systematically and clearly analyzes the neuroethical conflicts that arise at the beginning of life, in situations of vulnerability, at the end of life, and in the transhumanist and posthumanist processes that lead to human enhancement.

Without this bioethical analysis of the new possibilities that scientific progress opens up in the exploration, understanding and interaction with our neurological systems and our consciousness, scientific-technological progress can, in reality, represent a setback, due to its capacity to attack the dignity and integrity of the human being. However, Beauregard's precise notes help guide the potential of neuroscience towards personal construction, balance and the true progress that builds freedom.

Finally, the social derivative of the disciplines related to neuroethics deserve a detailed analysis in the second part of the book: "Social Neuroethics." The person, being in relationship, must deal in her existence in friction with others, and this scenario is the place where the conflict arises and, also, the need for ethical analysis. Situations related to the world of justice, the media, the academic context, war and social conflicts or religion, are the fertile ground for the neuroethical dilemma, to whose resolution Beauregard's essay successfully contributes.

Prof. Dr. Julio Tudela Cuenca
Director for Master's Degree in Bioethics
Universidad Católica de Valencia San Vicente Mártir, Spain

The second volume of James Beauregard's "Personalist Neuroethics" is a timely and much-needed contribution to the current conversation on personhood, ethical decision-making, and neuroscience. Dr. Beauregard brings to this book a remarkable range of areas of expertise, which gives him the ability to bring together personalist philosophy, neuroscience, medical ethics, and an attention to media studies, military ethics, and the law. He offers us a vision of the person as unified, integrated wholes, a holistic vision with a clear place for scientific understanding of the brain and the principles of neuroethics, but without the reductionisms that often attend medical ethical thinking. His vision attends carefully to the deep dignity of persons, to personal responsibility, and to justice and the common good. The result is a deep and wide-ranging approach

to neuroethics that is at once philosophically rigorous and immediately practically applicable.

Prof. Dr. Mark K. Spencer
University of St. Thomas
Assistant Editor, American Catholic Philosophical Quarterly
Academic Advisor, The Hildebrand Project

Contemporary neuroscience urgently needs serious ethical reflection based on a sound philosophical method and a non-reductionist vision of human being. Beauregard's personalist neuroethics is singularly fitted to meet this demand as it is based on the rich personalist philosophical tradition and is inspired by von Hildebrand's phenomenological material value ethics.

Prof. Martin Cajthaml
Department of Philosophy and Patrology, Sts Cyril and Methodius
Faculty of Theology
Palacky University Olomouc, Czech Republic

"Personalist Neuroethics" is a fascinating exploration of the personalist philosophy with an emphasis on important practical implications. Thorough and comprehensive in its discussion, it is a major work in this field and essential reading for those who want to understand how the person relates to many facets of life and living.

Andrew Newberg,
MD best selling author of "How God Changes Your Brain."
Professor, Department of Integrative Medicine
and Nutritional Sciences
Professor, Department of Radiology
Research Director, Marcus Institute of Integrative Health
Thomas Jefferson University

Clear, coherent, and complete, "Personalist Neuroethics: Practical Neuroethics. Volume 2" offers a solid foundation for neuroscience in personalist philosophy. Particularly practical in its detailed presentation of issues where neuro- intersects with contemporary concerns, including the dialogue with faith.

Mary Clare Smith, SND, PhD

A much-needed book that bridges the gap between personalist philosophy and practical neuromedicine. Too often, conversations in bioethics begin from unexamined materialistic assumptions about the human person, leaving the dignity of the person something of a mystery. Beauregard's treatment, however, gives personal dignity firm philosophical grounding. He manages to do this, however, without drifting away from a concrete basis in contemporary science and medical practice.

Dr. D.T. Sheffler
Professor of Philosophy, Memoria College
Associated Scholar, The Hildebrand Project

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I am indebted to, and give thanks to many individuals and institutions in the preparation of this book. First, I would like to thank my friend and colleague Juan Manuel Burgos, who has worked diligently and ceaselessly to bring personalist thought to an international audience. Many thanks also to Neil Messer, Professor of Theology at the University of Winchester, England for reading and commenting on an early draft of the manuscript. In the same vein, thanks to Anthony Giuliano for reading the initial drafts of many of the chapters in this book and providing his usual thoughtful and constructive feedback. I also owe much to Martha Farah and the University of Pennsylvania's Center for Neuroscience and Society, where I have spent some very fruitful times.

The personalist thought that I have learned over the years has, in an institutional setting, come to me through the International Conference on Personas, the Spanish Personalist Association, and the Hildebrand Project where John Crosby, John Henry Crosby, Chris Haley and Catherine Beigel have worked tirelessly in communicating personalist thought to a wide audience. Thanks to belong to the faculty and students at my own institution, Rivier University, who have over the years sharpened my thinking and kept me on my toes. A special word of thanks and admiration belong to Jwalant and Bhavna Vadalia at Generations Geriatric Mental Health, where I have learned much across many years about minds, brains, and most importantly, persons. Finally, I owe much to Beth Raymond, with whom I have had countless and helpful and thought-provoking conversations about neuroethics during the time this book was being written.

Foreword

Personalism and, in particular, Integral Personalism, is making notable advances in the 21st century thanks to works such as those of James Beauregard, who has undertaken extensive and in-depth research on neuroethics from this perspective. It is common for scientific advances to be extrapolated, leading to a reductionist scientism that, in the case of neurosciences, ends up transforming the person into a sophisticated neural machine. However, man is not a machine of any kind, but an irreducible who with a unique subjectivity and identity ontological consistency, which is maintained from birth to death and even after.

It belongs to the essence of personalism to strongly emphasize all these elements, and, therefore, prof. Beauregard uses it as the foundation and nucleus of all his research. This was already translated into a first volume in which the philosophical and ethical bases of neurosciences were addressed: Philosophical neuroethics. A personalist approach. Volume 1. Foundations (Vernon Press, 2019). And he continues and concludes in this second volume, in which his personal vision of neuroethics is applied to the numerous and decisive questions in which neurosciences are involved: disabled people, enhanced persons, forensics, the beginning and end of persons, National Security and Warfare issues, etc.

The personalist foundations come together with the great knowledge of the author and with his agile pen, giving rise to a splendid editorial novelty that illuminates problems, gives rise to orientations and proposes solutions to bioethical problems that decisively affect (or will affect) our existence.

We must also congratulate ourselves on the appearance of a new book with a humanist perspective in a field dominated by a scientism that, beyond its intentions, reduces human spiritual capacities to complex flows of electricity. However, what future can a society have that takes these premises seriously? James Beauregard knows the answer, and that is why he offers us a different neuroethics, which takes into account the latest scientific advances, but which respects the irreducible originality of men and women.

Juan Manuel Burgos
Universidad CEU-San Pablo, Spain

Introduction

This book comprises the second volume of a two-volume work on neuroethics. The first volume, *Personalist Neuroethics: Fundamental Neuroethics*, addressed the theoretical underpinnings and presuppositions of neuroethics as a discipline. It concluded with a framework for considering the numerous practical matters that arise in the discipline of neuroethics. That book took a particular philosophical perspective, the philosophy of personalism, and attempted to develop a vision that was broad and robust enough to provide the theoretical foundation for dealing with the current and future issues arising in the discipline of neuroethics.

This book moves from that same personalist perspective. It is divided into two parts, *Individual Neuroethics* and *Social Neuroethics*. To be clear, there is a sense in which I consider all neuroethics to be social neuroethics, that is to say, neuroethics whether theoretical or practical always occurs in a social context. My division into these two distinct aspects is a reflection of the *focus* of neuroethics in relation to particular topics. Here is an example: individual healthcare. Imagine you are going to see a neurologist because you have suddenly begun having migraine headaches. The focus of that visit will be individual, namely on you, the patient. This would place your visit within the domain of *Individual* Neuroethics. At the same time, when you walk into the neurologist's office (which will be in a building constructed neither by you nor the neurologist, but by carpenters, electricians, plumbers, etc., and which may be part of a larger healthcare entity such as a hospital or medical center) you are first greeted the receptionist who signs you in. That person checks your health insurance (provided by a health insurance company with many employees, and which will also involve the banking system in some way) and, assuming it passes muster, directs you to the waiting room. Typically you will first be seen by a nurse or licensed practical nurse who will check vital signs and update your medical history. When that is done, you will be seen by the neurologist or, neurologic nurse practitioner. The visit might include blood work, in which case you will sit down briefly with the phlebotomist, and the neurologist may recommend neuroimaging based on her examination, in which case you will be interacting with neuroradiology and a neuroradiologist. Thus, my "individual" visit is demonstrably social in nature, involving quite an extended social network and physically constructed network:

- the physical structure in which the visit occurs – a doctor's office, an outpatient clinic or healthcare practice, hospital etc., and the larger system which governs that setting,
- my individual health insurance policy and the insurance company that provides it, with all its employees,
- healthcare law, both state and national (such as HIPPA),
- the healthcare institution you are visiting will have its own ethical regulations, created by the institution itself or drawn from a larger entity,
- government regulation of healthcare disciplines such as a boards of registration for medicine, nursing etc. and the individuals who staff them,
- the wider political climate in which healthcare law and government regulation are debated and legislated,
- the various educational institutions from which your providers graduated (colleges universities, medical schools and their faculty and staff),
- the entire process, from conception through production which resulted in the technologies and devices that will be used during your visit, the phlebotomist's needles and vials, the scale you stand on when they weigh you, the stethoscope and blood pressure cuff for your vital signs, and neuroimaging technology, including the computer science vital to it, and the communication technologies that will be used to inform me of lab results from the telephone to email to the postal system, and the electronic medical record you might access to see your records, created and managed by various IT staffs,
- you also drive myself to the doctor's office, or use some other form of transportation – add the auto industry and its workers to the process.

In seeking healthcare, then, we are never alone. Individual neurologic care always happens in a social context. Reflecting this reality, the two parts of this book acknowledge the necessary dual focus of neuroethics.

Part One is focused on what I have termed Individual Neuroethics, where the *focus* is primarily on the individual. Chapter 1 provides a brief overview of theoretical neuroethics as it was expressed in the previous volume. Chapter 2

focuses on neuroethical issues that arise at the beginning of life. Chapter 3 gives attention to neuroethical issues that arise in cases of neurological or psychiatric difficulties. Chapter 4 looks at neuroethical issues in end-of-life care. Chapter 5 considers the issue of enhancement, as it focuses on different aspects of an individual's functioning in topic areas such as cognitive enhancement and moral enhancement.

The second part of the book focuses on the wider institutional issues that emerge in neuroethics. Chapter 6 focuses on neuroethics in relation to governmental structures. Chapter 7 addresses neuroethical issues in forensics, including the justice system. Chapter 8 considers the neuroethics in relation to the media and the academy. Chapter 9 considers the area of neuroscience and war. Chapter 10 will focus on a topic that has been little-discussed by neuroethicists - the interaction of neuroethics with the world's numerous faith-based bioethical traditions.

Chapter 1

Personalism, In Brief

Introduction

In this chapter, I will give a brief overview of the nature of neuroethics and then consider the philosophical perspective from which this book moves: Integral Personalism.

To begin, neuroethics is, first and foremost to be characterized primarily as a *philosophical* discipline, not a *neuroscientific* one. What does this mean? The term *neuroethics* has two components: *neuro-* referring to its content: the disciplines of neuroscience and neurotechnology, and *-ethics*, referring to the process of reflection on that content. Neuroethics, then, is reasoning about the contents of neuroscience and neurotechnology from an ethical perspective. Within the discipline of neuroethics, the content is well-established, in fact the majority of the contemporary neuroethical literature has been written by practicing neuroscientists. The *ethics* of neuroethics, however, is a distinct aspect of the discipline that stands on its own. It is philosophical reflection, not only on science and technology as it touches on the human brain, but on the whole human person.

Neuroscience and ethics are distinct; they draw upon different intellectual traditions and upon different world views, and they ground themselves in different presuppositions.[1]

1. Neuroscience and Philosophy

The *neuro-* perspective of neuroethics will already be familiar to anyone who either works in or has studied neuroscience. Historically, neuroscience developed out of the early Scientific Revolution and its empirical perspective and methods at the beginning of the modern era. Methodologically, it traces its origins to the first great and influential scientists of that era, figures such as Copernicus, Galileo and Newton. Physics and astronomy stand at the foundations of modern science. In time, the empirical sciences of chemistry and biology developed, and neuroscience, which studies the human brain,

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[1] For a detailed analysis of these presuppositions, see James Beauregard, *Philosophical Neuroethics: A Personalist Approach, vol. 1: Foundations* (Wilmington, DE: Vernon Press, 2019), especially Chapter 2, "Neuroethics Today: Theory and Practice," 45-61.

falls within the broader biological domain. Common to all of these disciplines, neuroscience included, is the empirical method.

The *philosophical* perspective of neuroethics is another matter altogether. Philosophy ranges across many topics, most broadly metaphysics and ontology (the study of the nature of the universe, and its contents, that is, everything that exists), epistemology (what we can know and how we can know it), anthropology (in the sense of philosophical anthropology, namely, what we can discern from reason's reflection on the human person) and ethics (the field that asks what type of persons we *ought* to be and how we *ought* to act). Anthropology and ethics are distinct disciplines, but intimately related – who we are tells about much about what we *can* do, and also what we *ought* to do. And, as we will see in the following pages, making a sharp distinction between *is* and *ought*, as David Hume attempted to do, does not stand up under even casual scrutiny. Who we are is intimately connected with what we do, and the two mutually influence one another, as experience tells us every day.

Here, however, we run headlong into a problem. In addition to the scientific advances of the early modern era, neuroscience has in many cases also adopted the philosophical positions that developed in response to science. Historically, this means the work of the British empiricist philosophers, David Hume in particular. On close examination, though, we can see that Hume, and the tradition that he helped create, are far too reductionistic and utterly inadequate for a robust neuroethics. There are several reasons for this.

First, Hume fully embraced the empiricist world view of early science and made it his philosophical paradigm, arguing that the physical, material universe is all that exists, and that, consequently there is nothing beyond or outside it.[2] The foundational discipline of physics, in that era, moved from this physicalist position and, and equally important, from a model of measurable cause and effect. If everything in the universe is material, then everything that happened must be caused by some previous physical event, and so on back to the beginning.[3] A materialist world view is necessarily a

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[2] On Hume's empirical vision of the universe, and of knowledge being derived from the senses, see David Hume, *A Treatise of Human Nature*, ed. David Fate Norton and Mary J. Norton (Oxford: Oxford University Press, 2001).

[3] This is typified in Newton's laws of motion. Every cause has a previous cause, physical in nature. Determinism is the necessary consequence of this view. There is a deep irony here in that when neuroscience and neuroethics looks back to David Hume as a philosopher of materialism, they fail to take into account the fact that Hume denied the existence of causality as something nonmaterial and non-observable. He accepted the notion of *conjunction*, of one thing happening and another happening close in time or space to it, but argued that the very notion of *causality*, one thing causing another, is

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