Comment/Meeting Review

Reflections on the 4th World Congress of Bioethics

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This meeting of 440 participants from 41 countries was held at Nihon University, Tokyo, between the 4th-7th November 1998. It focused on “Global Bioethics”. Some 240 papers were read at between 3-5 concurrent sessions coupled with a series of plenary sessions and open meetings. Concurrent with some of the open sessions, a summit of the representatives of national bioethics commissions met and their deliberations resulted in the communiqué which appears as an appendix to this writing (pp. 415-416). Many issues were discussed and in spite of the paucity of the time set aside for open debate, much fierce and forthright discussion could be heard in the anterooms and open spaces that connected the areas which housed the formal sessions. In view of the difficulty of arriving at a balanced summary of the conference, I have chosen to focus on my reflections on the main theme of the congress and I will take this opportunity to present some of my own views on the issues raised.

The issue which held the foremost position was that of the possibility or impossibility of a universal ‘Global Bioethic’. Such an instrument would clearly be applicable transculturally, and therefore it should be operable transtemporally: it would be dependent only on the nature of humans and the way they want to construe their lives. It was also held that such a bioethic might apply across the biotic spectrum. In this, it was both interesting and exciting to note that whereas Judeo-Christian-Moslem cultures have little difficulty in perceiving humans as a unique type of biotic entity (in the possession of a soul and having dominion over the rest of nature), Eastern cultures see humans as a constituent component of the biotic and abiotic world and look for ways in which they can exist with the rest of nature in a manner which evokes harmony and coexistence.
While many take the origin of bioethics to be the pronouncements of the Nuremberg judges of 1947 on the necessity for the free and informed consent of those who agree to participate in experiments on humans, there were German antecedents to this requirement which can be traced back to 1900 (R. Baker [quoting Michael Grodin]). These early efforts were modified by the inclusion of provisions for proxy permissions to be granted for work with the very young and those who have been designated as incompetent. A further lessening of the requirement for informed consent may apply in circumstances where the tests are of a therapeutic nature and done under emergency conditions. This history demonstrates that the original ethic of informed consent may evolve with time to capacitate circumstances and conditions which are presented to it. Informed consent, though, is not the be all and end all of bioethics. It applies to one aspect of medical practice and fails to consider the relationship between humans and other animal species, as well as the way human activities affect the quality of the inanimate environment.

It was observed that attempts to construe a statement purporting to be a universal bioethic provides an opportunity to generate a conundrum. If our globally applicable bioethic is written so broadly that it cannot condemn or criticise current or historical practices, of what value is the ethic? Or if the bioethic is so construed that many people from different cultures (or different times) would disagree strongly with it then it too runs into difficulty. In the West, much has been made of the proposal of Beauchamp and Childress which seeks to adopt a subset of virtue ethics as a universal ethic to govern medical practice. This comprises the well exercised four principles approach (autonomy, beneficence, non-maleficence and justice). However, when an opportunity to apply these principles to an actual case came about, the people on the Commission failed to deliver what would seem to be an appropriate outcome. The case arose from the Commission set up by President Clinton in 1995 to look into the experiments which were conducted by American researchers into the effects of radiation on people. These experiments, carried out in the post-Nuremberg era, were not done with the consent of the human subjects. The Commission concluded that while a wrong was done to the subjects of the experiments and that wrong should be compensated by the American Government (People), the researchers themselves were not regarded as blameworthy and were not even required to make an apology (R. Baker, 1998). Baker (op.cit.) holds that this demonstrated that the four principles could not deliver a clear condemnation of a practice that was in default of the autonomy principle (the one which requires informed consent) in a transtemporal application. However, it could be that the Commission was at fault in not being able to bring itself to such a state, possibly because of the repercussions of such a determination. Irrespective of this issue, there are many critics of the four principles approach to bioethics. Exemplifying such problems, we may consider the autonomy principle to be impugned when the need to vaccinate a whole population is agreed in a majoritarian setting; or where the uneven distribution of the state’s wealth (injustice) predisposes some to more effective medical remedies than others; or where there are