Ethics and Memory

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B. Synonyms

duty to remember, forgetting, moral responsibility, memory erasure, memory enhancement, cognitive science, personal identity, technology and memory, truth, accuracy, integrity, memory values, memory virtues, right to be forgotten, freedom of memory, precedent autonomy, dementia, traumatic memory, anesthesia awareness.

C. Abstract

In this chapter, I examine the most significant ethical questions surrounding memory, both at the collective and individual levels, as discussed in the literature. I begin by exploring the values associated with memory, including truth, accuracy, integrity, and broader social and political dimensions. I then address the concept of a duty to remember, particularly in the context of genocide and other human atrocities, and the complex questions this concept raises. Following this, I analyze the ethical challenges posed by forgetting, focusing on its collective implications for forgiveness and its individual dimensions, such as the responsibility for forgetting and the right to be forgotten. After briefly discussing memory virtues—a topic that remains underexplored in the literature—I explore the ethical considerations surrounding the wishes of individuals with severe memory loss, such as those with dementia. Finally, I summarize ethical debates related to current and hypothetical cases of memory modification, erasure, and enhancement, highlighting their potential impacts on personal identity, agency, authenticity, moral responsibility, testimony, and their overall desirability.

D. Introduction

Beyond the more classical questions about the value of memory, ethical questions related to memory have traditionally been more closely associated with collective memories of human atrocities than with individual ones. This focus gave rise to concerns about the duty to remember such atrocities and the relationship between forgetting and forgiveness. However, in recent years, this trend has shifted, with increasing attention given to individual memories, particularly in legal contexts. These include issues such as responsibility for forgetting, the right to be forgotten, and respecting the past wishes of dementia patients. Alongside these discussions, already connected to cognitive science research on memory, other debates have emerged regarding ethical considerations surrounding new and potential technologies and brain interventions that could enable memory erasure, modification, and enhancement. The first sections of the chapter will summarize the more classical ethical discussions related

to memory, particularly collective memory, while the later sections will focus on the most recent ones.

E. Main text

Values of memory

Memory is often associated with truth: the duty of memory reflects a moral imperative to preserve a true account of past events, as expressed in the Argentinian motto, "*Memory, Truth, and Justice*." A more deflationist approach to the correspondence theory of truth replaces the concept of truth with accuracy, a term frequently used in psychological research (Conway, Singer, & Tagini, 2004; Conway, 2005). In this framework, a memory is considered accurate if it correctly and precisely corresponds to the past event it represents. Yet, in both cases, the value of memory is tied to its power to represent the past as it was experienced.

Nonetheless, truth or accuracy alone have been deemed insufficient to explain why memory is valuable. Following a more coherentist perspective and recognizing the (re)constructive and malleable nature of memory, some psychologists and philosophers have emphasized its role in shaping a coherent life-narrative and a coherent self, both of which are central to personhood and personal identity (Schechtman, 1994; Conway, 2005; Bluck et al., 2005). Feminist relationalist approaches, such as Campbell's (2014), highlight the importance of integrity alongside accuracy for a memory to be faithful to the past. Integrity extends beyond merely recalling events correctly to encompass their emotional and social significance, as well as their impact on others. This helps individuals comprehend their responsibilities and moral accountability. Campbell (2014) underscores that memory's value lies in its ability to foster a social understanding of the past and inform how we navigate our shared future. Trakas (2019) further argues that integrity has an essential epistemic dimension, as it supports accuracy by ensuring the wholeness and completeness of memory. Integrity requires integrating various evaluative and affective perspectives on shared past events, making memory more accurate in its representation of a common past.

Campbell's emphasis on integrity is also related to the political and social values attributed to memory, particularly in its collective form. These include resistance, justice, social cohesion, moral progress, and other values discussed in the context of the consequentialist justification of the duty of truth (Todorov, 1995, 2000; Ricoeur, 2000: see next section). However, as Blustein (2008) notes, these political and social values can sometimes conflict with the moral imperative of truth. Conversely, an excessive focus on truth and accuracy may hinder individuals, creating rigid memories that trap them in the past (Blustein, 2008; Bublitz & Dresler, 2015). Thus, the value of memory seems to lie in balancing truth, accuracy, integrity, and its broader ethical and social dimensions according to the demands of the context.

Duty to remember

The concept of a "duty to remember," first introduced in the 1970s within French intellectual circles and later associated with the Holocaust (Ledoux, 2016), refers to the moral imperative—primarily collective but also individual—to remember past events, particularly those involving social suffering, injustice, and violence. It has been deeply tied to the notion of justice and examined in relation to the historian's role (Ricoeur, 2000; Vezzetti, 2001;

Jelin, 2002), although Ricoeur (2000) criticized the concept as overly burdensome and susceptible to misuse, proposing instead the idea of “the work of memory.”

While scholars generally acknowledge the existence of a duty to remember—or something analogous, as in Ricoeur’s case—several questions arise. One concerns which events should be remembered. While collective positive events may promote morality, they are not necessarily imperative to remember (Margalit, 2002). In contrast, collective negative events, such as crimes against humanity, genocides, and acts of radical evil, demand remembrance due to collective responsibility (or that of specific groups) and the pursuit of justice (Margalit, 2002; Blustein, 2008). Another question pertains to how these events should be remembered—through monuments, museums, or official days of public commemoration. This also raises the issue of how much we should remember. Blustein (2008) argues that the balance between remembering and forgetting may shift over time, depending on historical circumstances and the needs, projects, and responsibilities of a community. Memory interacts with other social goods and obligations, competing with diverse social and political interests. What may seem excessive in one context could be insufficient in another.

Another question is: to whom is this duty owed? Is it to individuals or collectives? The duty may apply to those with whom we share personal or communal relationships grounded in a shared past, such as family, friends, religious communities, tribes, nations, or to humanity as a whole (Margalit, 2002; Blustein, 2008, 2017). A particularly complex issue concerns the duty’s posthumous application—to the dead.

The justification for this duty is also debated. While reasons may vary and are not always mutually exclusive, most scholars emphasize consequentialist and instrumentalist arguments: we should remember because of the positive outcomes it generates and the negative it prevents (Blustein, 2008). The outcomes include public acknowledgment of harm, taking responsibility for past actions, enabling justice, promoting moral and social progress to prevent the recurrence of past wrongs, providing lessons for the future, sustaining social cohesion, helping us understand how past events shape our identities, enhancing autonomy, and fostering new ways of relating to others (Todorov, 1995, 2000; Ricoeur, 2000; Vezzetti, 2001; Jelin, 2002; Margalit, 2002; Blustein, 2008; Campbell, 2014). However, Margalit (2002) and Blustein (2008) argue that consequentialism is insufficient. In some cases, remembering is intrinsically valuable, regardless of its outcomes. Expressions of emotions and evaluations, such as care, can ground the duty to remember, particularly in close relationships like those with family and friends.

Lastly, there are risks associated with this duty. Despite its importance, scholars have warned about potential negative consequences. These include the “sacralization of memory,” where past events are weaponized for political or ideological purposes, becoming tools for division and control (Todorov, 1995, 2000; Ricoeur, 2000). Additionally, an excessive focus on past suffering can hinder the ability to move forward, impeding individual or collective progress and change (Blustein, 2008; Bublitz & Dresler, 2015).

Forgetting

Forgetting, like remembering, poses significant ethical challenges. While forgetting—especially in relation to major social events—is often viewed as the negative and

unethical counterpart of remembering due to its potential to obscure responsibility and perpetuate injustices, it can also take on a more ethical dimension when it facilitates healing, moving forward, and forgiving (Todorov, 1995, 2000; Ricoeur, 1999, 2000). However, its connection to forgiveness remains debatable. For instance, Margalit (2002) argues that although forgiveness may lead to forgetting a past wrongful act, forgetting itself makes forgiveness impossible and holds no moral value. The critical issue lies in determining what kind of forgetting is necessary for forgiveness. Ricoeur (1999, 2000) asserts that forgiving does not compromise the memory of past wrongs. Instead, it involves an active form of forgetting that diminishes the meaning and weight the past wrong holds for the present and future. Similarly, Blustein (2014) contends that recalling past wrongs is essential for forgiveness, but forgiveness transforms the intensity of the negative emotions associated with the memory and reduces its intrusive impact. Whether this transformation constitutes a form of forgetting, however, remains an open question.

A related discussion addresses responsibility for forgetting. Bublitz and Dresler (2014) argue that forgetting involves no responsibility, as it is not under conscious control, granting individuals a right to forget and not remember. However, other scholars suggest that memory is partially within our control, and thus forgetting entails a degree of responsibility (Margalit, 2002; Blustein, 2008; Glannon, 2019; Trakas, 2019). Bernecker (2018) has further explored accounts of moral responsibility for forgetting even in cases where it lies beyond conscious control. Forgetting can cause harm directly, such as forgetting a loved one's birthday, or indirectly, as in a parent leaving a child in a car for too long. Beyond its material and legal implications, the moral evaluation of forgetting depends on factors such as whether it was intentional or unintentional, intrinsic values, personality traits, and situational or cognitive factors like stress (Bernecker, 2018; Murray et al., 2018; Glannon, 2019). Another key issue concerns the moral and legal consequences of forgetting linked to criminal acts, whether due to transient global amnesia, substance use, dissociative states (e.g., somnambulism), or severe cognitive impairments such as dementia or amnesia. While the degree of culpability varies depending on the extent to which an individual's mental and physical capacities for reasoning, decision-making, and voluntary action are impaired, severe cognitive deficits raise further questions about personal identity and the challenges of proving that a memory lapse stems from a brain abnormality (Glannon, 2019).

On the other hand, the right to be forgotten, since its legal adoption in some countries, has been the subject of significant debate. Also known as the right to oblivion, it allows individuals to request the removal of private information from internet search engines and other directories under certain circumstances. Scholars have pointed out its tensions with other rights, such as freedom of expression, and potential risks like censorship (Rosen, 2012; Bolton, 2014). Others, however, have emphasized its necessity (Webb, 2017) or examined its implications for personal identity and the challenges it presents for data management (Ghezzi, Guimarães Pereira, & Vesnić-Alujević, 2014; Frosio, 2016). More recently, Basu (2022) has framed this right as part of our moral obligations toward others.

Memory virtues

Given the fragility of memory and its susceptibility to inaccuracies, distortions, falsehoods, and forgetting, an important question arises: what mnemonic virtues are necessary to counteract these tendencies? Despite its significance, the topic has received little attention in

the literature. Trakas (2019) argues that self-focused virtues, such as self-criticism, sincerity with oneself, and the avoidance of self-deception, can help prevent biased or distorted reconstructions of personal experiences. Additionally, other-focused virtues, such as open-mindedness and responsiveness to the perspectives of others, are essential for accurately recalling shared or collective pasts. This gap in the literature underscores the need for further research in this area.

Dementia, agency and autonomy

As individuals with Alzheimer's disease and other forms of dementia experience a gradual loss of declarative memory and other cognitive capacities, their ability to remember past wishes and make informed decisions regarding medical treatment, participation in research, and end-of-life choices, diminishes. This raises critical questions about how to evaluate these past wishes, now forgotten, specially when they conflict with current wishes, and whether such conflicts represent a genuine change of mind.
Dworkin's (1986) concept of "precedent autonomy" posits that a person's autonomy extends from a time when they were competent to a time when they are not, ensuring that informed decisions about critical interests persist. While many argue that respecting precedent autonomy and advance directives of dementia patients is essential, particularly in cases of advanced dementia (Porteri, 2018; Glannon, 2019; Cantor, 2021), this idea is contentious. Dresser (2014) objects to giving absolute priority to precedent autonomy, arguing that it conflicts with the moral obligation to protect the vulnerable. Recognizing the complexity and diversity of these moral dilemmas, Jaworska (1999) suggests that as long as the person is still a valuer, current decisions on her behalf should seriously consider her current values and potentially override advance directives. A similar position on amnesic patients is held by Craver and Rosenbaum (2018), who argue that, despite their memory impairment, they may still possess the psychological capacities to express consent for their participation in scientific experiments.

Memory erasure and modification

While current interventions cannot selectively and reliably erase specific memories in humans—such as those envisioned in science fiction scenarios like Eternal Sunshine of the Spotless Mind (see Paiella, 2020)—ongoing research into pharmacological treatments, brain stimulation techniques, and brain implants has sparked significant ethical debates. These discussions often center on the consequences for personal identity, agency, moral responsibility, and authenticity. Erasing memories might disrupt our ability to integrate those memories into a meaningful narrative of our lives, potentially leading to unintended and inauthentic personality changes. Furthermore, it could undermine our moral sensibilities and our capacity for appropriate moral reactions, given that certain memories are crucial for learning from past mistakes and fostering social emotions (Liao & Sandberg, 2008; Erler, 2010; Elsey & Kindt, 2016; Lavazza, 2018; Glannon, 2019; Zawadzki & Adamczyk, 2021).

Whereas essentialists and narrativists about personal identity may emphasize these negative consequences, existentialists and constructivists might see no inherent threat in deliberately altering memories. On the contrary, they may highlight the potential benefits for self-improvement, adaptive behavior, and authentic decision-making (Liao & Sandberg, 2008; Bublitz & Dresler, 2015; Lavazza, 2018). Some scholars have even defended the right

to freedom of memory and liberty of consciousness (Kolber, 2006, 2008; Bublitz & Dresler, 2015). Not only do they argue that individuals have the right to remember, modify, or dampen their memories as they see fit, but they also assert that this right entails a duty for others to refrain from interfering with those memories. This includes actions such as therapists implanting false memories of sexual abuse in patients, police conducting coercive interrogations, or any other form of unwanted memory erasure, all of which should be regarded as criminal offenses.

However, this freedom of memory may require limits and legal regulation. One key concern is the impact of memory erasure on moral responsibility, particularly when it involves the rights, needs, and interests of others (Liao & Sandberg, 2008; Glannon, 2019). Erasing memories that harm only oneself might be justifiable, but the ethical calculus changes when those memories pertain to experiences that have harmed others. Another limitation arises from the potential disruption of just punishment for individuals who have committed crimes (Snead, 2011; Farina & Lavazza, 2022). Additionally, practical concerns include the risk of overpathologization (Elsey & Kindt, 2016), exploitation by the pharmaceutical industry (Henry et al., 2007), and contradictions arising from others retaining the erased memory (Bublitz & Dresler, 2015).

Traumatic memories warrant special consideration. Using memory-altering interventions to reduce the emotional impact of trauma caused by physical assault, natural disasters, accidents, or war is generally less controversial (Parens, 2010; Glannon, 2019). However, there are broader social reasons that make erasing traumatic memories contentious, such as leaving perpetrators unpunished or erasing critical historical awareness of atrocities, potentially leading to future societal harm (Kolber, 2006; Snead, 2011; Lavazza, 2015). While some argue that there is a moral imperative to uncover and disclose the truth about past events (Blunstein, 2008) or that there are at least moral reasons to remember and testify (Erler, 2011), others contend that imposing such a duty could place an unreasonable moral burden on individuals (Liao & Sandberg, 2008). Taking a more radical stance, and emphasizing the principle of memory freedom, some have argued that trauma victims have the right to decide whether to keep their memories private, make them public, or even erase them—without any obligation to testify against perpetrators for the benefit of society (Kolber, 2006, 2008; Glannon, 2019). Furthermore, it has been suggested that individual memory erasure would not necessarily undermine collective historical memory (Bublitz & Dresler, 2015).

On another front, anesthesia awareness—where patients become conscious during surgery—raises distinct ethical concerns regarding the formation and retention of explicit and implicit memories of a traumatic experience. These dilemmas include whether to inform patients about the low probability of such awareness, whether to use memory-erasing drugs proactively, and whether administering amnesic drugs without patient consent is ethically justifiable if intraoperative awareness is detected (Glannon, 2014; 2019).

In conclusion, despite differing perspectives, many scholars emphasize the need to analyze these issues in anticipation of advancements in memory-altering technologies. A balanced and pluralistic approach may be crucial—one that considers individual well-being, respects personal autonomy, and incorporates broader social considerations on a case-by-case basis (Liao & Sandberg, 2008).

Memory enhancement

Memory enhancement refers to interventions aimed at improving memory function, either therapeutically or beyond normal levels. Therapeutic memory enhancement, such as psychopharmacological treatments and neurostimulation for patients with dementia, seeks to address memory impairments and is generally less controversial. In contrast, nontherapeutic memory enhancement, which aims to optimize normal memory function—whether intentionally or as a side effect of other treatments—remains hypothetical but more contentious, often linked to speculative scenarios and posthumanist debates (Glannon, 2019). Kolber (2006) has proposed a right to enhance memory, while Vedder and Klaming (2010) argue that we may have a duty to do so for the common good, such as improving eyewitness recollection. Beyond these more categorical views, memory optimization is also seen as valuable for promoting well-being and enabling the pursuit of goods like knowledge and practical reasoning (Erler, 2011). However, it also raises ethical and social concerns, including risks to safety, efficacy, and desirability, which may justify restricting the freedom to enhance memory (Bublitz & Dresler, 2015). Excessive memory enhancement could be maladaptive, overwhelming users and impairing abstract thought, attention, and focus on the present (Liao & Sandberg, 2008; Glannon, 2019). Additionally, concerns about altering fundamental aspects of human nature and the risk of brainjacking and unauthorized manipulation of memories have prompted preemptive ethical discussions (Glannon, 2019).

F. Summary

Future directions in the ethics of memory

After decades of rich discussions on the ethical dimensions of collective memories of past atrocities, the future of memory ethics is likely to focus on the implications, applications, and regulation of emerging memory-altering technologies and interventions. These debates, which must take place well before such technologies are widely adopted, should not overshadow classical ethical questions about memory. Striking a balance between addressing these new, pressing challenges and more enduring issues will be essential for consolidating the field of memory ethics without narrowing its scope.

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