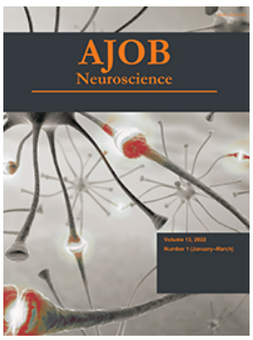

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OPEN PEER COMMENTARIES

Has the Socio-Political Role of Neuroethics Been Neglected?

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Alongside the rapid global advances in neuroscientific research, neuroethics has been one of the fastest growing sub-fields within bioethics. With this rapid expansion, bioethicists struggle to keep up with the continual stream of new ethical challenges raised by the neurosciences including topics such as cognitive enhancement, use of neural organoids in research, and treatment of neurodegenerative diseases. Regardless, the field of neuroethics has formed its own distinctive community with journals, associations, and frequent meetings in order to keep up with this seemingly ever-increasing number of new ethical challenges. In response to the growth of the field, Eric Racine (2010, 30–34) distinguished three domains of neuroethics that focus respectively on research, new technologies, and clinical practice. One concerns how we should deal with new knowledge and its creation within science, one the moral status of new technologies, and the third how this progress in the neurosciences should impact health care. To these, Dubljević, Trettenbach, and Ranisch (2022) insist that we need to add a fourth socio-political perspective that has–they maintain–so far been neglected within the field. They describe the focus of this perspective as investigating the "interplay between the behavioral as well as the brain sciences and the socio-political system" (12), with an aim of "informing public reception of (neuro)scientific findings" (10); covering influence on social regulation but also on sociopolitical discourse. They argue for four roles neuroethics can play in this regard: i) clarify and resolve conflicts of values or worldviews, ii) orient the public regarding the moral status of neurotechnology, iii) reconcile the public with reasonable beneficial changes in neurotechnology, iv) explore the realistic practical and social limits of neurotechnologies.

There is little we disagree with in their compelling case for taking the socio-political roles of neuroethics seriously, and we endorse their call for neuroethics to remain clear of the typical media hype surrounding neuro-technological advances and instead focus on providing useful guidance for policy-makers and the public in how to handle these new ethical challenges. However, we fear that the authors are too uncharitable regarding the socio-political dimensions already addressed within the present literature (e.g., Farah 2012; Fitz et al. 2014; Levy 2007). Indeed, neuroscience directly informs morality itself and can help us to understand socio-political phenomena (Veit and Browning 2020). The authors have seemingly simplified it into a debate between two extreme positions that they refer to as presenting a false dichotomy: those in favor who promote and "hype" new neurotechnologies, calling for their widespread adoption, and those against who warn of the dangers of new technologies and call for their prohibition. They describe the need for neuroethics to serve as a "reality check" on these excesses; implying that this is currently not the case.

If this was an accurate description of the field, their article would certainly constitute an important break with the current tradition, but this is not how we view the current literature in neuroethics. In part this may be an ideological difference–while Dubljević et al. in their paper clearly evince an ethic based primarily in rights and autonomy, our utilitarian leanings may, from their point of view, place us into the 'pro-enhancement' camp. It is true that consequentialists tend in general to be critical of any staunch insistences that we ought not to use some new form of enhancement, even if such attitudes are widely shared among the public. This can often come across as a positive endorsement, or even a hype of the kind that they caution against, labelling it the 'Scylla' of the field. For example, one of us has written a paper on enhancement that begins: "[i]magine a world where everyone is healthy, intelligent, long living and happy" (Veit 2018a, 75); words that could hardly seem more

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indicative of the hype Dubljević et al. warn of. But on closer inspection, it should become clear even where neuroethics articles use such extravagant headlines and openers, this does not mean they form simplistic endorsements of the technologies. Instead, their contents tend to be nuanced explorations that resist the easy answers or false dichotomy of whether to endorse or prohibit a technology. Even those that are largely positively disposed towards promoting use of these new technologies place great care on describing and emphasizing that the socio-political challenges raised by their use, such as inequality, are unlikely to be addressed by a simple ban and instead require careful political thinking and context-sensitive policy decisions (Veit 2018b, 2018c).

If there ever was a time in neuroethics in which the field was characterized by a simple binary dispute between endorsement and criticism, it is a stage we have since moved well beyond. Much work in neuroethics now aims to develop much more fine-grained positions without trying to achieve 'one-size-fits-all' solutions (see also Veit et al. 2020). While it is the case that neuroethics that makes it into the media and public eye can often give the impression of unconstrained hype–a situation we similarly caution against–we think it is a mistake to take this as representative of the field. Rather, we see the field as already quite nuanced, giving great attention to the socio-political consequences of neuroscientific advances and taking into account the established scientific facts of the situation. If the authors were right about current neuroethics, discussion of new scientific possibilities such as human neural organoids, for instance, would consist merely of debates between those that praise the potential advances for science and those that want to prohibit them, but great attention has been given to how neuroethics here intersects both with fields such as animal ethics and political philosophy at large (Birch and Browning 2021).

We suspect that the authors' goal is to undermine the idea that neuroethics is a mere subfield of bioethics and instead show that it has a role of its own, one that overlaps with different fields such as political philosophy and the behavioral (social) sciences. Admittedly, one may see bioethics as narrow field that tries to stay clear of larger meta-debates within both moral and political philosophy and instead try to come up with principles that are acceptable to a wider range of possible ideological positions. But again, it would be a mistake to see this common strategy among neuroethicists as necessarily constraining their field of inquiry. As the authors recognize themselves, there is great diversity in the field, though they take this fragmentation as forming the other major danger in the field, labeling it the "Charybdis" to the "Scylla" of hype. Neuroethics is then characterized as caught between these two alternatives–hype and fragmentation. But just as with the first problem, we believe that the authors are mistaken to equate the growing diversity of neuroethics and the inability to capture the entire field under a single definition, with a risk that a single unifying field would cease to exist; any more than biology ceased to exist after it fragmented into the fields of genetics, zoology, botany, ecology, etc. This does seem to provide the core motivation for Dubljević et al. to emphasize the socio-political perspective as an overarching principle that can bind and guide the different kinds of works going on within the field.

The most charitable interpretation of the authors' criticism of current neuroethics is an argument that where neuroethics has concerned itself with the socio-political perspective, the takes have been extreme and unrealistic, depicting new neurotechnologies as paths to creating either far-fetched utopias or dystopias, positions that are hardly usable for public policy. Yet, as we have argued, we do not think that this is a good description of the work going on in the field, nor do we think that such work must be entirely replaced with more pragmatic analysis. Societies consist of a vast range of different individuals with different values, and to develop sensible and pragmatic policies that take this into account, we will often require something like a mid-level approach. Such work, rather than being apolitical, tries to take an approach that could be acceptable to the majority of members of our society, independent of their differing moral and political values. The diversity within our field is a strength that enables division of labor and even the more extreme utopian takes can be seen as useful intuition pumps for how different people think about the way societies should be organized. While we agree with the authors' emphasis on the importance of the socio-political perspective for neuroethics, and share much of their vision for the field, we think that neuroethics has already put great emphasis on illuminating the socio-political impacts of this work; a practice that should surely continue.

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Continuums of Capacity, Binaries of Guilt: The Sociopolitical Role of Neuroethics in Criminal Justice

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In 1966, Charles Whitman (the "Texas Tower Sniper") murdered his own wife and mother before mounting a University of Texas tower to shoot indiscriminately at passersby until he was killed by police during the resulting shootout. It was, at the time, the deadliest mass murder in the United States (Eagleman 2011). Whitman had previously sought help for invasive, violent fantasies and impulsive violent behavior and, in fact, even wrote a note requesting an autopsy be performed to search for anomalies in his brain (Eagleman 2011). The autopsy revealed a small tumor compressing his amygdala, a structure charged with emotional and behavioral regulation (Eagleman 2011). If Whitman had been captured alive, and the mass discovered on an imaging study of his brain, would this finding have affected determinations of his capacity for criminal responsibility?

As Dubljević, Trettenbach, and Ranisch describe in "The socio-political roles of Neuroethics and the case of Klotho," the development of neuroethics calls for recognition of the discipline's socio-political perspective owing to its capacity to offer insights on the intricate relationship between the brain and human behavior (Dubljević et al. 2022). This relationship inextricably implicates neuroscience in human agency and responsibility and entangles neuroscience with the

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