Neuroethics Methodology and the Is-Ought Gap
Peter Zuk, PhD
Baylor College of Medicine

Background

My work: ethics and public policy of emerging neurotechnologies such as deep brain stimulation (DBS) and adaptive DBS (aDBS), including conducting and analyzing qualitative interviews with stakeholders (patients, caregivers, and researchers) involved in clinical trials of next-generation DBS systems.

There is great interest in and emphasis on the importance of stakeholder perspectives for bio- and neuroethics research. The purpose of gathering these perspectives is often assumed to be solely discovering ethically relevant facts, but I argue that there is more of ethical relevance that can be discerned by engaging with them.

1. The Methodological Question

The question: How can empirical data gathered via qualitative, social scientific approaches have normative ethical and policy implications?

One standard answer:

• By identifying ethical issues arising in practice along with current processes for addressing them, and by supplying facts that contribute to consequence-based analysis.

• But that’s all, because of the is-ought gap.

There are many attempts to articulate additional ways empirical data can contribute, but little consensus thus far [3, 4].

2. Expanding the Standard Answer

Facts about subjective experience are a special class of facts (particularly in neuroethics contexts):

• Subjective experience figures in several key neuroethics concepts: e.g., quality of life, agency, alienation, personality, and identity.

• Each of these is, at least in part, constituted by a person’s subjective experience [5].

• A person’s quality of life is determined, at least in part, by how they themselves feels about their life.

• Agency centrally involves the experience of deliberation and choice.

• Various aspects of a person’s identity are determined by their own self-understanding.

3. Limits of the Standard Answer

This expansion of the standard answer can potentially take us quite far, but it still doesn’t explain the relevance of data about stakeholder’s own normative views and their reasons for holding those views.

4. A Dialogical Approach

To capture the relevance of stakeholders’ own normative views, we need to treat interview data in a fundamentally different (but complementary) way. Distinguish between:

1) the empirical fact that someone made a normative claim

2) the normative claim as normative claim (its role in a dialectic between interlocutors)

• When we treat a stakeholder claim in the second way, we’re treating qualitative research as an extended normative conversation and thereby taking what [3] call a dialogical approach.

• Qualitative interview questions soliciting stakeholders’ normative views are a form of intellectual engagement in which they express those views, reasons for holding them, and their definitions of key concepts.

• Stakeholders’ views then bear on normative analysis directly as claims to be considered in that analysis, rather than as empirical facts from which we must somehow infer normative claims (in apparent violation of the is-ought gap).

5. Implications for Research Design

If qualitative interviews are a form of intellectual dialogue, then in addition to standard human subject protections, some norms governing intellectual dialogue are also in force during qualitative research.

• When, and under what conditions, could it be appropriate to challenge or question the views of stakeholders during interviews?

• How can participants be adequately credited for intellectual contributions without compromising anonymity?

• How can we avoid epistemic injustice in interviews and subsequent assessment of stakeholders’ views and arguments? [6]

• How can we best practice charity in interpretation during interviews and subsequent assessment? [7]

We can answer these questions through renewed attention to the ethical value of respect for persons:

• In addition to Kantian approaches to respect for persons, we should also look to a Millian liberal approach grounded in our ability to assert claims [8, 9], as well as relational approaches to autonomy [10] and identity [11] that robustly capture the social nature of respect. Considering the upshots of each of these approaches for dialogical norms will help us articulate these norms for the neuroethics context.

References


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