

# THEORETICAL BIOETHICS

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## ETHICAL REFLECTION OF BIOCAPITALISM (ACTUAL CONTROVERSY OF CULTURE)

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*In article it is showed the arised disagreement regarding human in modern culture. On the one hand one can see the new phase in the dynamics of modern capitalism, that is biocapitalism. The last is the total capitalism, which is reducing human to the so-called human capital. It is assuming the transformation of human in entrepreneur-of-the-self, whose logics of activity is yielding completely to the all-embracing motion of capital. The result is the new form of total human dependence, which has got disastrous consequences. On the other hand the origin of bioethics is making it possible to indicate new vision of human within the framework of the integral socially-anthropological theory of justice. From this point of view bioethics is interpreted as perspective political and educational institution, which is giving possibility for the real improvement of human and making premises of essentially other type of historical being.*

**Key words:** biocapitalism, bioethics, capital, human capital, culture, justice, egalitarianism, integral biophilic ethics.

## ЭТИЧЕСКАЯ РЕФЛЕКСИЯ БЮКАПИТАЛИЗМА (АКТУАЛЬНАЯ КОНТОВЕРЗА КУЛЬТУРЫ)

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*В статье показывается возникшее разногласие в современной культуре в отношении человека. С одной стороны можно наблюдать в динамике современного капитализма его новую фазу, а именно бюкапитализм. Последний представляет собой тотальный капитализм, который сводит человека к так называемому человеческому капиталу. Это предполагает превращение человека в своего собственного предпринимателя, логика действий которого полностью подчиняется всеохватному движению капитала. Результатом является новая форма тотальной зависимости человека, имеющая катастрофические последствия. С другой стороны, появление биоэтики позволяет обозначить новое видение человека в рамках интегрального социально-антропологического учения о справедливости. В этом смысле биоэтика трактуется как перспективный политический и образовательный институт, допускающий возможность реального совершенствования человека и создающий предпосылки качественно иного типа исторического бытия.*

**Ключевые слова:** бюкапитализм, биоэтика, капитал, человеческий капитал, культура, справедливость, эгалитаризм, интегральная биофильная этика.

The phenomenon of globalization connected with the transformation of the whole world in so-called “global village” on the basis of “free” movement of information, financial streams, working force demonstrates one anxious and at the same time suggesting optimism tendency. This tendency assumes new transformation of capitalism which can be indicated as cognitive biocapitalism. As A. Corsani notes: “in new, cognitive phase capitalism transforms the relationship capital-labor in relationship capital-life” [1]. In that case the talk is about capitalist accumulation which now is based not only on the exploitation of labor in industrial sense but on the exploitation of knowledge, life, health, free time, culture, interpersonal relationships (including intercourse, socialization, sexuality), imaginary, education, medicine, environment and so on. At present the objects of sale and purchase together with material and non-material goods are forms of life, communication, standards of socialization, education, perception, residence, transport and so on. It leads to the appearance of what Corsani calls “private property on means of life” [2].

Now the striking transference of science and capital in the direction of the vital process of society and separate individual is taking place: the conditions as themselves of this process are under control of capital. This transference is close to the completion, it is still going on and existing in the form of growing intensity.

With the appearance of new informational and communicative technologies knowledge begins to circulate separately as from machine as from working human. These new tendencies contain in themselves as enormous resources of emancipation as enormous opportunities of control over human. The control over knowledge can originate as excess the temptation of making decision about giving or not- right to life. Thus modern pharmaceutical industry, for example, chooses research into rejuvenation instead of struggle with tropical diseases. The main innovation consists in this: knowledge, existing in cognitive biocapitalism is related not to the instruments of production, but to reproduction of biological and social life.

Knowledge in cognitive biocapitalism is not only immediate knowledge of human or those which are embodied in human instruments of production (basic capital, according to Marx). Now relationships between science, technology and industry are organized non-linear. What is more, relationship between accumulation of

knowledge and accumulation of capital is not realized already only by means of goods. In circumstances of cognitive biocapitalism already not so much goods are produced as living, lives, bodies, organs, form of life as well.

Non-embodiment in this case can be considered as the sign of the transition from the production of goods to the reproduction of social and biological life. This non-embodiment by no means implies dematerialization. On the contrary, cognitive biocapitalism is characterized by deep materiality, materiality of life and its production. At this new stage of capitalism relationship between the sphere of knowledge production and the sphere of goods production is transformed to great extent. Capital subordinates science already not simply formally so that it corresponds to the logic of accumulation, laws of the growth of cost inside industrial system and in the process of the production of goods by goods. The rise of the cost of capital is taking aim at the sphere of knowledge production now. This transformation entails a series of consequences. First of all, the last illusions about independence of science (from capital) are dispelled.

There are such drivers in the base of arisen biocapitalism as biotechnologies, health, culture, education, communications. Specific gravity of these sectors in global economics is growing rapidly. They are attracting the most considerable volumes of capital. The process of privatization and concentration is taking place in a number of traditionally social sectors. All sorts of the "industries" of health, personal services, "care", so-called "body industries", industry of communications, entertainments, medical tourism- all they determine the face of biocapitalism. In the light of this the concept of human capital becomes clearer. The subject of economical analysis already is not the process of production and accumulation of capital, but human behavior as itself. This epistemological shift has got one of its important results that the field of economical activity is covering all sphere of social and humanistic science. Any human behavior is subjected to economical analysis from now on (including own human analysis): sexuality, family, reproduction, motherhood, concern of one's neighbor, criminality and so on. Thus, economic theory of labor is transforming in theory of the subjective behavior of worker. Such aspects as the purpose of labor, resources of worker, potential of these resources are forming in one's turn the theory of

human capital. Precisely human capital, because within the framework of this approach one is not speaking already simply about human or even about human factor.

Theorists of neoliberalism (outcome of which one can consider biocapitalism) affirm that the final goal of any labor is the receiving of wages (income). That is income is considered as the meaning of labor and defined as the product of labor. However in this case the talk is about capital, which is inseparable from personality. This is so-called human capital. This trinity (knowledge-skills-abilities) must grow qualitatively and quantitatively for the rise of its value on the competitive market of labor. That is why the forming of human capital needs special economic rationality when human is considered as a sort of real or potential "small enterprise". Human considered as capital is subordinated to the logic of enterprise and competition completely. In other words biocapitalism tries to spread the logic of market competition on all spheres of social life so that, for example, care of health, being educated and even political decisions (voting) could be considered as investments, realizing by human in his or her personal capital. Thus human is not taken more simply as working force; henceforth it is human capital, realizing good or bad "investments" as he changes one job to another, increasing or losing his capitalized value. Such new interpretation of human as "his personal entrepreneur" implies material changes in character of ruling (power). Society is getting away from the relative passivity of disciplinary systems (school, fabrics, prison) and from biopolitical control over population (the State of universal prosperity). Is it possible to rule people, who are taken as autonomous acting persons, realizing free market choice that is as entrepreneurs-of-the-self)? As recently one well-known representative of American government said: "We are all businessmen at once". Now the ruling is realized on a level of the environment, where people seem to come to the autonomous decisions. In this case the risks in great degree pass from companies and States to individuals. Owing to such individualization of social politics, privatization of social protection by means of its adaptation to the requirements of market as well social guarantees stop to be the right and are conditioned by individual behavior, which can be characterized as more or less successful. However for the overwhelming majority of people to be "individual entrepreneur" means clash with the external

risks by the absence of necessary resources so that to control them equivalently.

Biocapitalism is making human capital or “individual entrepreneurs”, who more or less are debtors, one way or another, became poor but in any case are subject to risks. For the most of people transformation in “individual entrepreneur” comes to the credit bondage, search of job, payment of debts, reduction of wages and other payments, reduction of social security according to the principles of market competition and business-keeping as well. When people become more and more poor owing to the reduction of their wages and social guarantees, biocapitalism offers them “compensation” in the form of credits and incentives for the purchase of “securities”. Thus, wages and saving payments (pensions) do not increase, but people gain access to the consumer credits. People are induced to take care of own old age independently, forming the bag of securities. People have no right to home actually, but the access to mortgage appeared. The situation with the higher education is similar, for its getting needs educational credit. Thus the destruction of mutual and collective protection from risks takes place. The relationships “debtor- creditor” are put over existing social relationships. Workers transform in indebted workers. They must pay money to shareholders of company, which hired them for these shareholders have made them working places. Consumers transform in indebted consumers. Citizens transform in indebted citizens, who often must be responsible for their part in the debts of country.

Such system leads to the appearance of “special type of subjectivity for which moralization and special perception of time are characteristic” [11]. For now time is already “time-money” finally. “Model” subject of biocapitalism does not work only for wages, he strives to improve that is necessary for the creation of type of personality, who is able to promise, pay debts, realize own blame for the unpaid debt. Hence it follows special perception of time: so that to be solvent (keep in mind debt) one must make own behavior predicted and countable. It is necessary for the prevention of all kinds of rebellions in future and at the same time for the oblivion of all past risings, revolutions and other forms of collective resistance when connection “time-money” was broken and behavior became unpredicted. Thus, biocapitalism is total capitalism, when human becomes entrepreneur-of-itself, “personal

entrepreneur”, “independently” solving, how much to invest in own future (dwelling, health, education and even posterity) and pays by total debt for that. One can say, that this forced freedom of choice is false, simulative completely and is nothing but new form of slavery. At the same time this totality of capitalism, which immanently is in the grounds of human life, does not it testify to the deepest decay of capitalism? Capitalism in the form of biocapitalism removes the last effective restrictions of human behavior, which in this situation has got tendency to radical rivalry. And then that answer, which all supporters of neoliberalism give to all moral appeals (“it’s business”) seems not simply ambiguous truism but rings threatening. Biocapitalism initiates such type of the development, which can become still less ruled and become danger to humankind in general. For that type of human, which was already formed partly in the conditions of biocapitalism becomes extremely dangerous in modern situation of the rapid increase of knowledge and development of technologies since such human has at his disposal lethal instruments and at the same time means for the creation of “a certain posthuman, cybernetic creature” [8].

The appearance of biocapitalism as the system, which is deprived wholly of moral dimension induces to the search of social institutions which could become real alternative to the system of relations “capital-life”. One can imagine that bioethics could become theoretical basis of such alternative. If biocapitalism is immoral attitude to human, life, nature, culture, which become more and more only means for the unimpeded circulation of capital, bioethics is moral attitude to all living. It should be borne in mind that one of the classics, founders of bioethics V. R. Potter considered it as new, philosophical synthesis uniting biology, ecology, medicine and such complex science as ethics. Potter interpreted bioethics as ethics of survival and at the same time as the bridge, transition, which will help humankind to find worthy future. Now it is obvious that this synthesis will be unproductive without including economics, law, politics in it.

Following right stratagem that bioethics “could come out as social science about justice” [9], we will try indicate those aspects of the possible theory of justice or even social-anthropological doctrine of justice, which can become counterbalance, alternative to the impersonal logic of capital. As working definition of justice we have taken definition, which is given by ph. D, associate professor

E.V. Karchagin: “measure and order of due and right distribution of benefits and burdens” [3]. First of all, one should remark, that this definition correlates well with the definition of bioethics as moral attitude to life. Life is not only benefit or process of the use of benefits. At the same time life is burden or process filled with burdens. Unfortunately in modern social-cultural reality all organization of which is determined by capital, the tendency of practical realization of vital process as only benefit for one people and life as only burden for others has taken shape obviously. What is more, life as total benefit for one people is achieved at the expense of life as total burden for others. Or, if to paraphrase Marx somewhat: the life of one people became means for the life of others absolutely. The talk is about deepening tendency of property inequality, which became so obvious that can be compared fully with the inequality of time of the publication of “Capital” or of period directly preceding First world war (so-called Belle epoch). The fundamental work of modern French economist Thomas Piketty “Capital in XXI century” is dedicated to this problem. Published in France in 2013, book already evoked wide effect as in scientific circles as in the most wide strata of society all over the world.

One should remark for the beginning that making analysis of data as for XX as for the first decade of XXI centuries, Piketty ascertains: “Official reports, which are appealed to serve the source of data for the public debate in the question about distribution of wealth, often are depicting artificially softened picture of inequality” [5]. One can disagree with general approach of Piketty but it must be admitted his aspiration for objectivity: of course he escapes Marxist finalism in the settlement of the problem of property inequality, but at the same time by no means he does not share ideology of neoliberalism and total capitalism. Thus, French researcher destroys the illusion of human capital and pure market competition: “By practice there is no invisible hand (of market) no less than there is no “pure and perfect” competition and market is always embodied in specific institutions, such as the highest strata of hierarchy and salary committees” [6]. Therefore, in general, it is hard to judge about scales of property inequality on the planet even approximately. In this connection the conclusion of Piketty on this problem by example of his native France is very significant: “In general in France of XIX century near half of population died not

having property, which one could pass or having negative property and this proportion simply did not change in XX century” [7]. Such is the situation with property inequality now in one of the seven the most developed countries (France is the member of G7). If one has rich imagination one can imagine what does take place all over the world. Towards 2025 year the population of the planet will reach eight billions. By preserving current tendency of the development four billions will live in crying destitution and extreme poverty. To all appearances in reality still more. Thus bioethics as social (and in future perhaps political) institution from necessity must develop tendency of reasonable and regulating egalitarianism. In this connection the idea of UBI (unconditional basic income) as guaranteed minimum of human existence does not seem so reckless. Counterargument that such measure “originate dependents, who are not able and not wishing put into existence of combined space” [4] already is not valid. For, there is no “combined space” already. Superrich “global citizens” detached themselves from general social field by high walls (as in direct as in figurative sense). What is more, what is worth this counterargument, if large number of people will be saved from the fear of destitution and perspective of hungry and homeless death?

However there is not enough the tendency of egalitarianism. Bioethics as new social-anthropological doctrine and educational institution is able to form integral biophilic ethics (concept “biophilic ethics” was proposed by E. Fromm). Human clearly understanding ethical dialectics from the principle of ahimsa and “golden rule of morality to “deep respect to life” (main thesis of the outstanding doctor and thinker Albert Schweitzer), will take the role of hangman or will follow the imperative of total capitalism (it’s business) unlikely. Such approach could outline transition from deepening rivalry to cooperation, solidarity and different collective models of life. The assumption of such perspective would signify at the same time the end of the domination of market paradigm “order from chaos” (where market is “invisible hand” of order) in the ruling of social systems and the appearance of the premises of absolutely another type of the historical being. Thus, the talk is about “paradigm dimension of bioethics” [10] which could become the world outlooking basis of this new type of being.

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## INTEGRITY: PERSONAL

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*In the given article we analyze the problem of Personal integrity which is a central notion of the modern Bioethics. The vocabulary for designation it has different connotation in law, in philosophy and in physiology. Actually many national, regional and international bioethical and legal documents provides and protect personal integrity, but its factual protection remain unsatisfied. In the article we analyzed also the types of personal integrity (physical, mental), as well the problems of autonomy, responsibility, violations, human vulnerability, compulsory treatment.*

**Keywords:** Personal integrity, Human Rights, Responsibility, Autonomy, Human Vulnerability, Violations.

## ЛИЧНАЯ НЕПРИКОСНОВЕННОСТЬ

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*В данной статье анализируются вопросы, связанные с неприкосновенностью личности, которая считается одной из центральных проблем современной биоэтики. Неприкосновенность личности имеет разный дополнительный смысл в юриспруденции, философии, физиологии и т.п. В настоящее время многие, в том числе региональные, национальные и интернациональные биоэтические и юридические документы стремятся обеспечить (и иногда обеспечивают) защиту личной неприкосновенности, однако реальная, фактическая защита остается неудовлетворенной. В статье анализируются также типы личной неприкосновенности (в разных странах), проблемы насилия, уязвимости, автономии, прав и ответственности личности.*

**Ключевые слова:** личная неприкосновенность, автономия, ответственность, права, уязвимость личности, типы неприкосновенности.

Personal integrity is person's physical inviolability that permits to make decision in autonomy manner any issue relating to his or her own physical body. Personal integrity implies such trustworthiness and incorruptibility that person is incapable of being false to a trust or covenant. Personal integrity if ability not be subjected to scientific, medical and other experiments without persons' consent. The violation of right to personal integrity is infringement as a violation of personal autonomy. The terms 'bodily integrity', 'integrity of the individual' and 'physical and mental integrity' are simultaneously used.

The word "integrity" comes from the Latin integritas, which means to be whole. The wholeness implied by bodily integrity not merely means physical wholeness with borders intact. Personal or body integrity means that the body has physical and legal borders. The protection of human body does not cease after the death of person. It is known two type of personal integrity, physical and mental. Physical integrity presents a human body in his corporal edges. The respect of physical integrity involves the right to life, right to respect for the body. This corporal worthiness cannot be trespass without consent. The protection of medical score is integral part of physical integrity. Conversely, mental (psychological) integrity requires the respect of individual belief, positions and concepts. The mental integrity involves rights to dignity, right to control of use of their image and to maintain their privacy. The mental integrity is violated in case of disrespectful medical treatment. This violation of mental integrity can be found in case of lack of seriousness toward patients' cultural, social and religions convictions. Therefore, mental integrity can be violated without violating the body integrity. However, the mental integrity is considered violated in case of violation of body integrity