

Professor Comments

Rapture reflection paper. Book analyses were very interesting; consider the role of venture capital and the way that science is conducted. To what extent is it ethical for scientists to also act as entrepreneurs? Alexander suggests that biology is like jazz, is flexible and is contingent. Legally authorized. Enjoyed strong arguments and the religion of biotech. "If biotech is a religion, should it receive federal funding?" in a paper. Entertainment vs how science is constructed today. the way that Lock's book talks about the hybrid, looking at those who are brain dead, kept artificially alive through technology. How are we defining what constitutes life. Is it ethical to be experimenting with stem cells and cloned embryos? Categories of what is human is expanded.

Lock reading. Please keep up. Monday section involves more religion and culture in Japan and how that affects people's notions.

Course evaluations on Wednesday.

Another film soon.

Student Presentation

Making the definition of death uniform—what death is, what brain death is. The person, the body, where is the individual/soul situated. Last three chapters were about Japanese involvement with brain death, organ scarcity, and moral traditions and social implications.

Page 103 quote. Private domain, medical tradition—but systematization of brain death following Harvard Ad Hoc committee in 1969.

Criteria—dealing with defining brain death. Lack of consensus of brain death diagnosis because of varying diagnostic technique; doctors decided under private domain. Should the doctor be in charged with determining brain death. Huge variety of criteria and methodology. Who should have the final word?

- There should be a standard but there will be interpretation. The family has some weight and more importantly is the significance of that diagnosis.
- Neurologist should diagnose. Doctors already have the final word.
- We already trust doctors to make important decisions about us.
- We'll get to PVS/Terri Schiavo issue

By 1987, brain death legislation enacted, and public feared that doctors would pull the plug prematurely.

- conflict of interest of medical decision making and diagnosis-making by organ transplant doctor v neurologist intervention

How is brain death defined?

- Trying to find certainty/be certain/the entire obsession of Western conception? uncertainty of brain death, uncertainty of quality of organs
- distinction of PVS v whole brain death
- Death is determined by whole brain death or irreversible loss of cardiopulmonary function. The problem of distinguishing gradations of brain function

Distinguishing between person and body.

- Cadaver qualities

Putting someone on a ventilator—is that a perversion of modern science, waste of resources?

- Gaylin—talked about how category of individuals who are brain death, neomorts, advocated that they would be perfect subjects for experimentation. Compare to stem cell research. A category of liminal individuals; what is their moral/legal status.

Robert Veatch

- important ideas, question on whether person as a whole should be dead if the brain is dead

Essential human qualities

- cognition; potential;
- parts greater than the whole? individual parts may have greater value than total parts

President's Commission

Philosophical essentialism

- argue against brain death—academics of north America recognized new death
- death as based on solely biological measurements; death of social/identity person;
- cerebral death

To what extent should we all look at death through a biological standpoint?

- emergent property—the whole is more than the parts. why complex networks show these properties that don't have individual parts
- the sense of the self is a property of the brain
- To pinpoint death is to favor one perspective of the body; to pinpoint moment or location death;
- Finding the exact moment for procurement—is it even possible? or is it ethical? is it even ethical to define death in the first place?
- harsh view of doctors—blames doctors for trying to construct; culture constructs medicine constructs doctor
- is science shaping us, us shaping science? science is not outside of our culture.

Japan

- success of experiment of Dr Wada; more questionable issues came up, EEG wasn't made, that heart complications were not real and it blew up with the media
- heightened the skepticism and fear of Japanese people against medical profession, tertiary medicine
- notions of tradition, going back to simpler moral order
- 31 years afterward (1999) before a heart transplant was performed; how government and doctors were against transplants
- weren't averse to small less necessary organs (kidneys), but averse to more life regulating organs such as hearts, lungs
- different technique: not complete removal
- 1990s law allowed authorized organ banks
- black market procurement for organ transplants—should in this case at that time Japan be procuring
- only 24% thought that brain death was real death; public consensus did not recognize it

MOH/Neurosurgeon Takeuchi

- doctors would diagnose brain death but keep them on the ventilator in Japan
- people were put on ventilators indefinitely
- Uniform death act in USA influenced what happened in rest of the world; Mary-Jo Good, clinical realities, the community of doctors have a similar moral economy
- different nations have chosen different options of how they define death
- death as a social and legal construction that varies cross culturally
- USA institutionalization of brain death; what brain death was—how to evaluate it?
- defining death would provide people a way to have disadvantaged people be put to less power
- draw links to eugenics, issues of power, who has the power or agency to decide how these diagnoses are determined; are certain groups of people more vulnerable than others

Gift giving

- Thank you fund—monetary condolence; idea of reciprocity
- that organ transplants were unnatural, that it would become rejected; attuned to seeing it as an unnatural method
- People started targeting children;
- Should there be some form of recognition or compensation?
- the idea of the gift is constructed within the social realm
- maybe within Japanese society would prevent creating a market
- no stigma on someone who cannot provide gift
- ability to ensure that compensation does not affect questions of access

Surrogate mother

- declined payment of 15K, one has defective heart for example.
- financial arrangements are common for surrogate mother

- regulated by state by Israel
- nothing necessary wrong by market regulation
- Is there anything wrong with using people's bodies to promote the life of someone else without coercion or force?
- reproductive control—Norplant—could lead to certain exploitation of certain social classes;
- would it be a cover story for the black market
- what if the state regulated it?
- Times article—stem cell article
- People's concept of life—surrogacy v stem cell/taking life; the exploitation of the body varies (surrogacy/kidney/expendable v relative's organs—not expendable, notions of western autonomy)
- Japanese perceptions of American culture—how the USA is so market oriented; a sense of lack of moral sense in American culture
- how notions of individual, autonomy, and how they are debated, resisted, refuted to some degree in Japan

Technology as Other (the West)

- concern of keeping in touch with tradition and modernization
- organ donation as a product of American pragmatism—is this a product of a necessary evolution of technology or American culture?
- technology and priorities of body/self were shaped by social/cultural perceptions/priorities
- Stem cell research—curiosity factor
- how can we use this technology for the betterment of people? this is very pragmatic perspective
- (is it really altruistic?)
- commodification of human organs
- Pedro Almodovar—*All About My Mother*
- Cultural perceptions; movies; Noh plays—are these expressive forms of culture formative in shaping our views? So much is said and not said in the media
- brain death v social death
- Orlando Patterson—social death in relation to slavery
- translating into new worlds for use as laborers, a process of social death; viewed as an object of property; removed of sense of identity; creation of fictive kinship;
- When individual/family wishes to donate

Surveys done of American clinicians—the definition of brain death, the criteria used, the standard set of procedures that individuals must go through.