

EUROPÄISCHE AKADEMIE

zur Erforschung von Folgen wissenschaftlich-technischer Entwicklungen
Bad Neuenahr-Ahrweiler GmbH

Direktor: Professor Dr. Dr.h.c. Carl Friedrich Gethmann

NEWSLETTER

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EDITORIAL

■ Fine arts are part of the office and working environment of the Europäische Akademie GmbH and its staff members. Since the academy was founded, twenty-three regional and national artists have presented their works in the Europäische Akademie.

The exhibitions are opened by a private viewing in the course of which the invited public has the opportunity to talk to the artists and the academy's members of staff. The artists give an impression of their work in drawings, sculptures or footage.

The current exhibition is the second one by Günther Winkler (Sylt, †2006) who presented his work on the premises of the academy for the first time in 2003. In his expressionist work he often dealt with themes of the artist group "Die Brücke" using material such as water colour in the tradition of van Gogh or Munch. His paintings will be presented until autumn 2009.

Earlier exhibitions presented the work of – among others – Hanna Ludwig-Schmidhuber (Hattingen a. d. Ruhr, 2008), Beate Leisten (Ahrbrück, 2007/2008), Bobo Kriechel (Bad Neuenahr-Ahrweiler, 2007) and Barbara Kroke (Bonn, 2006); all of them presented paintings using different kinds of material, for example acrylic.

The exhibitions, which are funded by the Sponsors' Club (Verein der Förderer), can be visited during the opening hours of the academy. The Newsletter reports regularly on the current private viewings and exhibitions.

KM/FW

Further information: www.ea-aw.de/en/events.html

FOCUS

Arguments from Instrumentalization

Georg Kamp

Whichever handbook or dictionary of ethics one may consult, there will be no entry on keywords like 'instrumentalization' or something like 'Instrumentalisierungsverbot' ("prohibition of instrumentalization"). Just in opposition to these findings, those keywords are very often heard in debates on moral questions of the most different kind: Whether the research on human stem cells is discussed or interrogation under torture, whether general deterrence effects of imprisonment is argued about or abortion, one often, with a certain appeal to the auditorium's intuitions, hears the verdict: This would be an instrumentalization (of the embryo, the tortured, the delinquent, the aborted fetus), and therefore was to be prohibited. This Focus examines some presuppositions of these arguments.

Certainly, in some cases, when one is confronted with an argument from instrumentalization, there is a clear intuition, and at least in some core examples the metaphor of "instrumentalization" not only seems to be a perspicuous and illuminating description of what is in question, but is suitable in its adverse normative undertones, too. Where, for example, acts of slavery are in question, this certainly will be the case – it not only belongs to our culture not to accept any kind of slavery. It as well belongs to our culture not to accept that the acceptance of slavery is dealt as a mere cultural affair. The terms 'suppression' and 'exploitation', characterizing what is held as unacceptable in slavery, are normative laden words that bear in themselves the rejection of the actions they denominate. 'Instrumentalization' is often used in the same way. But this does not mean that the adequacy of the descriptive aspects and the legitimation of the normative aspects of their usage could not be examined separately.

To start with the descriptive aspects there are two different usages of 'instrumentalization' to be distinguished: Someone picking up a pebble to fix the pegs of his tent and heedlessly

throwing it away again afterwards, makes it an instrument by using it as a tool in his action. Being an instrument here is a function of being used. The one splitting a pebble in order to make a sharp stone tool out of it hereby makes it an instrument, too. But being an instrument here is a function of some properties of the product of the sharpening-process. And it will be an instrument even though neither the maker of the stone tool nor anybody else would ever use it.

Instrumentalization as depersonalization

Herbert Marcuse uses the word in its second meaning, when, summing up his analysis of what he describes as the dialectical relationship between man and machine, he states that the "liberating force of technology – the instrumentalization of things – turns into a fetter of liberation; the instrumentalization of man" (*One-Dimensional Man*, p. 159). This is a consequent continuation of the "Kulturkritik" Max Horkheimer and Theodor W. Adorno formulated years earlier and ultimately roots back to the Marxian concept of alienation. Following this critique the economical and tech-

nological progress will creepingly corrupt the individual who by and by becomes a machine-like pursuer of given ends instead of setting the ends of his or her own. The deviant state of being instrumentalized is defined as the final state in which man has lost what tradition holds to be the specific difference of mankind and what constitutes his dignity: his ability of freely setting his own ends or, as Immanuel Kant puts it: being an end in itself.

Instrumentalization as a means to someone other's ends

Evidently, this is not what is meant by "instrumentalization" in the current debates on normative questions mentioned above. With respect to the concept just described one may warn the individual not to become instrumentalized, one may even appeal to the individuals to stop or change the processes that promote the instrumentalization, but there is no sense in *prohibiting* instrumentalization, as far as there is no actor who instrumentalizes. Hence, in current debates becoming instrumentalized is much more understood as a purposely or carelessly induced effect of actions that could, for instance in reaction to a prohibition, as well be omitted or at least varied so that it does not lead to the disputed outcomes. Where there is instrumentalization in this sense, there must be an actor who is the instrumentalizer. Consequentially, being an instrument, in this context, is rather part of a relation, namely that of being used by someone for his or her purposes – just as there is no slave without being slave of someone.

As can be easily seen it is not the purposes of the instrumentalizer but some attribute of his action he adopted as a means that makes his acting morally questionable: what the slaveholder is blamed for is not that he wants to maximize his profit, but that he chooses suppression and exploitative practices as a means. The police officer who threatened the supposed kidnapper with torture is criticized for using this as a means, not for his purpose to get some information to save the victim's life. And those who criticize the researcher certainly do not so for his attempt to develop new therapeutic methods, but for his acting on and sometimes destroying human stem cells.

On the other hand, it is just the "altruistic" purpose that, in the second and in the third case, confuses the intuitions about these cases: Torturing others just for one's own advantage and enjoyment or freeing victims of kidnappers without harming others are neither forms of instrumentalization nor in any case morally problematic. The more problematic cases many of the controversial cases of so-called instrumentalization belong to, may need some support from ethical theory.

However, since ethics is a discipline that supports decision-making with conceptual and rational consideration, but cannot provide an algorithm, a manual or an oracle that leads to right decision-making, this will help to gain a clearer concept of what is problematic and what are promising options, not to single out "the" solution of the problems. A closer look on the different answers given by an utilitarian and a Kantian ethics may serve as an example. Both are highly elaborated versions of strategies that are part of our adopted and cultivated ways of everyday moral decision-making.

The utilitarian framework

The utilitarian ethical framework or, to be more precise, one of the strongest utilitarian frameworks is based on the assumption that moral decision-making should maximize the expected use-value of the actions in question. If, for example, the expected use-value of threatening torture (in the case of which legitimately it could be assumed that this would lead to saving the victim) exceeded that one of not doing so (thus jeopardizing the victim's life) one should threaten torture. But, a typical counter-argument is, that other police officers may consider it as a paradigm case and act in a similar way, even if the circumstances are less dramatic. Taken these more indirect consequences into account and adding the jeopardizing of a civil practice of investigative arrest to the expected use-value, the record may become even more negative than in the case of a not threatening torture. Certainly, this will change immediately, if in any such cases the potential torturer has to expect a questioning in an independent judicial inquiry that gives him a strong incentive to weigh up the options carefully. And what happens if there was a law that exactly specifies the cases in which torture was allowed? These considerations reveal: If the decision depends on a balancing of expected costs and benefits, a definite description of all the relevant circumstances and all the options that are open under these circumstances and a precise and uncontroversial evaluation of the consequences of these options are inevitable. Since all this is problematic, its outcome is nothing less than clear. In any case, the utilitarian framework is highly useful to sort and organize the tasks relevant for decision making. But principally, without any further restrictions, it would be open for all possible outcomes: Under certain circumstances the comparison of the expected use-values of all the open options may allow torturing even in such cases in which it serves nothing more than the enjoyment of the torturer, and it may as well allow slavery, if only the record of comparing this option to all other options' outcomes is the most positive one.

The Kantian framework

Within a categorical framework such as, for example, the one of a Kantian ethics that, in its regular understanding, sets restrictions to a purely output-oriented balancing of options and especially disallows any action that is against the dignity of any person, there is a clearly cut principle that in some alternatives may lead to a clear-cut decision against the one or the other options. But this does not necessarily lead out of the dilemmas, and just because it works with categorical concepts (and not relative, comparative ones), it raises questions as to how to subsume the cases under these categories. So, in view of the examples discussed above, there are dilemmas where the dignity of the one person must be weighed up with the dignity of another, when e. g. the dignity of the kidnapped person should as well be protected as the dignity of the kidnapper. In how far is the dignity of a prisoner affected, if he is not kept just in order to give him the opportunity of social rehabilitation, but by reasons of general deterrence? And though there might be an evaluation of the expected use-value of a stem cell, that will, if not used for experimentation, be kept deep frozen "forever" or would simply dry out without technical support, there is no generally accepted guiding principle leading to a decision as to whether such stem cell was a person and therefore protected by its dignity or not.

Certainly, Kant formulated such a principle: being a person and being an owner of dignity is dependent on being able of freely setting one's own ends. And following this criteria, instrumentalization means nothing else but, as Kant took it in the second formulation of his categorical imperative, a conflict between an actor that uses a person "merely as a means" for his own purposes (whether "egoistic" or "altruistic"), and the person who by consequence of this action is inhibited to act on its own purposes. If this criterion is strictly followed, the decision would be made easy again: neither is a stem cell a person nor is, by purely conceptual reasons, the research on stem cells a form of instrumentalization. But the same would apply to human beings who are for other and sometimes contingent reasons not able to set own ends, so that the Kantian criteria with good reason is criticized as too strong.

Without any further conceptual and evaluative investments the categorical framework of a Kantian ethics is as less able to decide the normative problem of so-called instrumentalization as the utilitarian approach. In any case, though, it is more promising to dispute on the rationality of those investments than on the question whether a certain practice is an instrumentalization or not. Outside a comprising conceptual framework an argument that e. g. research on stem cells should be banned just because this would be

an instrumentalization, would in relevant respect equal the proverbial explanation of the power of sleeping pills to induce sleep with a certain *vis dormitiva*.

Dr. phil. Georg Kamp, M.A., is member of staff at the Europäische Akademie GmbH. He is co-ordinator of the project group "Radioactive Waste. Technical and Normative Aspects of its Disposal" (duration 10/2008–10/2010).

WORKING GROUPS

First Meeting of the Project Group "Clinical Research in Vulnerable Populations"

■ The first meeting of the project group took place at the Berlin-Brandenburgische Akademie der Wissenschaften (BBAW), Berlin, on 17 and 18 March 2009. In the beginning Professor Dr. Jörg Fegert, medical director of the Department of Child and Adolescent Psychiatry and Psychotherapy, Universität Ulm, gave a talk on children in need of medical innovation. He called for an in-depth debate on clinical research on preventive medicine. Both the statistical theorem that is the basis for parents and surrogates to decide on preventive medicine and the often underestimated side-effects of predictive medication have to be taken into account more often.

Thereafter Benedetto Vitiello, M.D., director of the Child and Adolescent Treatment and Preventive Interventions Research Branch at the US National Institute of Mental Health in Bethesda, presented his view on ethical concerns in child mental health research. He emphasised the need for a proper interpretation of genetics and brain imaging data for the estimation of the level of risk for mental illness and warned of the danger of misusing these data.

On the second day of the meeting Professor Dr. Günter Stock, president of the BBAW, and formerly member of the research board of Schering AG, questioned in his talk whether current drug regulations can meet challenges and opportunities of existent drug development strategies. He pointed out that there is no legal framework to perform targeted research for risk factors in a clinical trial setting.

The second meeting of the project group took place at the Universität Ulm, 11–12 May.

For information on the members of the project group see: www.ea-auw.de/en/project-groups

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Kick-off Meeting of the Project Group on "Radioactive Waste"

■ On 23/24 April the project group held its kick-off meeting with external experts at the Berlin-Brandenburgische Akademie der Wissenschaften, Berlin. Members of the group presented first considerations and results from the hitherto discussion to the experts and asked for comments, critique and further relevant information. Professor Dr. Ortwin Renn, Technische Universität Stuttgart, who then joined the project group for the first time and is now member of the group, gave a short talk on what are – in view of the requirements of risk management – the special issues with radioactive waste and how and why risk and risk perception differ especially in this case. Dr. Annie Sugier, Institut de Radioprotection et de Sécurité Nucléaire in Paris, explained how stakeholder involvement tries to cope with these challenges in France; Dr. Hans G. Riotte, OECD Nuclear Energy Agency in Paris, gave a worldwide survey of the current societal and political conditions for the construction of radioactive waste repositories. Professor Dr.-Ing. Wolfgang Kröger, ETH Zürich, and Professor Dr. Klaus-Jürgen Röhlig, Technische Universität Clausthal, opening the second section on technical and geological aspects, made suggestions concerning the evaluation of radioactive waste management options and strategies. This was commented by Dr. Riotte who gave an international survey of strategies for disposition of radioactive waste and others. In a third section Professor em. Dr. Dr. h.c. Christian Streffer, Universität Duisburg-Essen, chairman of the project group, and Professor Dr. Rolf Michel, Leibniz Universität Hannover, presented actual data on the toxicity of radionuclides and discussed the consequences for disposal conceptions that are to be derived from it.

The meeting closed with a discussion on normative questions: Professor Dr. Dr. h.c. Carl Friedrich Gethmann and Dr. Georg Kamp, both Europäische Akademie GmbH, in their inputs, and Dr. Axel Gosseries, Université Louvain, and Detlef Sprinz, Ph.D., PIK Potsdam (Institute for Climate Impact Research), in their comments, shed some light on the ethical aspects of the topic, especially on the question in how far there is and what might then derive from an obligation for future generations. How management of radioactive waste is regulated legally in various countries was explained by Professor em. Dr. Eckard Rehlinger, Frankfurt. Further participants in the discussion were Dr. Stephan Lingner, Europäische Akademie, Dr. Bernd Lorenz, Gesellschaft für Nuklear-Service mbH, and Dr. Michael Weis, VGB Powertech.

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First meeting of the Project Group on "Energy Storages"

■ On 2 June 2009 the project group "Energy Storages and Virtual Power Plants for the Integration of Renewable Energies into the Power Supply. Potentials, Innovation Barriers and Implementation Strategies" will meet for the first time. The meeting will take place at the European Legal Studies Institute, Universität Osnabrück. Beside others, the preliminary working programme will be further specified and potential candidates for the extension of the current core group will be discussed.

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NEWS

New Publication on Sustainability in Schooling

■ The Europäische Akademie recently published No 48 of the Graue Reihe. The booklet "Der Weg zu einer Nachhaltigkeitskultur in der Schule. Zwei empirische Studien" by Laura Martignon and Winfried Sander was part of the work on the study "Nachhaltigkeit und Gerechtigkeit. Grundlagen und schulpraktische Konsequenzen", Springer-Verlag, which was released in autumn 2008.

This Graue Reihe publication focuses on the requirements of the education for a sustainable and just development, how these requirements currently are met in practice and how complex contents could be presented in schooling.

This volume as well as all other issues of the Graue Reihe can be ordered free of charge at the Europäische Akademie GmbH or can be downloaded at: www.ea-auw.de/en/publications.html

CONFERENCES

Autumn Conference on Animal Welfare

■ Animal welfare is a topic that plays an increasingly important role in public perceptions, politics, and science. Animal welfare science has become a cross-disciplinary area of study in which veterinary science, biology and animal husbandry join forces, and which is often consulted to guide processes of development in legislation concerning animal protection and in the practice of animal use. However, the variety of uses of the concept of animal welfare sometimes leads to contradictory conclusions regarding the scientific evidence, and ambivalence in the relation of empirical research with animal ethics and policy. The autumn conference 2009 brings together scientists representing animal welfare

science, animal ethics, law, and philosophy of science, in order to discuss how philosophical analysis and explication of the scientific terminology, concepts and theory may support the further development of animal welfare research in light of the animal welfare concept's broad use in animal ethics, society and legislation.

Speakers will be: Professor Colin Allen, Ph.D. (Indiana University, USA), Professor Donald M. Broom, Ph.D. (Cambridge University, UK), Dr. Vonne Lund (Veterinærinstituttet, Norway), Professor Lennart Nordenfelt, Ph.D. (Linköping University, Sweden), Dr. Joëlle Proust (Institut Nicod, France), Dr. Ian Robertson (International Animal Law, Leeds University, UK, and Massey University, New Zealand), Dr. Kirsten Schmidt (Ruhr-Universität Bochum, Germany), and Professor Dr. Hanno Würbel (Justus-Liebig-Universität Gießen, Germany).

Date: 8–9 October, 2009

Venue: SETA-Hotel, Bad Neuenahr-Ahrweiler

Deadline for registration: 28 September 2009

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PUBLICATIONS

Georg Kamp

■ “Handlung = Körperbewegung plus x’. Kritik einer handlungstheoretischen Präsupposition”, in: Georg Kamp and Felix Thiele (eds) *Erkennen und Handeln*. Festschrift für Carl Friedrich Gethmann zum 65. Geburtstag, Fink, München 2009

Stephan Lingner

■ “Klimawandel – eine unbequeme Wahrheit? Die Perspektive der Technikfolgenbeurteilung”, in: Georg Kamp and Felix Thiele (eds) *Erkennen und Handeln*. Festschrift für

Carl Friedrich Gethmann zum 65. Geburtstag, Fink, München 2009

Felix Thiele

■ “Zum Verhältnis von theoretischer und angewandter Ethik”, in: Georg Kamp and Felix Thiele (eds) *Erkennen und Handeln*. Festschrift für Carl Friedrich Gethmann zum 65. Geburtstag, Fink, München 2009

LECTURES

Carl Friedrich Gethmann

24/4/2009

■ “Ethical Problems of the Disposition of Radioactive Waste”
Interdisciplinary Project Group “Radioactive Waste. Technical and Normative Aspects of its Disposal”, Berlin

29/4/2009

■ “The Human Genome as a Fact and a Task”
Ethics Programme, University of Oslo

11/5/2009

■ “Der ‘Geist’ der Geisteswissenschaften”
Symposium in honour of Professor Dr. Dr. Alfons Labisch: “Vom Nutzen der Wissenschaft für das Leben: Lebens-Wissenschaften”, Heinrich-Heine-Universität Düsseldorf

15/5/2009

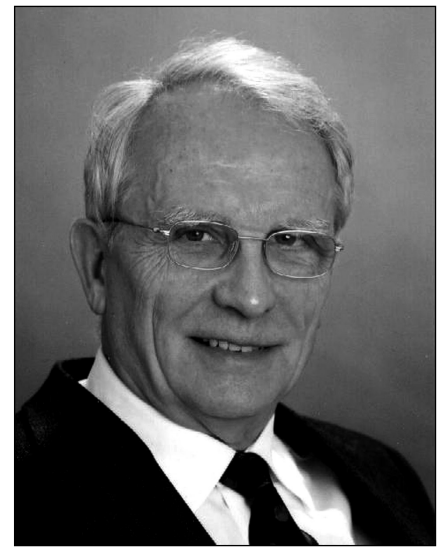
■ “Die Verfasstheit der Deutschen Universität”
Sächsische Akademie der Wissenschaften, Akademieforum “Bologna-Prozess in der Krise”, Leipzig

Stephan Lingner

7/5/2009

■ “Internationale Herausforderungen an Logistikunternehmen – (auch) eine Frage des Klimawandels?”
International Week at the RheinAhrCampus Remagen, 4–8 May 2009

PERSONALITIES



■ Herbert Paschen, born in Hamm in 1933, studied modern languages, law, economics, and statistics both at the Universität Heidelberg and Wayne University in Detroit, USA. In 1968 he received a doctor's degree in economics at the Universität Heidelberg (“The Measurement of Industrial Concentration”). From 1967 to 1968 Paschen worked as deputy director at the European Training Centre for Statisticians and Economists from Developing Countries (CESD) in Paris, France. In 1971 he became one of the directors of the Study Group for Systems Research in Heidelberg, a German pioneer institution in the field of scientific policy consulting. From 1975 on Paschen was director of the Department of Applied Systems Analysis (later Institute for Technology Assessment and System Analysis) at the Karlsruhe (Nuclear) Research Centre. He was the founding director and long-time head of the Technology Assessment Bureau of the German Federal Parliament (TAB), established in 1990.

Paschen's main areas of professional interest are research and development planning, technology assessment, environmental impact assessment, risk analysis and risk management, energy policy and planning. As scientific consultant he worked for numerous international organisations, in particular for the OECD, the European Community, and the UNESCO.

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