



# **Not Left to Chance: Why Mandatory Neuroenhancements Don't Undermine Parental Autonomy**

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# The Basic Case

- Imagine a fictional, idealized brain implant that can. . .
  - detect the formation of aggressive neural states, or neural states correlated with physical aggression;
  - prevent the formation of those states in contextually-sensitive ways; and
  - halt unethical (or anti-social) physical aggression towards children.
- As it's designed to prevent physical child abuse, call this implant **Child Lock**
- Similar designs and proofs-of-concept:
  - **Advance Directive Implants (ADIs)** (Battin & Kious, 2021)
  - **DARPA's DBS Mood Disorder Implant** (Reardon, 2017)

# Parental Autonomy

- Suppose the State **required** all parents (and other caregivers of children) to be outfitted with Child Lock, with the aim of mitigating physical child abuse
- On the face of it, that seems inconsistent with **parental autonomy**:
  1. Parents have a right to autonomous action.
  2. An action is autonomous only if the action would not have been different *sans* (non-rational) external interference.
  3. If all parents are compelled to receive Child Lock, some of them will perform actions that would have been different *sans* the (non-rational) external interference of Child Lock.
  4. So, parents have a right against being compelled to receive Child Lock. [From 1-3]

# Parental Autonomy

- Consider Harry Frankfurt's classic example in which **Black implants a chip in Jones' brain to ensure Jones kills White:**

Let Black manipulate the minute processes of Jones' brain and nervous system in some more direct way, so that causal forces running in and out of his synapses and along the poor man's nerves determine that he chooses to act and that he does act in the one way and not in any other. [...] Now suppose that Black never has to show his hand because Jones, for reasons of his own, decides to perform and does perform the very action that Black wants him to perform. (Frankfurt, 1969: 835-6)

- Suppose now that Jones **decides against** killing White and that Black, in response, activates the brain implant that causes Jones to kill White
- Intuitively, Jones' action isn't free because **[insert your favorite explanation here]**

# Response 1

- All parents fall into one of two categories:
  - A. Without Child Lock, they **would not** physically abuse their child
  - B. Without Child Lock, they **would** physically abuse their child
- Recall premise 3 of the **Parental Autonomy Objection**:
  - 3. If all parents are compelled to receive Child Lock, some of them will perform actions that would have been different *sans* the (non-rational) external interference of Child Lock.
- Applied to **A-type** parents, premise 3 is **false**: They wouldn't abuse their child with or without Child Lock.
- Applied to **B-type** parents, premise 3 is **true**, but it's unclear whether they lose **morally significant autonomy**

# Response 1

- When is autonomy morally significant?
  - **My view:** Transgressing a person's autonomous behavior is morally significant just in case it would be pro tanto impermissible (or wrong other things being equal) to transgress it.
- Some act-types clearly lack moral significance:
  - Example: the act-type **autonomously attempting to kill a person whose killing you know to serve no moral purpose**
- The same is true of abusive actions:
  - So, the same is true of the act-type **autonomously abusing a child**
  - It isn't even pro tanto wrong to transgress this act-type, as the justification for interfering is entailed by the nature of the act-type

# Response 2

- Does Response 1 miss the point of the Parental Autonomy Objection?
  - Perhaps the Parental Autonomy Objection isn't concerned (only) about whether **parental treatment of children** is autonomous.
  - Rather, it's concerned primarily about whether **parents receiving Child Lock** is autonomous.
- If Child Lock is state-mandated for all parents, are parents free when they're outfitted with Child Lock?
  - **Answer 1:** Yes, for the same reasons outlined by Response 1
  - **Answer 2:** No, but they have waived their right to a range of autonomous behaviors by having children and/or tacitly accepted child protective measures
  - **Answer 3:** No, but as O'Neill (2012) argues, informed consent is unnecessary for many/most public health measures (e.g., fluoride analogy)





**Thank You!**

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