

Ethical Dilemmas: Who should decide - scientists, God or lawyers?

Conflict between science and morality is nothing new. Most famously perhaps, it was Galileo's scientific challenge to ecclesiastical doctrine that threatened to undermine the power of the church. A similar struggle is developing in our society today, except that this time the tables appear to have been turned: The power of science has grown so greatly that we are now able to play God ourselves, and our ethical mores can no longer resist the Gallileoes of the day. Indeed, the questions that are now being asked are not whether we should adapt to science, but how?

The consequence of a sudden acceleration in the process of gaining scientific knowledge, and with it power, has been the accumulation of new responsibilities. In a situation that we are able to influence, and even direct, we find ourselves responsible for what comes of it - whether we choose to act or not. Take for example the problem of whether to abort a foetus that we know will die of a terminal genetic disease within 10 years of birth. Given such knowledge, we will be forced to choose whether to let nature run its course, with all the suffering that would bring to a family, or to interfere and abort, in effect making a judgement that a doomed human life is not worth living. Neither option is attractive, but the only other option is to forget what we have learnt - to bury our heads in the sand.

The power behind scientific momentum is great, and the human race cannot, and should not, avoid the new responsibilities that this brings. Ultimately, one hopes, much good will come of our new discoveries. In the meantime, we are faced with difficult questions to which we don't yet have justifiable answers. It is therefore apparent that decisions need to be made that will challenge our moral norms, decisions that must eventually be reconciled with common morality if they are to be accepted. A radical change in the way we think about morality will have to ensue. The question that therefore arises is who should take decisions that will set the ethical mores by which we choose to live?

The church is one of the least qualified institutions to take these decisions. Given its doctrinal approach to ethical issues, it is by very design incompatible with a role in ethical pioneering. Even though it must be accepted that religion is still the source of many people's moral beliefs, in an age where the religions of a society are diverse and where the spiritual dimension to the public consciousness is waning, it would be inappropriate and ineffective to let 'God' decide.

On the other hand, while the stereotype of the unscrupulous scientist must be avoided, it should be recognised that those who have a vested interest in the final outcome must not take decisions

of this nature. The direction of scientific research is determined ever more by the market place as financially profitable areas are favoured over those with less gold at the foot of their rainbow. But whilst few people would feel comfortable handing over the ethical lead to the pharmaceutical industry, there is a more fundamental issue that must rule science out of this decision making process. To leave these moral decisions to scientists would be to place the executive and legislative powers in the same pair of hands – scientists would be accountable only to themselves. Whatever the outcome of this, it goes against the most fundamental democratic principles that we abide by. To have faith in decisions of this nature one must be sure that society's interests alone have been taken into account. Such faith cannot be had in a self-regulating, overly powerful body.

Gallileo was forced by the most powerful institution of his time to recant what he knew to be the truth. Moreover, he had to accept a doctrinal story that served the interests of those in power – those he had fought and lost. Even though the power of science now far outstretches that of the church, it would be no more acceptable for science to dictate an agenda to society than it has been for the church to enforce its agenda in the past. Both must be recognised as bodies of power, and neither can play an impartial role in a decision making process that demands independence and objectivity. The decisions that are made will affect our future freedoms, and these must not be subject to private interests.

The only truly independent institution that can offer its services on this matter is the judiciary. True, the law is a powerful body, but it differs from the church and the scientific community in that whatever is decided upon, its power will remain unaffected. Having no foreseeable vested interests in these matters uniquely qualifies it as eligible to decide upon our ethical dilemmas. Machiavelli wrote of the Prince that he must be perceived of as benevolent, even if he cannot always live up to that perception. In other words, public perception carries a lot of weight: The judiciary is perceived of as independent, and that, as much as anything else, will inspire confidence in the outcomes it decides upon. Indeed, it matters little what the outcomes actually are. Being on unfamiliar moral ground will guarantee that controversy surrounds any decision. However, the independence of the judiciary is the one overriding factor that will mean decisions it makes are eventually accepted.

Conflicts between science and morality can only be resolved by an independent institution, and progress can be made as long as factional power is prevented from entering into the equation. Those with power too often dictate the way society is to develop; leaving ethical dilemmas in the hands of the law will give as much legitimacy as is possible to decisions that will set new precedents.