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## Bio-Ethics: past, present, and future

### ABSTRACT

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Our paper deals with the tension that exists in the very name of bioethics, the tension between the natural and the ethical components. We examine the origin of the name “bioethics”, some of its present practices and issues, and anticipate future developments of this growing field. The past and the present do not bring an accepted resolution of the tension in question, and our hope is that by focusing on its significance, further research can clarify and define the very identity of the field.

**Key words:** bioethics, bio politics, genealogy, techno-scientific rationality, assisted reproductive technologies

### Introduction

When in 1972 Michel Foucault introduced the term *biopolitics*<sup>1</sup>, he established a notion that brings together a set of developments and researches traditionally belonging to different fields. In its internal complexity this notion implies an analysis of different discursive practices inherent to the fields of politics, economics, philosophy, sociology, anthropology, biology, and medicine, which, in turn, articulate a particular way of understanding what it means to be a human being.

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<sup>1</sup> During his “Society Must Be Defended” lectures at Collège de France, 17 March, 1976.

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Foucault's biopolitics primarily explores the connections between politics and life (*bios*). As a political discourse, it focuses on a strong aspect of state control which is exercised not only from an ideological point of view, but which also exerts influence over a "social body," understood as both an individual body and the population as a whole. Not surprisingly, then, Foucault defined biopolitics as "the endeavor, begun in the eighteenth century, to rationalize the problems presented to governmental practice by the phenomena characteristic of a group of living human beings constituted as a population: health, sanitation, birth-rate, longevity, and race" (Foucault, 2003). As Denzin and Giardina point out, according to Foucault's view, "in modernity, *bios* or the 'life' of the population increasingly comes to inform the way in which individuals are subject to the governmental control, surveillance, and regulation" (Denzin & Giardina, 2010, p. 220). Under Foucault perspective, biopolitics involves a set of discursive practices aiming to control (under the logic of *governmentality*) the life (biologically-defined) of the citizens of any *polis*. Formally, this governance is put into practice through sanitary controls and health care policies, which some authors define as the "politics of life."

In general terms, the Foucault-inspired notion of biopolitics expresses the transformation of political actions and decisions over life, as they pertain to individual bodies and the population understood as a "social living being." These new types of political actions were developed in the seventeenth and eighteenth centuries, when life became an object of "calculation" in different strategies of the state power. It is clear that Foucault separates power from the circumscribed scope of law; according to his broader conception, power flows through all the passageways of the social body and in all directions – not just from the top toward the bottom.

Under a different perspective, Giorgio Agamben considers power within the scope of law. He examines what he understands as the limits of Foucault's approach by explaining how the experience of the Nazi concentration camps can be understood as a turning point in which biopolitics served for the "death politics." By introducing the technical notion "*nudavida*," or bare life (*la vita nuda*, Gk. ζωή: *zoe*), he maintains that the condition of the political subject in modernity is built under the perspective of the living being, an idea which rests in the consistence of a biological body.

For Agamben, power is connected with law, under the paradigm of sovereignty. When this fundamental right is abolished, as happened under the Nazi regime, power embodied in its thanatic form serves the extermination processes. In contrast to Foucault, Agamben's conception emphasizes a negative aspect of biopolitics. In line with this consideration we can argue that the Nüremberg trials were the occasion to establish several bioethical principles, and that, therefore, it was the

atrocities and violations of the fundamental human rights that first legitimized the growing need for bioethical reflection.

This perspective shares common points with the ideas of the French philosopher Alain Badiou, who argues that ethics is exercised in a negative aspect when it serves to prevent evil. “What is the conception of ethics today? It’s a negative one, dominated by the problem of evil and the figure of the victim. To assist victims, to ensure the fundamental human rights against suffering: this is the specific content of ethics. The ethical imperative is applied following the reference of the evil scenery and its only objective is to prevent this from happening. I reflect on the beautiful formula of Paul Ricoeur: ‘suffering forced us’. Ethics is based on the obligation that arises from the fact that suffering is an unequivocal fact” (Badiou, 2000, p. 37).

What is the connection between these theoretical thinkers and the bioethical concerns that we will develop in this essay? From Foucault’s biopolitical perspective and the controversies presented in Agamben and Badiou’s work, we highlight not only the significance of *bio* (life, lives, *bios*, *zoe*), but also the consequences of the applications of these different meanings in daily practice. We start from the premise that every thought or reflection has its own historical conditions and that is why our approach will follow a long tradition (Nietzsche, Schweitzer, Foucault, etc.) of being a genealogical method. Analyzing the history of discursive practices and especially the power relations that they embody will give us a chance to contribute to the growing field of contemporary bioethics.

We will focus our attention to the evolution of the concept *bioethics* by considering that there are important consequences in the way we understand how *bios* (life) relates to ethics. This understanding affects how we approach the issues of dignity and living conditions of humans, animals, and plants.

In the ancient Greece, the word “life” had two distinguished meanings: *bios* and *zoe*. *Zoe* was used to describe life in its general organic form, and *bios* to designate a human lifestyle – individual and embodied. The passage to our modern languages absorbs these two meanings in a single prefix: *bio*. Which concept of life (*bios* or *zoe*) are we considering when we address a bioethical dilemma? Is there any hierarchy between the notions of *bios* and *zoe*? Is *bios* supposed to dictate moral values (e.g., so that what is natural is more important than what is artificial), or is it the other way around (so that what is ethical – which may mean: of social origin, or non-natural, including scientific beliefs and practices – is more important than the natural and should dominate, or at least guide the natural (*zoe*)? How to determine this relation that is implicit in the very notion of *bio-ethics*?

## Genealogy of the term *bioethics*

The technological development confronts us nowadays with unexpected issues and unanswered questions. Several factors and “*dispositifs*”<sup>2</sup> affect the cultural, economic, and social development of contemporary societies by creating huge challenges that undermine our entrenched convictions. The divergences of the modern political order, the ecological crisis, the emergence of new forms of violence, and the expansion of techno-scientific possibilities modify the foundations of our human condition.

Does this technological revolution imply some kind of coercion over the human being and its environment? Could this revolution be understood as a new form of violence (e.g., ecological violence, weapons of mass destruction, totalitarian violence, etc.) over the symbolic foundation of our species? These inquiries have prompted many to search for the adequate answers. The ethical appeal of these questions seems to be, in different disciplinary fields, among the most important issues of our age. Yet what are we expecting as an adequate ethical answer? Could it be a new (ethical? political?) order formulated in terms of a fictional (and art-ificial) discourse about human existence? The question of human existence that arts explored in past centuries would, then, be restored by science in its own terms. Due to the scientific breakthroughs the traditional question of the human existence becomes blurred. As an Argentine psychoanalyst likes to say: “the scientist does not move back, the scientist produces his discovery, and only then moves back –and this is interesting because here appears the subjective dimension – the scientist only moves back after the consequences of his act: when he makes equations he does not move back, when everything explodes he suffers” (Ariel, 1994, p.19).

Science is often one step ahead of the symbolic capabilities of society to legitimize its effects and consequences. Due to the difficulties in the internalization of the ethical, bioethical, and human rights principles for complex cases, it is necessary to develop some methodological tools that question and broaden the established theories. The bioethical dilemmas present complex situations because there are no entrenched answers and because they involve many disciplines and different types of knowledge. That is why they cannot be easily resolved, and why they force us to raise the expectation bars and push us to search for deeper understanding of the human condition.

<sup>2</sup> Michel Foucault generally uses the term “*dispositif*” to refer to the various institutional, physical, and administrative mechanisms and knowledge-structures that enhance and maintain the exercise of power within the social body. *Dispositif* is translated variously, even in the same book, as ‘device’, ‘machinery’, ‘apparatus’, ‘construction’, and ‘deployment’.

Due to technological advances and social changes (industrial, medical, biological, political, etc.), the field of “human inquiries” has become problematized. Our main objective is to build some analytical categories that can help us to understand the complexity involved in the contemporary bioethical approach. These analytical and methodological tools will help us in the task of creating a bioethical way of thinking adequate to our *Zeitgeist*. But first it might be useful to contextualize the origins of the term bioethics. Establishing this genealogy will confront us with a history of understandings and misunderstandings between the scientific advance, the socio-political background, and the past and forthcoming events and discourses.

The “*bio*” of *bio-ethics* opens to the field of the biological and symbolic meanings. That means that the “*bio*” of bio-ethics is not merely an organic *bio*; it is not only about “body” but also about life. This creates the first etymological problem of the connection between biology and biography (*zoe* and *bios*). The prefix *bios* that precedes the term ethics is controversial. As we mentioned before, if we refer to the etymological order, the Greek *bios* is understood in terms of life that exceed the organic or biological aspect of human bodies, since there was another term for it: *zoe*.

Following its etymological roots, *bios* is used to indicate or involve life or living organisms (biogenesis, biolysis); it is also used to indicate human life or career (biography, biopic). We could furthermore quote a combining form meaning “life,” “living organism,” and “biology” in the word “biodegradable.” *Bios* is a noun, which stands for life – any form of organic life.

There is only one Latin word, *vita*, and one English word, *life*, for the two Greek terms. If *zoe* and *bios* were synonyms, this would not be a problem. But *zoe* and *bios* view life from different perspectives and so are not synonymous. Inevitably, by using one word to translate both Greek words, we have concealed some important differences between them. While *zoe* refers to intensive life, *bios* denotes extensive life, the period or duration of life. In the secondary sense, *bios* also refers to the means by which that life is sustained. And in a tertiary sense, *bios* signifies the manner in which that life is spent, that is, one’s career or a course of life.

With the advent of modernity the biological and social body moved to the center stage by becoming an analysis-variable of modern biopolitics: birth rates, mortality, diseases rate, etc. The *bios*, then, does not stop sharing the dimensions of social life in biological bodies, but in certain situations one of its meanings becomes more significant than the other. For example, under Foucault perspective the term *bios* is related to *biopower*, meaning the application and impact of political power on all aspects of human life.

From the perspective of ethical analysis, there might be no need to place a prefix that narrows the scope of the field. Ethics as a cross-category should deal with or address the multiplicity of issues related to life and living. Going back to Fritz Jahr views, bioethics defines a perspective that is not limited to human beings but includes animals and plants, as well as the human living conditions in a shared environment.

This brief overview of the term *bios* implies that the use of this prefix will not be without consequences. Our intention is to recover the complexity of the prefix so it will not be limited to the organic or biological aspect of the human body, nor to the sphere of social life that involves only human bodies. It should include and anticipate life in its multiple aspects: biological, political, social, and singularly contextualized. It relates to life that cannot be without others, just as it cannot be without care and respect for the surrounding environment: a life framed in terms of the *epimeleia heautou*, a life of self-care based on an individual responsibility (first), the familiar (second), and the social (third). This is life of responsibility toward others and toward the environment (self-care ethics).

More precisely, *bios* is about social lives – of people and among people – for man is a being of values. These values refer to the rational aspect of man where the ideals are held, the rational part that enables our lives is society. If a society is not directed according to values – such as the idea of good or justice – it cannot be organized according to the moral or social dispositions. We do know, however, that this rational part of man is not the only one that affects human action and judgment; there are unconscious forces that lead us to act beyond (and beneath) normative and social standards. In the book *Civilization and its Discontents* [*Das Unbehagen in der Kultur*, 1930] Freud establishes that people are driven by two conflicting central impulses: the life drive (*Libido* or *Eros*) that leads us to sustain and develop our existence, and the death drive (*Thanatos*), which leads us toward destruction and violence. Freud points out three main sources of discontent we need to overcome: our own painful and mortal existence, the cruel and destructive aspects of the natural world, and the suffering endemic to the reality that we must live with other human beings in a society. Common social norms restrain our possibilities of happiness. This means that the accepted values are a set of propositions agreed on and shared in a certain time-period (declarations, codes of ethics, and legislations, according to the deontological ethical framework) that establish or prescribe the duties which enable our communal life. Our intention will be to analyze how the problematic issues of bioethics (e.g., abortion, euthanasia, reprognetics) might challenge these normative principles which intended to be all-encompassing, but which always turn out to be insufficient for answering the most difficult concerns of

human existence. The vicissitudes of mankind introduces what is disruptive: drives, impulses, and passions are the inexorable destiny of humans. Freud points out the fundamental paradox of our civilization: it is a tool we have created to protect ourselves from unhappiness, and yet it is our largest source of unhappiness. He realizes that, although human lives should be directed according to values, values are continuously subjected to reconsiderations, adjustments, and improvements. The aim of presenting here a few steps of this genealogy is to introduce some representative ideas that shape the very heart of this problem.

We do not have, and may never obtain, a definitive “birth certificate” of bioethics. Its origin, however, is clearly related to a growing opposition to the mechanistic understanding of nature in general and life in particular. Seen from this broader context, it is clear that one crucially important precursor of the development of bioethics is Charles Darwin, with his theory of evolution and natural selection. While Descartes imagined that we would be able to prove one day that animals are nothing but machines, Darwin’s theory undermines Descartes’ view by postulating a mechanism of evolution that is driven by a struggle for survival, the mechanism that only remotely resembles the mechanistic principles that Descartes was looking for. Henry Bergson tried to improve upon Darwin’s crude interpretation of the evolutionary principle, understood in terms of random mutations, by postulating *élan vital* (vital impulse, vital impetus) as the principle of self-organization and spontaneous morphogenesis of living organism. Like Darwin’s work, *The Origin of Species by Means of Natural Selection* (1859), Bergson’s capital work, *Creative Evolution* (1907), puts the emphasis on the natural component of bio-ethics.

Nowadays neglected “ethics of reverence of life,” by Albert Schweitzer, shifts the focus from the biological factors to the primary relevance of the ethical component. Schweitzer admitted that the natural element provides a starting point, so often lost in speculative doctrines of philosophers. Yet, although the starting point, the natural is not its terminal point: “True philosophy must start from the most immediate and comprehensive fact of consciousness, which says: ‘I am life, which wills to live, in the midst of life, which wills to live’. This is not an ingenious dogmatic formula. Day by day, hour by hour, I live and move in it” (Schweitzer, 1923 [1989], 137). From this realization of the urge to live, I come to realize that the same urge is present in every living being, which leads me to the crucial realization of my ethical obligation toward all other life. It also leads to a new understanding of ethics, the center-piece of which would be bioethics, had Schweitzer known of this phrase: “Ethics consists ... in my experiencing the compulsion to show to all will to live the same reverence as I do to my own. There we have given us that basic principle of the morals, which is a necessity of thought. It is good to maintain and to encourage life;

it is bad to destroy life or to obstruct it” (Schweitzer, 1923 [1989], 137-8; cf. Cicovacki, 2012).

Recent investigations usually overlook the contributions of Bergson and Schweitzer for the establishment and initial development of bioethics. To place the origin it's always a conflicted matter. We already know that in 1926 a protestant pastor named Fritz Jahr wrote an article: “Life Sciences and the Teaching of Ethics,” in which he established the basis of a “Bioethical Imperative”: respect every living being in general as an end in itself and treat it, if possible, as such.”(Jahr, 1926 [2013], 21). In the year 1927, the German journal “Kosmos” published as an editorial the article: “Bio-Ethics: Reviewing the Ethical Relations of Human Beings Toward Animals and Plants,” in which Jahr further explained his vision and references.

While Bergson, Schweitzer, and Jahr were well known and widely respect in the third decade of the twentieth century, the beginning and the unfolding of the Second World War pushed their ideas away from the public consciousness. We will have to wait till the Nüremberg trials (1945-1946) to continue tracking the bioethical concerns. It was the atrocities and the violations of the most fundamental human rights that further legitimized the possibility of bioethical thinking. In following the path of evolution of this concept, we should quote an article of Warren Thomas Reich in which he proposed a “bi-located birth” for bioethics in the years 1970-1971: on the one hand, following the ideas of Van Rensselaer Potter, of the University of Wisconsin, and his publication: *Bioethics: Bridge to the Future* (Potter, 1971); on the other hand, the legacy of André Hellegers, of Georgetown University and the Kennedy Institute. The novelty of their bi-located perspective consists in introducing a bioethical conception linked to the medical paradigm. In words of Potter: “Bioethics is advanced as a new discipline that combines biological knowledge with a knowledge of human value systems... I chose bio– to represent biological knowledge, the science of living systems; and I chose –ethics to represent knowledge of human value systems.” (Reich, 1994, 321 [Potter 1975, 2297, 2299; cf. 1971, 2])

Since 2005, with the introduction of the Universal Declaration on Bioethics and Human Rights (UNESCO, 2005), the legal discourse organized in 28 articles presented the fundamental principles of bioethics set forth within a single text. “In dealing with ethical issues raised by medicine, life sciences and associated technologies as applied to human beings, the Declaration, as reflected in its title, anchors the principles it endorses in the rules that govern respect for human dignity, human rights, and fundamental freedoms.” (UNESCO, 2005) We will have to analyze whether and how this normative frame contributes to our resolutions of problematic situations.



Finally, we should also consider such developments in the field as *The Latin-American Dictionary of Bioethics*, edited in 2008 by Dr. Juan Carlos Tealdi, Director of the Bioethics Committee of the Clinical Hospital, Buenos Aires, Argentina. This *Dictionary* is organized in accordance with major bioethical concerns and problematic areas; many authors have contributed to this project and the resulting *Dictionary* provides a powerful tool to reflect on the field. Tealdi states in the introduction to this *Dictionary* that the objective is “to think about bioethics from the various disciplines and moral visions that serve as a meeting point for critical and normative reflections related to life and living in Latin America” (Tealdi 2008, xxvii).

The aim in presenting this genealogy can now be stated more clearly. First, if our objective is to reflect on bioethical concerns in a certain time and context, it is necessary to historicize the concept in order to avoid the ideological blinkers. Second, the historicizing of the concept of bioethics does not mean only establishing a chronological order of events which lead us to understand this process in a sequential order. Rather, in the spirit of Foucault, the idea is to follow, in the history of the discipline, which ideas and conceptions were functional to the “established order,” for instance by getting financial funding and government support to develop bioethics as we know it today, far away from its original conception.

## **The age of techno-scientific rationality**

Following this conceptual trail will help us to understand the different perspectives that constitute the field of bioethics. But it would be desirable to organize the field in accordance with “traditional” and “emerging” scenarios of bioethical concerns. The traditional scenarios could be: abortion, assisted suicide, euthanasia, organ donation, eugenics, and clinical investigation. On the other hand, there are also emerging scenarios and new fields of research, such as: cloning, stem-cells research, genetic engineering, and reproductive technologies. This distinction is only methodological and, of course, subject to changes. But it is also the first distinction that could help us to understand how Science (with capital S, because sometimes science is assumed to have a quasi-religious authority in our age) and technological developments might be questioning the foundations of human existence and experience in the world.

The distinction between traditional and emerging scenarios of bioethics has two objectives. First, it enables us to reflect on how technological breakthroughs affect our ways of living in this world. The foundation of instrumental rationality contributes to the shape of a particular kind of subjectivity: the *hypermodern subject*, in terms of Lipovetsky and Charles (Lipovetsky & Charles, 2005).

Second, this distinction between bioethical scenarios reveals yet another tacit assumption: our world is being governed by the techno-scientific rationality. Since the rise of Modernity, technology and market have become intricately intertwined. The ideal of modern science, as defined by Bacon and Descartes, was to impose Man's rule over nature: Man as the "Lord and Master" of nature. This ideal of domination, following the path of this anthropocentric point of view, has been conceived in terms of instrumental rationality. Instrumental rationality has capital consequences for the politics of society. Another issue that we should consider is the flow of power in our societies. As mentioned before, under the scope of *biopolitics*, we should consider the different forms of power, typical for our "modern societies," which are supportive of the capitalistic model. Following Foucault's ideas, *biopolitics* considers the extension of state power over both the physical and social bodies of a population. Thus, a possible definition of "biopolitics" could include *the political application of bioethics*.

One case scenario in which we can better analyze this claim is the current development in *reprogenetics*. While this term has many connotations, we will use it here to designate the use of technologies for human reproduction. Such technological assistance to individuals and couples who cannot conceive naturally represents a step forward in the realization of the ancient desire of forming family which includes a child (or children). With its reversal of the natural reproductive (in)capacities, the development of assisted reproductive technologies can lead to a fundamental change of the world as we have known it. Following Thomas Kuhn's ideas and terminology, one could even argue that this development is bringing about a "paradigm shift" and introducing a new "scientific revolution."

All guiding principles of reprogenetics have been established under the auspice of instrumental reason. A reproduction of the species is dissected into the steps that are susceptible to being all addressed and altered by techno-scientific means. Such a "division of labor" makes it possible to work on different phases of reproduction, which in the future may enable the stopping, manipulating and/or redirecting the further evolution of the human species. Such possibilities are the reasons why science appears nowadays as having unlimited power and as capable of affecting the fundamental aspects of our subjective constitution and the human condition as a whole. Insofar as the development of reprogenetics erodes the foundations of the traditional model of family and opens up to a wide range of new family models, this rapid development poses serious questions concerning the future of the human race.

A skeptic may nevertheless wonder why we believe that reprogenetics presents a privileged case scenario for the contemporary bioethical analysis. The main reason for this is that this scenario presents multiple complexities involving different disciplinary fields: the field of reproductive medicine, the area of technological

development that enables the techniques such as the Intra-Cytoplasmic Sperm Injection (ICSI),<sup>3</sup> and the extensive field of subjective dispositions associated with family establishment, including the desire of a parental couple to have a child. This scenario is also intertwined with biopolitics, in the sense understood by Foucault, which we mentioned before. Hence, we should also deliberate on the scope and effects that new legislations, caused by the development of reprogenetics, may exert over society. Consider, for example, the implementation of the Law No. 26.862, introduced in Argentina, in 2013, which guarantees a comprehensive access to medical techniques and health-care procedures of assisted reproduction. This legislation assures that, from now on, more prepaid health care coverage will cover the assisted reproductive treatments for citizens, who, for a variety of reasons, cannot conceive naturally. We should carefully observe, then, the scope and effect that new legislations have over society. This is only one example of how public policy can extend its power over the biological and social body.

Understanding the right to conceive as a fundamental human right (which is the spirit in which this legislation is introduced), together with a need to follow this rapid technological progress with asound public policy, demands of us to reflect on both objective and subjective consequences of these policy implementations. The field of “assisted reproductive technologies” presents enormous controversies in the fields of science, medicine, technology, moral, ethics, and religion. Such technologies raise monumental questions in the field of subjective choices and decisions; they challenge us to rethink both components of bio-ethics and to establish clearly and decisively what our priorities are and what it means to be and live like a human being.

A final word could, then, be that there is a deep need to explore this intrinsic tension between the natural and the ethical components of bioethics in a historical context. The field of reprogenetics serves as an example of how the emerging technologies and the international policies that follow them lead in one direction (in the direction of the natural component), while the genealogy of bioethics points us toward its counterpart (its ethical component). Our hope is that a further development of the Foucauldian notion of biopolitics might guide us toward a fruitful resolution of this tension in a not so distant future.

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<sup>3</sup> There are many objections to the Intra-Cytoplasmic Sperm Injection procedure, in which a single sperm is injected directly into an egg, in a medically controlled clinical environment, outside the uterus of the female. This medical capability can have major consequences on our reproductive techniques, for it produces extra-corporeal embryos.

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## Bioetika: prošlost, sadašnjost i budućnost

### SAŽETAK

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Naš rad bavi se napetošću koja postoji u samom nazivu bioetike, napetošću između prirodnih i etičkih komponenti. Ispitujemo podrijetlo naziva “bioetika”, neke od njegovih sadašnjih praksi i spornih pitanja i predviđamo budući razvoj ovog rastućeg područja. Prošlost i sadašnjost ne donose prihvaćeno rješenje o napetosti ovog pitanja, a nadamo se da će, fokusirajući se na njegov značaj, daljnja istraživanja moći razjasniti i odrediti sam identitet tog područja.

**Ključne riječi:** bioetika, biopolitika, genealogija, tehnoznanstvena racionalnost, tehnologije potpomognute oplodnje

