

The right to bodily and mental integrity in the era of biomedicine and neurotechnologies - an integrative bioethical analysis

Abstract for the general public

It is widely believed that each of us is the master of her own body and mind. No one has a right to touch, batter or mutilate another person, force her to have sexual contact or subject her to medical interventions without her consent. No one has a right to interfere with the activity of another person's brain and mind – to “erase” her memories, subject her to psychoactive substances or subconsciously manipulate her thoughts or desires – unless she has agreed to it. Each of us has the right to respect for bodily and mental integrity. This right is recognized not only by common morality and ethical tradition, but also by numerous international human rights standards, such as the European Convention on Human Rights or the Charter of Fundamental Rights of the European Union.

Although the right to bodily and mental integrity is considered today to be one of the fundamental human rights and one of the most important instruments for the protection of the human person against threats posed by the dynamic development of biomedical sciences and neurotechnologies, its essence and content are the subject of substantial controversy. Philosophers, bioethicists, neuroethicists and lawyers argue about what "bodily integrity" and "mental integrity" actually mean, why each of them is morally valuable, how they should be protected, which kinds of interventions in the human body violate bodily integrity, and which forms of influence on the human mind constitute an infringement of the right to mental integrity.

These discussions have great theoretical significance, but also important practical implications. Depending on adopted concepts of the rights to bodily integrity and the right to mental integrity, different answers to the question of which interventions into human body and/or mind are morally and legally acceptable can be given.

The main goals of this project are: (a) to clarify the content, normative justification, and scope of application of the right to bodily integrity; (b) to clarify the content, normative justification, and scope of application of the right to mental integrity; and (c) to explore the possibility to develop a uniform, coherent, and ethically and practically adequate concept of the right to bodily and mental integrity. The project includes conceptual and normative analyses, as well as analyzes of the evidence of lived integrity experience of people with various physical diseases or mental disorders. It focuses on moral rights, not on legal rights.

It is expected that the project results will contribute to the international bioethical and neuroethical debates on the nature of the right to bodily and mental integrity. It is also hoped that the results will influence the interpretation and application of the legal right to bodily and mental integrity by relevant adjudicating bodies and public policy makers.