



LUX & VERITAS

An Undergraduate Philosophy Journal

presented by

The Philosophy Club at Indiana University

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About the Collection

The following papers were accepted for the inaugural Undergraduate Philosophy Symposium sponsored by the Philosophy Club at Indiana University. Unfortunately, the in-person event, scheduled for April 17th, had to be canceled due to the COVID-19 crisis. As a result, we have published these papers in a limited print run. They are also publicly accessible at the IU Philosophy department website.

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The Ethics of Deception in Psychology Research Studies: Justification for Exempt Status from Informed Consent

by **Dallas Havens**

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ABSTRACT: All psychology studies need IRB approval in order to be carried out. Prior to a new update to the federal regulations, studies involving deception required full IRB review, or, if there was no greater than minimal risk, expedited review. After the 2018 update, however, studies involving deception can now qualify for exempt status, so long as participants give informed consent of the study's use of deception. But can informed consent actually save deception singlehandedly from full and expedited review altogether? Even further, does informed consent tip the scale for deception in research from impermissible to permissible under usual circumstances, or is more needed? If informed consent is enough by itself, what other commonly impermissible actions can psychologists use in research studies with this condition of informed consent? In my paper I will evaluate deception under the condition of informed consent, as found in IRB guidelines, and address these questions. Beyond consent, I will also evaluate the ethics of deception according to three ethical principles that address the right to be fully informed, using people merely as a means, and potential harm to participants. By evaluating cases in these ways, the hope is to reveal the degree of harm and treating persons as means that current IRB approval regulations will allow in psychology research studies. Doing so will provide some insight into how future updates to these guidelines can be made.

1. Introduction

There are strict federal research regulations that pertain to the protection of human subjects. Covering the full extent of these regulations would be too ambitious; instead I plan to work within the research of psychology. Ethical standards in psychology research have been influenced by the publication of the Belmont Report in 1979. At the turn of the century, additional measures were outlined in the APA

Ethical Principles, which began steering future standards of practice. In addition to these, the US Department of Health & Human Services (HHS) developed more extensive and definitive federal regulations (45 CFR 46) which nearly all psychology studies must follow. These guidelines require approval by an Institutional Review Board (IRB) prior to a study being carried out. IRBs include experts in relevant research areas and act as accountability measures to ensure that all regulations are being followed.

Psychology research studies must be reviewed in one of three ways before they can move forward. The most extensive is full IRB review, which closely evaluates each aspect of research. Studies where participants are exposed to more than minimal risk (risk they otherwise would not have faced in their normal daily life) are subject to such review.¹ An example of this would be the qualitative research of non-believing preachers performed by Daniel Dennett and Linda LaScola.² These preachers, if found to be participating in such a study, could lose their positions in ministry and livelihood which otherwise could have easily been avoided in normal daily life.

Other studies may qualify for either exempt status or expedited review. If a study is found to qualify for exempt status, then no further review is required.³ These exempt studies may involve anonymous surveys, in-person educational tests, or other seemingly harmless observation strategies. Studies that do not meet the criteria for exempt status, but do not pose greater than minimal risk, may be eligible for expedited review. If any study does not qualify for expedited review or exempt status, then that study will default to needing full IRB review.

Prior to 2018, any studies involving deception were not eligible for exempt status.⁴ After the 2018 update, however, *some* studies involving deception can now be granted

¹ Section §46.102(j) in the Protection of Human Subjects of 45 CFR part 46 offers a good definition of minimal risk. It is recognized as such that “the probability and magnitude of harm or discomfort anticipated in the research are not greater in and of themselves than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests.”

² See Daniel C. Dennett & Linda LaScola (2010). “Preachers Who Are Not Believers”. *Evolutionary Psychology* 8(1) for more on this particular interdisciplinary study.

³ Some institutions may require periodic review of exempt studies as they see fit. But as far as what federal regulations demand, meeting these minimum requirements should ensure little to no harm for human subjects.

⁴ There may have been some reservations made for expedited review of deception studies so long as there was no greater than minimal risk, but this and full review requirements would be based on the understanding of associated regulations. The pre-2018 regulations have no explicit mention of the terms ‘deception’ or ‘deceiving’ participants. The Belmont Report, since viewed as an underlying guide to ethical principles in research, could have been used for addressing concerns about deception prior to 2018. Relevant excerpts from the report address incomplete disclosure of information to participants until the research is concluded. This would be done when complete disclosure would compromise the validity of the study. Therefore, a list of criteria would need to be met in order to not fully disclose all information upfront: “(1) incomplete disclosure is truly necessary to accomplish the goals of the research, (2) there are no undisclosed risks to subjects that are more than minimal, and (3) there is an adequate plan for debriefing subjects, when appropriate, and for dissemination of research results to them.”

exempt status, so long as participants consent to the study's use of deception.⁵ But if all other conditions for exempt status hold, can informed consent actually save deception from further review? Can this be done by consent alone or is something more needed? Additionally, in psychology research, how do we reach an account where informed consent provides ethical permissibility to deception under usual circumstances? In my paper I will evaluate deception under the condition of informed consent and address these questions. By evaluating the new regulation with respect to three different ethical principles, I argue that consent successfully justifies an exempt study's use of deception.

2. Solving Deception with Informed Consent

2.1 The Issue of Deception in Psychology Research

Deception, as it pertains to psychology research, can be understood as incomplete disclosure, the act of misleading or wrongly informing participants about the nature or purposes of a study. Federal regulations serve the purpose of *Protecting Human Subjects*, which includes the protection of subjects' rights and welfare;⁶ therefore, restrictions of deception are not necessarily for honesty's sake per se, but because deception poses some threat to human subjects. In studies that use deception, this threat is typically one that violates a participant's right to be fully informed.

2.2 What is Informed Consent?

Under normal circumstances, researchers are required to obtain informed consent from prospective participants. Informed consent is so important that two entire sections of the federal regulations are dedicated to providing the requirements for informed consent in addition to another section outlining the documentation of that consent. In short, informed consent requires clear communication about the study that would allow prospective subjects to make an informed decision about whether to participate or not. Researchers must present the risks and benefits, or the reasons why one might or might not want to participate, in a way that is easily understandable.⁷ These requirements are used to facilitate comprehension so that subjects fully understand what they will be participating in. Therefore, prior to the start of any

⁵ See section §46.104(d)(3)(iii) in the Protection of Human Subjects of 45 CFR 46. "If the research involves deceiving the subjects regarding the nature or purposes of the research, this exemption is not applicable *unless the subject authorizes the deception through a prospective agreement to participate in research in circumstances in which the subject is informed that he or she will be unaware of or misled regarding the nature or purposes of the research.*"

⁶ See 45 CFR §46.107(a).

⁷ For more specific and thorough requirements of informed consent see 45 CFR §46.116, especially §46.116(a)(3) through (5).

psychology study, participants of that study will be fully informed, and researchers will have all appropriate documentation of those participants' informed consent.

2.3 How Does Consent Address the Issue?

When it comes to deception, all information is handled in the same way, with the exception of the information relevant to the deception. This information, as outlined in the new regulation, entails being “unaware of or misled regarding the nature or purposes of the research.”⁸ In this context, consenting participants only give up their right to be informed about a study's nature or purposes. So, participants can now be deceived in two different ways. The first way is straightforward: this occurs when consent removes the researcher's moral requirement to *fully* inform participants about the study.⁹ This involves an act of omission where researchers withhold certain information about the nature or purposes of the study, rendering the participant unaware of such information. This withholding of information is considered to be passive deception. The second way of understanding deception is considered to be active deception. This involves some kind of commissive act, such as misleading participants by providing false information. This consent to active deception changes the moral status of deception from impermissible to permissible. Consequently, this gives researchers the opportunity to engage in commissive acts of deception, usually the intentional misleading or misinforming of participants. When participants consent to the use of deception in the study (whether active, passive, or both), they are agreeing to forfeit their right to be fully informed.

3. Considering Potential Harm to Participants

3.1 Does Consent Resolve the Issue of Harm?

Consent does resolve the issue of violating a participant's right to be fully informed. But federal regulations serve the purpose of protecting human subjects against many threats beyond the violation of this one right. So, does consent resolve all threats to human subjects that are relevant to deception? It seems there are other threats to consider, particularly ones that put participants at risk of either physical or psychological harm. For the type of studies that we are considering, the most common harms will likely be psychological in nature.

⁸ See 45 CFR §46.104(d)(3)(iii) or footnote 5.

⁹ There are still, of course, other required things to communicate, such as risks and benefits, but authorizing any information to be withheld, including the nature or purposes of the study, no longer allows participants to be *fully* informed.

Studies such as Milgram's obedience study¹⁰ as well as Zimbardo's prison study¹¹ are classic examples of harm caused by deception, although many participants experienced no permanent harm. Here we can distinguish between different kinds of psychological harm that a participant might experience: *immediate* harm experienced only during a study, *temporary* harm initiated by a study that does not persist beyond a reasonable amount of time after the study, or *permanent* harm initiated by a study that further persists throughout the remainder of a participant's life. If participants experience harm due to a study, it will be at least one of these kinds, maybe more. As previously stated, two extremely scrutinized studies may not have yielded permanent harm for participants, despite the fact that some participants experienced immediate and temporary harm. In order for consent to resolve the issue of harm caused by deception, either every kind of harm must be avoided, or the participant must authorize allowing each kind of harm.

3.2 A Tension in Principles

It would seem strange if consent could somehow *prevent* every kind of harm, so I will assume this route of resolving the issue of harm to be fruitless. When it comes to authorizing harm by consent, then, tension arises between two ethical principles found in the Belmont Report, namely a respect for persons (autonomy) and beneficence (avoidance of harm).¹² If the issue entails *extreme* risk of harm not normally faced by participants and autonomy, it seems obvious that researchers should prioritize beneficence over participant consent to that same harm. But if a study involves no more than minimal risk, as exempt studies do, should researchers maintain that same priority? The answer is not so clear-cut as to say that researchers should always give priority to autonomy in these cases, or to say that beneficence always overrides autonomy.

3.3 The Problem of Variability Within Minimal Risk

When we understand what minimal risk is, we can recognize the problem it poses for beneficence. Minimal risk, then, is understood as risk that otherwise would not have been normally encountered; it sets a threshold of harm as that which any participant might normally face in their daily life.¹³ But daily life can vary greatly between individuals. A high school senior's daily life will involve a seemingly low level

¹⁰ See Milgram (1963) for more on the emotional distress experienced by participants during the study.

¹¹ See Haney, C., Banks, W. C., & Zimbardo, P. G. (1973) for the full study and its discussion on psychological effects on participants.

¹² Beneficent actions in the Belmont Report (1978: 6) are understood as actions that "(1) do not harm and (2) maximize possible benefits and minimize possible harms."

¹³ See footnote 1 or 45 CFR §46.102(j) for the definition used in federal regulations.

of risk while that of an Alaskan crab fisherman is significantly higher by comparison. When it comes to psychological harm, those with more stressful, high-demanding, and underappreciated jobs will probably have higher risk of harm than those with better employment circumstances. What we see is that minimal risk varies between people, and this allows the degree of risk in research studies to increase based on the population that they will use as participants.

Let's take Zimbardo's prison study as an example to see how this can raise the variability problem. The prison study itself used college students as participants, who would normally not face such risk of psychological harm due to the use of deception. According to standards for exempt studies, the prison study involves more than minimal risk since the participants would not normally face prison circumstances. Therefore, the study should not be exempt from review, but should have been reviewed by some committee or board. But what if the study used different participants, specifically actual guards and actual prisoners? Suppose these prisoners were perhaps recently convicted and may have already experienced some initial psychological harm due to an actual prison system. It would be ordinary for these prisoners to face high risk of psychological harm caused by prisons at the time. Since the study would involve no more than minimal risk to participants, it could qualify for exempt status under these conditions, even if it included deception—so long as there was consent. But consent under these circumstances would permit exposure to high risk of at least immediate psychological harm, and possibly temporary or permanent harm. This is in conflict with the researcher's duty of beneficence. Despite being ordinary for these prisoners, since the risk of harm and the degree of harm are both relatively high, the study should not be performed.

What we begin to see is that once the risk and magnitude of harm cross some threshold, beneficence should nullify exemptions from consent. So, it seems consent can resolve the issue of harm, so long as the study involves no more than minimal risk, where that minimal risk contains both a risk of harm and a degree of harm that are relatively low. Under any other circumstances, consent cannot be used to resolve the issue.

4. Considering Respect for Persons

4.1 Not Using People Merely as Means

It seems that we have a narrow account of when consent can allow deception in psychology research studies. Consent resolves the issue of a participant's right to be fully informed, and it also resolves the issue of harm, but in a very specific kind of way. Can consent to being deceived also resolve further issues, though, given how narrow the account has already become? Within any research study, an issue that

commonly arises is one regarding respect for persons, or not using people merely as a means. After all, aren't these participants being used in order to gain some end, usually acquiring information that has some scientific, educational, or applied value?¹⁴ One might think so, but obtaining informed consent, which is standard for all psychology studies, usually avoids this issue since using another person as a mere means entails that person *not* providing consent. So, it appears at face value that by participants actually consenting, the issue of using people merely as a means can be avoided.

But identifying what participants are *actually* consenting to is extremely important. If, for instance, a person is only aware of and consents to an end but is unaware of and does not actually consent to the specific means, then using that person as a means to that end is wrong. Consider a mother in labor, whose doctor requests her consent to deliver her baby. If that mother is unaware of the means, such as a C-section that she wishes to avoid, the doctor will have acted wrongly if he performs a C-section.

The inverse will likely produce a similar result: if a person actually consents to only the means, but does not consent to the specific end, then using that person as a mere means is wrong. If Charlotte gives her brother consent to borrow her car, and he later uses it in a demolition derby, he will have acted wrongly. For Charlotte did not consent to this end. This is too strong though, since there are occasions in which no one has acted wrongly despite consent being absent in some way. If Charlotte's brother drove her car to the grocery and back, it doesn't seem that he has acted wrongly at all. A revised version of the principle that is not as strong as actual consent is as follows: a person is used merely as a means if the corresponding means and end are things that person *would not* actually consent to. I will call this revised principle the *Mere Means Principle*.

A possible objection to this principle is that it is too strong. Instead, a person is used as a mere means if it could be *reasonably foreseen* that they would not consent to the specific means and end. For, if a researcher (R) could reasonably foresee an individual (P) consenting to the specific means and end, R could not be held responsible for treating P as a mere means. The impulse of this objection seems to be in good heart, but if using someone as a mere means requires only reasonable foresight that they wouldn't object, then some respect for persons is being lost. What this means is that it is not up to P to determine how they can be treated, but it is up to the foresight of R. Reasonable foresight will not provide the same respect for persons that P's dispositions will provide. So, at some point, it will be important to take P's dispositions into account. Reasonable foresight cannot always accomplish this though. This can, however, be achieved by the *Mere Means Principle*.

¹⁴ See the APA Ethical Principles of Psychologists and Code of Conduct, specifically section 8.07, for a justification of deception on the basis of these kinds of reasons.

4.2 Applying the Mere Means Principle

As we have seen in Section 2, a participant's consent allows the study's use of deception to misinform or even mislead that participant "regarding the nature or purposes of the research."¹⁵ These purposes can be understood as the research's end. By not communicating this end, participants cannot actually consent to the relevant research. But this isn't an issue as long as this end isn't something that the participant *would not* actually consent to.

How are researchers to know a participant's dispositions though, i.e., what they would or would not actually consent to? The best way is to simply ask participants. Doing this before or even during the study, however, would undermine efforts to conceal the purpose of the study. It seems we are left with the option of obtaining this information after the study is concluded. If this information is not obtained, then we leave the possibility open of having used participants as a mere means. But this does not promote the protection of a subject's rights and welfare. Fortunately, there are regulations that hint at this sort of requirement.¹⁶ Additionally, subjects are allowed the right to withdraw from research at any time, and without any consequence—even during a post-study debriefing addressing any concealed purposes of the study.¹⁷ Consent that extends to the post-study debriefing, then, seems to resolve the issue of being treated as a mere means, since consent to being deceived will have already been provided before the study and the contents of the deception are explained by stating the study's actual nature and purposes in a debriefing session.

5. Conclusion

As controversial as deception in research is, it may appear odd that a condition of consent grants an exempt status to psychology studies with deception. We have been able to evaluate this regulation with respect to three different ethical principles. It seems that an altered version of informed consent satisfies all three principles and effectively resolves some issues associated with deception. This altered version of informed consent, then, can be viewed as a permissible means of using active deception in research. We may even wonder what other commonly unethical practices this version of consent and versions similar to it can allow, if given the opportunity. It seems, at least in this case, it has achieved clear success.

¹⁵ This stems from the 2018 update in the 45CFR46 that we have been exploring in this paper—specifically section §46.104(d)(3)(iii).

¹⁶ See 45 CFR §46.116(f) on waiver or alteration of informed consent, especially §46.116(f)(3)(v). "Whenever appropriate, the subjects or legally authorized representatives will be provided with additional pertinent information after participation."

¹⁷ See 45 CFR §46.116(b)(8).

But despite its success in justifying deception, the criteria for this justification significantly limit when deception can be used. Whether or not these restrictive measures threaten the feasibility of such research is a different matter entirely, but perhaps worth considering for future ethical guidelines in psychology research. It may also be worth noting that such uses of deception may also threaten the integrity of a study, given that participants are aware that deception will occur, and thereby act differently. Typically, psychology studies are only useful to the degree that the participants behave ‘normally’. These other issues, however, are distinct from those in this paper, in that they entail protecting aspects of the field of psychology as opposed to safeguarding the rights and welfare of participants.

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Memory Dampening and Marginalized People

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ABSTRACT: This paper responds to ethical objections to memory dampening advanced by the 2003 President's Council of Bioethics. This moral analysis is necessary because it seems that trauma suffered by marginalized individuals/communities has gone largely ignored in the memory modification literature. The paper includes a brief explanation of what memory dampening is and how it can help patients with PTSD. I specifically address the Council's arguments that claim memory dampening inhibits our ability to give testimony about events, encourages us to forget when we are obligated to remember, weakens our response to the "good life," and could be abused for evil (Kass). I argue that the Council significantly overlooks how much marginalized people stand to benefit from memory dampening, and that it is immoral for institutions to withhold memory dampening treatment from those whom it has victimized. This paper suggests that memory dampening drugs such as propranolol should be researched more and be made accessible via prescription to survivors of trauma.

1. Introduction

Technological advancements are often embraced with open arms, but when it comes to the question of memory dampening, there are an array of negative opinions. In their 2003 "Beyond Therapy: Biotechnology and the Pursuit of Happiness," the President's Council of Bioethics largely rejects the use of memory dampening for trauma reduction because it inhibits our ability to give testimony about events, weakens our response to the good life, and could be abused for evil.

In this paper, I will argue that the examples of trauma used in the Council's analysis significantly ignore the potential benefits of memory dampening for marginalized communities, especially those who have survived institutionally caused oppression. In cases where individuals experience institutional oppression, much of their trauma is due to that oppression. This means that the outstanding institution would be responsible for both the trauma *and* for not allowing treatment of it through

memory dampening.¹ This paper will explore how memory modification can positively affect marginalized communities and how it should be regulated. I will argue that memory dampening should be permissible via prescription and should be further investigated.

2. What is Memory Dampening?

Research has shown that the administration of the beta blocker propranolol after a traumatic event can reduce the intensity of the memory and emotional connection to the incident (Pitman 1). Propranolol is taken after an incident during *memory consolidation*, a period of time during which hormones are released.² But even long after an incident of trauma, the drug has been shown to work when combined with therapy. Dr. Marieke Soeter makes the important distinction that this method is not erasure, but dampening: “It targets the emotional component, but knowledge is intact” (Jancin 1). Thus, *memory dampening* involves weakening the emotional component tied to one’s traumatic memory, while leaving the knowledge of what happened intact.

3. The Council’s Arguments

The initial argument proposed by the Bioethics Council is that if people were to take memory dampening drugs after witnessing something tragic, they would damage their ability to be a good witness for purposes of law. This is not because the individual’s knowledge of what happened would be weaker, but because of how they *feel* about it. The example they give involves someone witnessing a shocking murder and then taking a dose of a memory dampening drug. If asked about the murder in court, she may now give a very different answer. This is because the drug dulls the emotions connected to certain memories. Since this individual is no longer emotionally distraught, she is now less likely to harshly judge the murder. This example shows how memory dampening can diminish one’s ability to make a moral judgement.

The Bioethics Council also argues that memory blunting is likely to weaken our response to the good in life. Without the negative for contrast, how will we enjoy the positive? If we were to decide, for example, that nearly all psychological suffering is bad, the only joy we would feel would be an inhuman kind of happiness. Additionally, we run the risk of losing our identities and a sense of what is true. This could be the

¹ In this paper “institution” will broadly refer to the federal government, relevant branches including the FDA, and medical establishments. This is an admittedly vague characterization that could be narrowed in future works.

² To test the effectiveness of the drug, R.K. Pitman administered propranolol to car accident survivors after the car accident. Pitman’s test subjects tended to have less emotional and psychological pain when given propranolol.

case because part of who we are and what is true is how we feel about certain events. Even though we may be tempted to ease our pain, we must remain resolute so as to not leave reality and our identities behind.

The final case the Council makes about memory dampening is that it could be used for evil. They give the example of someone taking the drug before and after committing a crime. This would potentially make it easier for the person to commit the crime because they could lessen their guilt about the act. This might act as a gateway for people who would otherwise not engage in criminal behavior. A similar methodology could be applied to governments mandating soldiers to take the drug. This would reduce soldiers' guilt towards terminating enemies, likely increasing the total amount of fatalities. With memory dampening drugs, we risk the normalization of their being required in different industries, resulting in similar situations.

4.1 Response to the Council: Eyewitness Testimony

The Council's position that memory dampening will cause bad witness testimony has several problems. For starters, it overlooks the possibility of regulation. Individuals could be required to disclose that they took the drug before testifying. If they report that they have, then they will be given less credibility and are unlikely to skew a trial.³ This is similar to the way people who have a poor view of the crime or experienced a severe head injury are treated in court currently. The Council may argue that this would be an unfavorable position to be in if this person would have otherwise been a key witness.⁴ Perhaps this could lead to fewer useful witnesses of traumatic events. This could be harmful because it could increase the difficulty of reconstructing an incident.

The Council's response would be appropriate to the administration of memory *erasing* drugs, but it seems to miss its target of memory blunting. Memory erasing could seem to pose a threat to the number of key witnesses. The Council, however, is specifically talking about memory blunting drugs used "to dull the emotional impact of what could become very painful memories" (Kass 223). Dulling is not the same as erasing and does not pose the same problems. As Soeter explains, with beta-blockers like propranolol, patients still have knowledge of the incident (Jancin 1).

The idea that we should sacrifice the healing of others for better testimony is especially worrying when we consider instances of trauma as a result of institutional oppression. This would imply that marginalized people are morally obligated to be witnesses of their own oppression and that the institution is morally justified in

³ There is also the empirical question of whether or not the reduction of credibility on testimony will result in more testimonial injustices overall. I hope to explore this possibility in a future paper.

⁴ This point will be addressed later in the paragraph with an appeal to the research of Elizabeth Loftus.

holding them to this standard. This point is strengthened by the fact that it is not guaranteed that our witnessing of the trauma would lead to more good in the form of fairer trials.

This presents another issue with the Council's argument: eyewitness testimony even when no memory drugs have been administered is notoriously unreliable. Researcher Margaret Berger performed an in-class experiment where she staged the robbery of her purse (Berger 1). When she asked the class questions as to how tall the robber was, the answers about the robber's height ranged over a foot. When asked what the robber was wearing, the answers ranged from a white ski jacket to a blue shirt (he was wearing a blue jacket and a brown shirt). Most students also claimed that the robber had a strange nose (he did not). The students' reports show just how unreliable memory is.

This experiment also mirrors the findings of researcher Elizabeth Loftus, which further highlights how inaccurate eyewitness testimonies are. For example, Loftus conducted an experiment where individuals had to witness a robbery and then answer questions about the event. The actual crime lasted for 30 seconds, but the witnesses believed it lasted anywhere from 147 seconds to five minutes (Loftus 1-2). Only 3% of the individuals estimated 30 seconds or less (Loftus 1-2). This study exemplifies the unreliability of eyewitness testimony. Perhaps the lower credibility we issue to eyewitnesses will actually decrease our dangerous and misplaced dependence on it, resulting in better trials. In fact, according to The Innocence Project, seventy-two percent of cases overturned by DNA evidence involved inaccurate eyewitness testimony (Innocence Project Staff 1).

4.2 Appreciation of the Good

The Council's argument that memory dampening will lead to a reduction of our appreciation of the good is problematic. Their assertion that without the bad we will not be able to appreciate the good is biased towards those who already *can* appreciate the good.⁵ This excludes, for example, many people suffering from mental illness such as depression. Major depressive disorder has been found to co-occur with PTSD over 50% of the time (Rytwinski 1). This suggests that many people who suffer through traumatic experiences will also have to navigate depression. Because depression comes with many side effects, including the inability to fully experience joy, the use of memory dampening drugs might reduce the symptoms of depression and actually increase happiness.

This potential benefit is especially important when we look at marginalized populations. We know that "while PTSD affects an estimated 6.8% of the U.S.

⁵ Or who can at least *mostly* appreciate the good.

general adult population, prevalence estimates in transgender samples range from 18 to 61%” (J Couns Psychol 1). This same group is also approximately four times more at risk of depression when untreated (Witcomb 1). A significant portion of this marginalized group is affected by PTSD and therefore major depressive disorder, creating obstacles in the way of feeling happiness. The Council argues that our ability to be happy will be stifled because we might have no contrast to the good, but this kind of argument is remarkably abstract. Conversely, the unhappiness caused by PTSD and depression is concrete, measurable, and real. The remedy for these illnesses should be prioritized over the concerns made against memory dampening drugs.

It could be argued that there are other drugs that treat depression, and these should be used instead because they are not as threatening as memory dampening drugs. These drugs could possibly avoid the Council’s concerns all together and still heal people. To address this, it seems that drugs of this nature do pose similar potential problems that memory dampening does. Many SSRIs have negative side-effects that include weakened memory, addictive properties, and emotional numbing (Mayo Clinic Staff 3-4). Even with all these potential threats, they are allowed, used, and largely helpful.

Furthermore, memory blunting offers an advantage that current drugs do not: preventative treatment. Propranolol, for example, can be used before PTSD sets in, preventing co-occurring depression in the first place. Introducing another option for people suffering these conditions can also be beneficial for those who are hypersensitive to SSRI’s where side effects include increased suicidal tendencies (side-effects that have not been proved to be connected with memory blunting) (Mayo Clinic Staff 4).

4.3 Abuse for Evil

The Council’s argument that memory dampening could be abused for evil can be responded to in several different ways. Requiring a prescription for memory blunting drugs will help assuage abuse.⁶ Additionally, the use of memory blunting drugs is not dissimilar from current methods used to dampen guilt. Substances like alcohol are already used—not by prescription—and yet alcohol remains legal (someone who wants to avoid feeling overwhelmed by guilt could drink alcohol first to reduce their inhibitions). It does not appear that memory dampening drugs presents any novel threat of substance abuse for evil. All drugs can be abused, and most drugs are. Just

⁶ It is important to note here that prescription requirements do often pose problems to marginalized individuals, who are often under-prescribed, not taken seriously, or do not have medical access at all (Bulatao). This is a problem that must be broadly addressed for all medicine and should not serve as an argument to prevent drug regulation.

because a substance could be abused does not mean we should withhold it from those who could benefit from using them.

Finally, memory dampening drugs could further serve to reduce harm. People who experience trauma often cause trauma. The reduction of trauma through memory dampening would then likely reduce the possibility of people becoming violent. For example, the monoamine oxidase A (MAOA) gene has been proven to, when in combination with trauma, increase violence in adults (Fergusson 1). If propranolol, for example, could be administered after trauma, it is likely that this increase in violence would dissipate.⁷ This is especially important when we analyze its potential effects on marginalized communities. For example, a study conducted by the University of Illinois found that black students reported more instances of sexual assault than any other race. This shows that, again, marginalized communities stand to gain the most from the use of memory blunting drugs.

5. Self-Medication

When we look at the benefits of memory dampening it appears that marginalized people stand to gain significantly. This group of people is already self-medicating at disproportionately high rates. As previously mentioned, alcohol use poses similar problems that memory blunting does, and yet it is legal. There are several key differences between the two: (1) alcohol both directly and indirectly causes harm whereas memory blunting does not and (2) alcohol reduces brain-functioning ability whereas memory blunting does not. Between the two, memory blunting is the better choice for medicating for trauma. It is possible that with the introduction of memory blunting, individuals will not feel the need to medicate with illegal drugs and alcohol. This would make a big difference especially for marginalized communities, such as Native American communities.⁸ With memory blunting, they could be treated without alcohol which may in turn reduce their dependence on it.

6. Oppression Caused Trauma

Overall, the Council's analysis tends to overlook certain kinds of trauma. Their examples involve people who are traumatized by a violent combat operation or a plane crash. Both of these examples (at least at face value) are traumatic events caused by incidents unrelated to an institution of power. What happens when we turn our

⁷ It is important to note that it is the combination of the gene with the trauma that causes the increase in violence, so with the traumatic memory dampened, the combination would be less potent.

⁸ The addiction rates for Native American adults were recorded as the highest of any ethnic group at 14.9% compared to the average rate of 9.2% (Kelley). Emily Guarnotta, Psy.D. writes that within the top three reasons for alcohol abuse within Native American communities are emotional, physical, and sexual abuse. She writes that after experiencing abuse (which they are at a higher risk of) individuals often turn to alcohol to mediate the turmoil (Guarnotta).

focus to those whose trauma *is* a result of institutional oppression? For example (in the US), those who are subjected to migrant concentration camps, legally performed conversion therapy, and those victimized by a lack of punishment for race-based police violence. These examples differ because their trauma was the result of institutional oppression. This makes a difference because in the first two examples given, an institution was withholding a form of trauma treatment to those who suffer from an external source. In the latter examples, the institution would be condemning a form of trauma treatment for those it has itself victimized.

It is unethical for an institution to ban the use of memory dampening for trauma reduction, especially when it is responsible for the trauma in the first place. Imagine a company that pollutes a river, causing an epidemic. This makes many people very sick and in need of a cure. The company has the cure to the epidemic but refuses to give it to the people on the grounds that it may have a few side effects. Aware of the potential side effects, the people still request the drug. Should not the company comply?

In addition to the fact that it is usual for one's autonomy to trump the potential of self-harm, there exists the previous moral infraction. The company poisoned the people, the company is responsible to not withhold the cure and therefore, should make it available. They should still continue research to make the cure better and make sure it is only going to those who need it, but most importantly, they are required to not withhold the cure. This issue of responsibility seems to be largely ignored by the Council even though it is significant. Just like the company, institutions that cause trauma should not withhold access to relief from it.

7. Concluding Remarks & Future Directions

Memory modification stands to greatly benefit marginalized people because it will help ease the trauma that is disproportionately experienced by these communities. In addition to memory dampening, *memory enhancement* may prove beneficial to marginalized individuals and communities. If accessible, for example, it could help colonized people remember and pass on indigenous cultures and languages with greater ease.

Memory has the ability to cause both great pleasure and pain, as Ta-Nehisi Coates illustrates in his novel *The Water Dancer*. The story follows a black man named Hiram who survives slavery and navigates the underground railroad. Hiram has special powers connected to his memory, which win him favor with his captors, ultimately leading to his escape. When asked in an interview why Hiram's powers were tied to memory, Coates responded by saying "memory is power" (Gross). Throughout the novel, Hiram both benefited and suffered from his ability for total recall. I argue that

having control over one's memory is truly powerful. With accessible memory modification, we can make an important step towards making this a reality.

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Wittgenstein's Use of the Interlocutor to Create Meaning: The Philosophy of Language Games

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ABSTRACT: Two of Ludwig Wittgenstein's main works, *Philosophical Investigations* and *On Certainty*, utilize what is referred to as "the interlocutor." This paper explores four examples of the use of the interlocutor, here referred to as the "Second Voices," and explains how these uses are instances of Wittgenstein's idea of language games. I argue that we can better understand the meaning of a language game by analyzing how the interlocutor is used, and I conclude my paper with an explanation of how language creates meaning in light of an interpretation of language games based on the interlocutor.

In the *Philosophical Investigations* and *On Certainty*, Wittgenstein writes in short aphorisms—sometimes only one sentence long—often implanting an interlocutor in the form of quoted phrases, italicized remarks, or in dashed clauses. In other cases, he phrases a question before, between, or after adjacent statements. *Interlocution* indicates the opposing voice in places where a back-and-forth is established in a set of adjacent phrases: a twist in perspective to another side. When this occurs in the text, there are oscillations, admissions of a plurality of other ideas, objections to Wittgenstein's views, requests for clarification, and so forth. Interlocutors are second voices, popping in and out of the paragraphs of text to affect them, and the reader often finds these second voices voicing concerns, criticisms, hesitations, and questions which she also has. Specifically, I will call instances of the interlocutor *Second Voices* which prompt the interlocution. I will describe various ways these Second Voices are used, how these uses affect the functions of the aphorisms, and how these functions affect the text's ability to communicate Wittgenstein's meaning. This examination will show how the texts are a prime example of language at work, and will help to clarify what Wittgenstein means by "language game" in his own use of the phrase.

The most apparent Second Voices are whole phrases within closed quotes. Their inclusion has a variety of functions that are unclear outside of the context of the rest

of the aphorism, and their consequent meaning is only understood by way of their functioning against adjacent phrases written without quotations or dashes, as I will show later. The phrases around Second Voices are referred to in this essay as *First Voices*, though not in the sense that they always appear first in the aphorism.¹ They are to be understood as the first-person perspective of the author. The Second Voices can take a variety of forms: presenting a dissenting opinion, proposing a generally accepted idea, stating a confident certainty, rebuking something being stated elsewhere, etc. They can stand as self-referential ideas that are fully graspable within their quotes, or sometimes have a referent, something to which the phrase imports but does not fully disclose. The First Voice could question the opinion or claim of the interlocutor, answer a dissent expressed by it, encourage its line of thinking, question the referent or the phrases relation to it, and so on. There is, interestingly, no way to create a concise list of the various functions of the interlocutors' interventions within *Philosophical Investigations*. The functions are themselves formed by their construction and only found in the execution thereof.

Take for example, paragraph 454 of the *PI*:

454. "Everything is already there in . . ." How does it come about that this arrow >>—> *points*? Doesn't it seem to carry in it something besides itself?—"No, not the dead line on paper, only the psychical thing, the meaning, can do that." — That is both true and false. The arrow points only in the application that a living being makes of it.

This pointing is *not* a hocus-pocus which can be performed only by the soul. (132)

Here, the first quoted phrase made by the Second Voice trails off, only needing the first part as the essential subject: "Everything is already there in . . ." The following phrase, the First Voice, comes as a question posed to the Second Voice: 'if everything is already *in* x, how does a drawing of an arrow *point*? Is the pointing already *in* the drawing of the arrow?' The Second Voice returns to defend itself, claiming it is something called the 'psychical *thing*', which is also called 'the *meaning*', that 'does' the pointing, implying that meaning is psychical. The First Voice responds again, refusing any concrete validity to the statement one way or the other. It points out that it is the 'application' that a 'living being makes' of the arrow that does the pointing. This disposes of the need for a 'psychical thing' and for 'a meaning', and moves past the idea of there being something already 'in' anything. In doing so, the First Voice also

¹ This term is plural to indicate the various forms that this voice can take, not to imply that the author, Wittgenstein, is multiple.

clarifies the ‘pointing’ that the arrow does: the ‘pointing’ lies only in the *application*, the use. A final phrase in the First Voice at the end of the aphorism further shapes the meanings of ‘application’ and ‘living being’: the application is not performed by ‘the soul’, the event of which would be called a ‘hocus-pocus,’ or magical, inexplicable happening, but something else, something that is being done by a ‘living being’ that can make application of an arrow.

The meaning of the phrase “the arrow points only in the application that a living being makes of it” is not meaningful *except* by way of the back-and-forth between the first and second voices. The clarification of the terms ‘meaning’ and ‘application’ happens primarily by inclusion of the idea of the Second Voice, which gave way to the issues expressed by the First Voice. There is a relationship between the clarification of terms (i.e., how they are being used) and the procedural exchange between these two voices. This aphorism—the coherent, numbered paragraph of text—makes a point by expression of dissent, disagreeing with itself between its two voices and eventually coming to an affirmation of meaning, however negative the dialectic was.

For another example, take paragraph 479 of the *PI*:

479. The question “On what grounds do you believe this?” might mean: “From what are you now deducing it (have you just deduced it)?” But it might also mean: “What grounds can you produce for this assumption on thinking it over?” (135)

In this aphorism the First Voice is never explicitly present, but instead takes the instance of the Second Voice and translates it into two or three further statements, depending on how one counts the parenthetical phrase.² It does this by deconstructing the primary assumptions of the first question: “On what grounds do you believe this?” This question calls for meaning to the terms ‘grounds’ and ‘belief’. The next instance of the same voice establishes the interpretation that ‘grounds’ is a source of deduction and ‘belief’ is the resulting deduction thereof. This interpretation is in turn transmuted again into a third iteration wherein ‘grounds’ becomes something produced after a process of ‘thinking it over’, and this process of thinking it over is substituted for ‘belief’. All of these transmutations take place in context of the First Voice as the author, the implicit container for the Second Voice.

The transformation that the Second Voice undergoes creates a context for the First Voice in which it can be thought of as performing the transformation from one instance of the Second Voice to the next. A third idea arises with regard to the

² The First Voice is not explicitly present except in the fact that this aphorism is published by an author. This is what is meant in this case by “First Voice”—the thing doing the transmutation, or the author himself.

content of this hidden First Voice: “One lingual statement can be translated into others that can be used in a similar way, but the meaning of these statements is given in the use of the phrase within a specific context.” The First Voice, Wittgenstein, wishes to show how lingual statements can be altered by context, which in turn alters their meaning and content. All of this is determined by use, and not by reference to some object that is under discussion—i.e. no reference is made by the terms ‘grounds’, ‘belief’, ‘deduction’, or ‘thinking it over’. These words create their meaning in their usage in respective contexts.

In both of the above examples, the aphorisms each contain sentence phrases within and without quotations. In the first example, the First Voice is present explicitly, rebuking the statements made by the Second Voice, while the Second Voice transforms itself in an attempt to defend its position. In the second example, an equivalence is established by the First Voice between three different quoted phrases expressed by the Second Voice. Both examples develop the meaning of the statements and the words that are used, showing the way in which meanings were only there from the use, and that the subsequent attempt to defend a position by further clarification statements negates previous notions of a term’s definition, altering the meaning altogether. Both aphorisms show this particular attribute of language and expression.

An interesting thing happens, however, in paragraph 431 of the *PI*, when Wittgenstein uses two Second Voices in conversation with each other and leaves out the First Voice entirely, as the aphorism is only two quoted groups of sentences in conversation without any unquoted grounding:

431. “There is a gulf between an order and its execution. It has to be filled by an act of the understanding.”

“Only in the act of understanding is it meant that we are to do THIS. The *order*—why that is nothing but sounds, ink-marks.—” (128)

The two statements at first appear to be the same kind of transmutation as before. But upon closer inspection we realize that the first statement is attempting to “fill the gap” between two things that it holds as independent: ‘an order’ and ‘its execution’. These things are to be thought of as “out there,” and their connection happens when the gap between them is filled by something called “the understanding” which would be placed in the mind, or person. The second phrase, however, thinks that *both* of these take place somewhere called ‘in the act of understanding’, and the ‘order’ is nothing independent at all, but only ‘sounds, ink-marks.—’ The resolution of this

dilemma might take place later in the text, but the importance of this example lies in the use of the two phrases to juxtapose two separate and opposing viewpoints.

Wittgenstein here is remarking upon two different ways that we could talk about an order and its execution. The idea is that through the juxtaposition of the two, a third may be revealed through the dissent between the two. The aphorism raises multiple important questions: What do we mean by an ‘order’, i.e. a series of sounds? An understanding?; Where are these things ‘located’, i.e. in the words? In the marks? In the understanding?; What is the desire to locate them at all?; What do we mean by ‘the understanding’?; What could we mean by ‘filling in the gap’?; and so on and so forth.

What does Wittgenstein’s use of interlocution tell us about the nature of language? So far we have discerned several things: 1) that words and phrases only get their meaning by use; 2) that use comes from the context in which the phrases are placed; and 3) that in every case the creation of context is possible, which suggests that a phrase could mean absolutely anything at all. The first two alone are found throughout Wittgenstein's work in both content and form, and the third is their indirect consequence. This ‘meaning formation’ of language, which is determined only in the instant of the speaking or writing, Wittgenstein refers to as a “language game.” This phrase is in itself a game of analogy and resemblance, and it would be useful to clarify its meaning.

In the examples above, language shows its *gaming nature*, its porousness and lack of definitive, lexicographic meaning. In the first example, Wittgenstein puts on display a way of talking about things (“Everything is already there in. . .”) which, through questioning, becomes something else entirely (the ‘psychical thing’, the ‘meaning’), until finally the last statements call out a potentially underlying assumption: that meaning is a hocus-pocus performed by the soul. Each of these separate points could be referred to as a “viewpoint”: 1) everything is inherently in the thing, 2) the psychical thing is what gives meaning to the physical thing, 3) meaning is an incomprehensible act performed by the soul. Each of these viewpoints represents a way of playing a “game”, and the pieces of the game are only useful insofar as they participate in the rules of the game that is set up. In the first viewpoint, ‘everything’, ‘inherently’, ‘in’, and ‘the thing’ could be thought of as pieces to this game, which interact with themselves and produce a particular meaning. The same can be seen for ‘psychical thing’, ‘the meaning’, and ‘physical thing’ in viewpoint 2, and for ‘meaning’, ‘incomprehensible act’, and ‘soul’ for viewpoint 3. Each is a particular construction of language that performs a particular use in explanation.

The act of explanation for Wittgenstein—and, though not synonymous, simply the act of speaking at all—determines something about the shape of a way of life. In a way, the world materializes as it is spoken of, and games throughout history alter both

themselves and the possibility for discussing certain things. Take, for example, the use of theories of demonic possession for what modern medicine now calls disease and deals with in an entirely different way, or the different worldviews explicit in Newtonian Physics and Einsteinian Space-Time respectively, or the different explanatory potentialities of Biology, Neuroscience, and Psychology respectively; each name refers to a certain “language game”, a way of speaking, diagnosing, understanding, and materializing a form of life. They are all distinct, sometimes interactive “games” with their own rules and pieces.

An important point, however, is that none of these games is *inherently* better or more accurate to *objective* Reality than another, as alluded to in this last example in *On Certainty*, written before the author’s death in 1951:

108. “But is there then no objective truth? Isn’t it true, or false, that someone has been on the moon?” If we are thinking within our system, then it is certain that no one has ever been on the moon. Not merely is nothing of the sort ever seriously reported to us by reasonable people, but our whole system of physics forbids us to believe it...But suppose...we met the reply: “We don’t know *how* one gets to the moon, but those who get there know at once that they are there; and even you can’t explain everything.” We should feel ourselves intellectually very distant from someone who said this. (17e)

This aphorism relates objective truth to the viewpoint within a given system, and the falsity of a statement as one that is ‘unreasonable’ *within the accepted system*. Specifically, whether or not someone has been on the moon is thought of as objectifiable—its truth value is factual *by the nature of reality*—by the Second Voice in the first quotation. The First Voice replies that we consider it false because our whole system of physics (as of 1951) forbids the idea: the methods of this system evaluate this event as impossible. The First Voice then suggests that we may meet an opposition, which is phrased in the second instance of the Second Voice: “We don’t know *how*...”

The First Voice then returns at the end to remark how we would feel against this opposition that did not consider the issue (whether or not someone has been on the moon) objectifiable. It does not, however, immediately mark this opposition as *false*; it only remarks on a feeling of “intellectual distance,” and that is all.

The point here is that any notion of or confidence in “objective truth” is systematically tied to the use of a specific language game. A simpler example: In modern medicine, it is unreasonable to believe that demons cause illness; in the

language game of demon possession, germs and viruses are unheard of and, because of this, would be thought unreasonable causes of illness. In both cases, the limits of the game determine what is thought of as 'true'. A game can be more or less complex, dull or vibrant, or carry with it less explanatory power, but that does not inherently mean it gets closer to 'truth', it is simply more or less useful given the context and intentions of the speakers.

The analysis of Wittgenstein's use of the interlocutor has led us to an exposition of his internal philosophy of language games. The concept behind a language game has been shown to lie within the *Philosophical Investigations* and *On Certainty* not only as content but also form in the use of the interlocutor. The very structure of many of the aphorisms within these works makes apparent the existence of a language game and its use. By using multiple voices, language games are played within each aphorism to arrive at a meaning or a question thereof, eliciting to the reader the sense of a language game and reinforcing the meaning of the author, the First Voice—Wittgenstein himself.

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