

How to differentiate and evaluate common good and public good

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Biobanks – public or common good?

- The origin of „public good“
- Biobanks – a public good?
- The origin of „common good“
- Biobanks – a common good?
- Obscuring normative implications
- Presuppositions of consent types
- Conclusion: conviction instead of compulsion

The origin of „public good“

- Public good and common good: synonyms?
- Economical context of *public good* (Kaul et al. 1999)
 - *Non-rivalry* (no depletion by usage)
 - *Non-exclusiveness* (no barriers for access)
- Biobanks as a *global public good* (Knoppers and Fecteau 2003)
 - No consumption
 - No restriction of access
 - Global benefit, transboundarily

Biobank – a *public* good?

- ✓ No consumption
 - ✗ No restriction of access
 - ✗ Legal barriers for transboundary transfer of body samples and data
 - ✗ Lack of cooperation
 - ✗ Global benefit
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- Problem: implausible concept – implausible public support of biobanks?
 - Confusing normative & descriptive level

Normative & descriptive boundaries

- Knoppers 2005: promoting public health measures that force everyone to participate
- „Norms for the emergence of a new paradigm for public health interventions must be informed by issues beyond the legal and ethical parameters of autonomy and privacy. Indeed, the fundamental reason why contemporary medical ethics has so little to say about public health is that its focus on individual autonomy suggests that all compulsion for the sake of health is wrong. Yet ‘many public health measures must be compulsory if they are to be effective.’ Thinking at the level of populations or groups requires a vetting of current ethical and legal principles and the development of a concept of the public good or of ‘common’ goods.” (Knoppers 2005)
- Formerly descriptive, now a normative turn

The origin of „common good“

- Simm 2011 stresses: unclear concept – „is it an objective, a procedure, or even a myth?“
- Relation of individual and common interests
 - Mutually exclusive
 - Francis Bacon: Favoring common good
 - Occasional coincidence
 - Plato/Aristotle: Favoring common good
 - Adam Smith: Favoring individual good („hand of God“ transforms it into common good)
 - Identical
 - Thomas Hobbes: Common good is a genuine interest of individuals (preventing a war)

Biobanks – a *common* good?

- Chadwick and Wilson 2004: distinguishing
 - Natural good (economics)
 - Public good only in broad sense, not in a strict sense due to restricted access
 - Social good (ethics)
 - Public good / common good applies here due to social value:
 - Prospective social benefit: improved healthcare for everyone
 - Insufficient market provision; needs effort of all
- Suggestion: natural = public good
 social = common good

Obscuring normative implications

- Problem:
mixing normative and descriptive level
 - affecting: biobank governance
 - type of consent
 - participation rate & compensatory mechanisms
 - affecting: balance of rights and duties
- Consequence for consent
 - E.g. communitarian values (solidarity, reciprocity, etc.) favor
 - Privacy-weakening consent models like broad or even open consent (Lunshof et al. 2008)

Presuppositions of consent types

- Consent forms entail normative presuppositions
 - Stressing autonomy (rights) or solidarity (duties)
- Gordijn and Pijnenburg 2006
 - „An appeal to the common good often involves the claim that individual interests must be superseded by the common good. “
- In the long run: networks (like P3G) and single biobanks (UK Biobank) that stress communitarian values – are stressing (moral) duties as well

Conclusion:

Conviction instead of compulsion

- Relation of individual & collective interests
 - Identical?
 - Only occasional coincidence? If yes,
 - Stressing individual rights (and collective undersupply)?
 - Stressing collective interests (and individual duty, lower privacy)?
- If necessary, mention „common good“
 - Ambiguity fits better to plural society
 - Furthers public debate (Biobanks need publicity)
 - Participation by conviction, not compulsion

Coming soon

- Bialobrzeski A, Ried J, Dabrock P: Differentiating and Evaluating Common Good and Public Good: Making Implicit Assumptions Explicit in the Contexts of Consent and Duty to Participate. *Public Health Genomics* 2012;15:285–292.
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- Thank you for your attention!