

Editorial

Foundations of Medical Ethics

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1. Merits and demerits of arts or technologies

The human being, unlike other animals, was born naked, not equipped with tools, for example, wings to fly, limbs to run fast, sharp fangs or claws to tear and so on, for catching prey or protecting himself from danger. According to the ancient Greek myths, Prometheus, feeling pity for him, gave him fire and other arts to save him, stealing them from other Gods, because Prometheus was worried that the human being would have been extinguished easily by other beasts.

Since then, the human being, by making good use of various artificial means, have acquired power not less strong than other animals and many times as strong as that of his own, in spite of having few natural tools. He has learned to anticipate and change future natural phenomena to a certain degree by finding natural laws and using arts or technologies operated in conformity with them. By exploiting natural power through arts or technologies, we have managed to get human lives convenient and affluent.

It has generally seemed that arts are neutral and depend upon the intentions of their users whether they are good or bad. The art itself is neither good nor bad. If it is used with good intentions, it will be good, but if it is used with bad intentions, it will be bad.

But in modern times, technologies have had much more impact on society than before. They have achieved many great deeds that were thought impossible in the past. In the course of it, they have taken on a kind of magic, for it looks as though their presence stimulated people to make use of them. For example, the human being today no longer seems to be able to make a clean break with nuclear power and return to life without it, even though there have been terrible accidents with atomic power plants. It seems as though human

beings understand logically that they had best part from the nuclear technology but can't give up a lingering attachment for it.

Also in the area of the medical care, for example, the technology of prenatal diagnosis was developed. Previously, the conditions of the fetus in the womb couldn't be recognized before its birth. But today, by using this technology, some disorders can be recognized. Almost every pregnant woman is anxious whether her fetus is able-bodied or not. Naturally she will be inclined to use the technology and learn its condition. By contrast, she may well brave not making use of the technology of prenatal diagnosis and remaining ignorant of the condition of her fetus. The mere presence of this technology attracts pregnant women to its use. Judging from this fact, in modern times, we can't say any more that technologies are neutral and that depend upon the intentions of their users whether they are good or bad. If we don't have the strong will to resist the temptation to use it, we are likely to be carried away by technologies and have no choice but to use them. In this sense, nowadays, it may be the time when the human being is in danger of becoming subject to them.

In the field of philosophy, becoming subject to desires has been often compared to becoming their slave. It is the ability to resist desires and obey the imperative of reason that is the proof of the freedom of the human mind. This is why the human being is considered to have autonomy and dignity. Today, technologies have appeared as powerful cooperators to realizing desires. The attractive results of technologies stimulate human desires more violently than ever. Consequently the power of desires that oppose reason has become much stronger. The fact is that the excellence of the technologies has made it much more difficult for the present generation not to obey desires.

By the way, what can technologies do? All they can do is make our lives convenient and easy by reconstructing natural phenomena, using natural power and creating the bypass of natural action. "Man whilst operating can only apply or withdraw natural bodies; nature internally performs the rest." (Francis Bacon, *Novum Organum*, First Book, 4) said Francis Bacon. Technologies make use of nature, but can't create nature itself. They must depend upon natural actions for motive power.

For example, reproductive medicine helps infertile patients become pregnant by reproductive technologies creating the bypass of natural process. But reproductive technologies can't create the vitality itself. For the power of growth itself, they must depend upon natural vitality. So, after having applied

them artificially, all doctors can do is pray and watch for the growth of life. Then, technologies can't touch lives at all. If they could create lives, they should give lives themselves with their hands, like Gods, who said "Be fruitful and multiply," without trusting the natural vitality. But technologies remain the assistant of nature.

Nature surpasses the human being in both ability and wisdom. The more we know nature and the more conscious we become of the inflexibility and partiality of the technologies in comparison with such a fertile nature, the more we realize the natural position of them and the more we hold the whole nature in awe. But I'm not going to recommend at all, as it were, the sentimental naturalism, that is to say, that nature is good or that we have to live in conformity with nature, for nature itself is neither good nor bad in human sense.

The human being has created many wonderful technologies. With their help, he has tried to recreate nature. But in fact nature has often betrayed his intentions though he has made efforts to make nature obey by making the best use of various technologies. It may be proof of the human invincible spirit to continue to challenge nature again and again in spite of many failures. There is no denying that due to his perseverance the human culture has now developed surprisingly. It is true that the feats he has accomplished in the field of the technology are very outstanding, but not to put too much confidence in the power of them is also the old lesson for him as we know in the story of the Tower of Babel.

2. Three fundamental postulates of the medical care

What is medical care? It is the relief of people suffering from diseases or injuries by medical means. Concretely speaking, the mission of medical care means that society eases sufferers from their sufferings, that it treats sick or injured people and assists them to recover their health, and that it saves dying people from their death and extends their life span, by making good use of medical technologies. Medical technologies are nothing but the means which are used to the end that society relieves patients suffering from diseases or injuries from their sufferings.

From this definition of the medical care the following three propositions can be deduced.

(1) The aim of using medical technologies consists, above all, in treating those who suffer from diseases or injuries. Consequently we can say that, in principle, medical technologies should be used for the purpose of treatment. We understand treatment as restoration of the patient's conditions from below standard to standard.

If medical care is the relief of suffering patients by society, we will be able to think that society is permitted to put a limit on the application of medical technologies contrary to the proper aim of medical care. Even if today every patient is entitled to receive medical care from society, those who use medical technologies contrary to the aim of treatment would not be patients and would not have the right of the patient to use them any more. For example, in the case of the so-called enhancement, which heightens physical or mental powers from standard to above standard, and that those who are not sterile use reproductive technologies as one of the various ways of reproduction, society should not admit the use of them without restriction and should restrict their use on the basis of good sense.

(2) At the starting point of the medical care, there is suffering of patients. Though this fact is so evident, the experts engaged in the medical care or the medical ethics are often inclined to forget it.

As the aim of the medical care consists in the relief of patients, it shouldn't pursue only the development of the medical technologies. Medical ethics shouldn't pursue only scientific logicity or coherence, either. Where there isn't the weight of the suffering of patients, there could never be medical care as humanitarian art or medical ethics as true and proper relationship among people. Consequently one of the virtues requisite for those engaged in medical care or medical ethics is the ability to feel patients' sufferings to be their own. They should say, "I don't think any of patients' sufferings irrelevant to me," parodying the phrase of Terentius, a Roman comedian. It is patient-oriented medical care that can start from patients' sufferings, accompany patients and think in the position of them. But in fact some engaged in the medical care or the medical ethics hardly care about the patients and do work only on the basis of their professional sense of

duty or their scientific interests.

(3) In order to save patients, is medical care allowed to use whatever technology it may choose? No, it never is. As it is the action that society carries out with good intentions in the frame of society, not all medical technologies are allowed, even though it is done in order to save patients. Thus, there is some room for the medical ethics to intervene.

Technology pursues its development without limitation. It has only a choice of “possible” or “impossible”. Where there is only technological possibility, there is no ethicality. Faced with the technological possibility, when we think whether we are allowed to apply some technologies to patients, ethical thoughts are formed. Whether a technology is possible or not is a technological question, while whether we are allowed to use a technology or not is a ethical question. The two questions differ in dimension. If a doctor wonders if he or she is allowed to apply a technology to patients, then he or she is an ethicist, not a simple doctor.

In the case that technologies are used in a society, the social solidarity may demand the use of them in order to save a member of society, or on the contrary the human dignity may restrict the use of them in order to protect a member of society. At any rate, as technologies have a great influence on society, an individual is not completely free to use technologies in society. Those who use technologies will have to have a sense of justice and social responsibility and sometimes their freedom to use them will have to be restricted from the social view point.

3. End of life as realization of personality

La Rochefoucauld said, “Neither the sun nor the death can be stared upon fixedly.” (Reflexions Morales No.26) The sun is too glaring for us to stare upon with our physical eyes. Equally, death is also too terrible for us to stare upon with our mental eyes. At this point the same is the case with everyone, whether he or she is supposed to be strong or weak, for the human being can’t stare upon

the death itself, not because that particular individual is vulnerable, but because vulnerability is the nature of the human being.

La Rochefoucauld added, "All that reason can do for us is advise us to look away from death to watch other objects." Those who seem to have vanquished their terror, in fact, only tried to look away from death and to watch other objects. On their death, for example, the brave stared upon the honor or the philosophers stared upon the truth. Staring upon the honor or the truth, not upon the death, they tried to accept the death with their soul in peace.

But, pointing that out, La Rochefoucauld didn't intend to look down on those who had died in a dignified manner. He only narrated his serious experiences that he himself was several times brought to the verge of death at the rebellion of Fronde. Then probably he must have felt the true terror. He thought that, even if the philosopher Seneca tried to persuade his friend into thinking death trivial, his rational interpretation of death is nothing but a fraud, compared with the overwhelming and cruel reality of the death. Death is not so easy for the human being to understand logically and accept serenely as the philosophers have thought. La Rochefoucauld accused them of sophistry by means of which they had deceived people into believing the death trivial.

If his words are true, it is very likely that patients will change their mind on their death even though they have indicated their intentions in the Living Will or the Advance Directive. In that case at what stage should we respect patients' will? It will be necessary for us to keep in mind this serious fact that La Rochefoucauld detected, till death is really approaching patients themselves, we cannot be sure of whatever meanings we may give to it.

By the way, death is a universal fact in that it is ordained to come necessarily to all people, while it is a supremely individual experience in that it belongs to each person who has lived a unique life. Naturally since everyone is a member of mankind, he or she has a lot in common. But, just as there is no two persons that have the same face though the components of the face, for example, eye, ear, nose, mouth and so on, are the same, so everyone has a different personality from others. Everyone is born with a different character

and disposition from others, and has had many unique experiences in his or her life. If the personality consists of character, disposition, past experience, future expectation and so on and the amalgamated integral of them forms the personality, there can't exist any personality that isn't highly individual in the world. If such a unique personality represents itself in the rest of life, it is natural that the one and only end of life as synthesis of his or her life will be realized. In this sense the end of life must be the expression of an original personality with nuances different from others.

At such an end of life, what can people surrounding the patient do? If those who take care of the dying patient are to do him or her good, they should assist him or her in living the end of life as the synthesis of individual life or the realization of personality. But then how should they decide what they may do and may not?

In a sense, the weight of the individual personality surpasses that of the ethics as social promises. The naked and original personality of the dying patient challenges the medical ethics on his or her death. The unavoidable question that medical ethics can answer to his or her challenge confronts people surrounding the patient, including doctors or nurses. At the end of life, in front of a wide open abyss of death, all they can do is accompany solemnly the terrified patient and support the realization of his or her personality.

But since they can't foresee what will occur according to the conditions of the patient, they will sometimes hesitate in deciding what to do and may sometimes judge wrongly. For example, it happens that ordinary measures to treat patients sometimes change insensibly to extra-ordinary ones. In case the interruption of the measures is likely to cause the patient's death, it may be difficult to interrupt them even though sustaining them isn't thought good for him or her.

On the other hand, psychologically it is impossible that people surrounding the patient won't regret whatever they may do. Administering to the patient in close relationship with him or her, they will be obliged to withstand their regrets. To repeat, all they can do is accompany him or her to the end. Then they will have to continue saying to themselves at all times what they should do in

order to treat the patient as end, remembering the words of the philosopher Kant.