

Basics of Ethics

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Basics of Ethics / Terminology

- Taboos
- Morality (i.e. customs or social norms)
- Ethics
- Law
- Religion
- Moral Theories
 - Deontology
 - Consequentialism
 - [Principlism]

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Whereas **SCIENCE** is about **FACTS** ...

... **ETHICS** is about **VALUES**

- what is 'right' or 'wrong'?
- what is 'good' or 'bad'?
- what are our duties?

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Example

A young dog gets killed by a car.
People have heard that dog meat is quite tasty.
So they decide to cook the dog and eat it.

Question

Was this decision unethical or not?

If you think it was unethical, why do think so?



- Taboo
(respect, 'yuk' factor)

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Another Example

Do you believe that we always have to tell patients the truth?



Now, imagine that you are back in the dark 1950s



.... or imagine that you are all Japanese



Conclusion

- Either, if this is 'ethics', then ethics is relative (► ethical relativism).
- Or, this is not 'ethics' but 'something else'.

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MORALITY (or customs, or social norms)

The sum total of the norms and rules
accepted by (or imposed on) a (closed)* society
at a given time

* these rules do not apply to those outside this society

Illustration: difficulties of present day multicultural or pluralistic societies



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So, what is 'ETHICS'?

- [A branch of philosophy (like logics, epistemology, metaphysics)]
- E. describes and analyzes *concepts** such as right and wrong, good and bad, duty, responsibility etc
 - ▶ descriptive ethics*
- E. attempts to come up with universal (absolute) statements about what is right or wrong etc
 - ▶ normative ethics

* Watch out:

This is not to be confused with asking 'what people think or do' (this belongs to the realm of empirical / social sciences)



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To keep 'ethical concepts' clearly separate from 'empirical data' is very important!

Because you can draw normative conclusions from a valid concept of e.g. 'right'...

... whereas you must not draw normative conclusions from empirical data / what people believe is right (is-ought fallacy).



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First digression: Law and Ethics

Law and ethics intertwine.

And yet you must not confuse 'legal' with 'ethical', or vice versa!

Certain actions may be legal and yet they are highly unethical.



Conversely, some actions may be perfectly ethical and yet they are illegal.



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N.B.

This is not a course on, and we are no experts in, medical law.



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Second digression: Religion

MORALITY (as defined above)

The sum total of the norms and rules accepted by a closed society

ETHICS

Attempt to come up with valid universal statements about what is right or wrong etc



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The goal of ETHICS is to provide us with **valid**, universal (absolute) statements about what is right or wrong etc



Instruments of argument :

▶ MORAL THEORIES

- Deontology
- Consequentialism
- Principlism (→ N. Stöcklin)



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Correlation
between
good and right
and between
bad and wrong

Consequence
If we know what is right / good
(or what is wrong / bad),
then
we know our duties.

There are two ways to look at this correlation

- Kant ► 1. What is 'right' defines what is 'good'.
Bentham and Mill ► 2. What is 'good' defines what is 'right'.



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Deontology (E. Kant, 1724-1804)



Man is a reasonable being.
Man always wills what is reasonable.



Certain actions are a priori right because
every reasonable person would will them.

First Categorical Imperative (generalisability)

Act only according to that maxim through which you can
at the same time will that it should become a universal law.



What is right (because reason wills it), is good.
Therefore, we have a duty to act this way,
irrespective of the consequences.



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Example

You are treating a patient who is HIV+.
You know that he has unprotected sex.
You also know that he does not inform his partners about his disease.

Question

As a true Kantian / Deontologist, what do you do?



If you are a true Kantian,
It is your duty to honour **confidentiality**. Therefore, you would
rather accept the risk of someone being infected than breach
your promise of confidentiality.

- **Deontology can (and often does) lead to
perverse ethical decisions.**



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A way out of this problem has been proposed e.g. by W.D. Ross

Obviously,

Some things are **RIGHT**, ► always right
whereas others are only right ► right, all other things being equal

Consequently,

Some duties are **ABSOLUTE**, ► categorical duties
whereas others are relative ► prima facie duties
which can be ranked



Unfortunately,

very often this does not really solve the problem.

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Consequentialism (J.S. Mill, 1806-73) (Utilitarismus)

Kant: right → is good (irrespective of consequences)

Mill: good → is right (consequences count)

- **Whatever brings the best (overall) result,
is ethically right.**



Or, to use the words of J. Bentham (1748-1832)
'Right is, what brings the greatest good*
for the greatest number.'



* ... but how are we going to define 'good'?



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Let us look at the example of the HIV+ patient again

Question:

As a true consequentialist / utilitarian, what do you do?



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Two possible answers:

As a rule, honouring confidentiality will certainly bring the best overall results.

- **Rule consequentialism** (you would keep your promise)

However ...

In an individual case, the overall good may be greater if one does not honour confidentiality.

- **Act consequentialism** (you would breach your promise and tell the partners)



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A final example

On your ward (ICU) you have a poly-trauma patient whose chances of survival are (at best) very small.

The transplant coordinator of your hospital tells you that they desperately need a heart, two kidneys, and a liver to save 4 lives.

You are a 'diehard consequentialist':
what is your decision?



- In general, consequentialism tends to disadvantage minorities, the weak, etc.



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Ethics or Morality?

In everyday practice terms are used interchangeably.

In the words of Peter Singer:

[ethics]

is sometimes used to refer to the set of rules, principles, or ways of thinking that guide ... *the actions of a particular group*, and sometimes it stands for the *systematic study of reasoning about how we ought to act*.

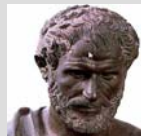


Etymology

Morality mores (Latin) = customs, Sitten, coutumes
Ethics ethos (Greek) = (moral) character of a person

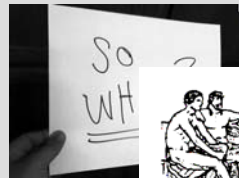
Aristoteles (384 BC – 322 BC) focuses on character

- **Virtue Ethics**



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Philosophical ethics



Applied ethics



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'Principlism'

(T. Beauchamp and J. Childress, 1979)

'Moral Decision Making Approach'



For further reading, see
<http://ori-hno.ch/d/veranstaltung/sommerschule.html>



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Principlism

There are four basic principles in medical ethics
(and hence four basic duties for health care people)

- **Respect of patient autonomy**
- **Nonmaleficence** (do not harm)
- **Beneficence** (do what's good / best for the patient)
- **Respect justice and fairness**



Of course, these principles are not new,
but the way they are implemented is novel.



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Nicola Stingelin

'Outline of an ethical decision making model'



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