



THEORIES AND PRINCIPLES OF BIOETHICS

SPA234 Ethics and Legal Issues

1

PART I: BIOETHICS PRINCIPLES

ETHICS PRINCIPLES

- **Autonomy:** The duty to maximize the individual's right to make his or her own decisions.
 - Consult individuals and seek their agreement before delivering any treatment to them.

- **Confidentiality:** the duty to respect the privacy of information.
 - Keeping patients' information safe from disclosure

ETHICS PRINCIPLES

- **Beneficence:** the duty to do good.
 - Needs to be clear about risk and probability when making assessment for benefit.
- **Nonmaleficence:** the duty to cause no harm.
 - Benefit needs to outweigh the chance of risk
- **Finality:** the duty to take action that may override the demands of law, religion, and social customs.

ETHICS PRINCIPLES

- **Justice:** the duty to treat all fairly, distributing the risks and benefit equally.
- **Understanding/tolerance:** the duty to understand and to accept other viewpoints if reason dictates.
- **Veracity:** the duty to tell the truth.

ETHICS PRINCIPLES

- **Respect for persons:** the duty to honor others, their rights and their responsibilities.
- **Universality:** the duty to take actions that hold for everyone regardless of time , place, or people involved.

PART II: THEORIES OF BIOETHICS

BACKGROUND

- Throughout history mankind has attempted to determine the philosophical basis from which to define right and wrong.
- Hence many theories have been proposed.

DEONTOLOGY

- AKA: Non-consequentialism:
- Derived from the Greek word, Deon, meaning duty.
- Considers that some acts are right or wrong independent of their consequences.
- Looks to one's obligation to determine what is ethical and answers the question: What should I do and why should I do it

DEONTOLOGY: CASE STUDY

- Zelda, an audiologist, believes she has a duty to give a patient detailed information on the hearing loss involved in their condition even though the client has indicated that they are not ready or may be terrified to hear the information causing the client distress.
- Opinion?

CONSEQUENTIALISM

- Actions are determined and justified by the consequence of the act.
- Consequentialists consider all the consequences of what they are about to do prior to deciding a right action.
- This also answers the question: What should I do and why should I do it?

CONSEQUENTIALISM: CASE STUDY

- Had Zelda respected the wishes of her clients, she would have given them only the information which would have been a benefit to them and not caused them undue stress. She would have been motivated by her desire to do good (beneficence), rather than her sense of duty.
- This is a Deontological betrayal

UTILITARIAN ETHICS

- Considers the greatest good for the largest number of people.
- Also answers the question: What should I do and why should I do it?
- Case study:
 - A new drug was found to be effective in treating chronic otitis media in 80% of patients. However, about 20% of people may suffer from complications if treated with it.

INTUITIONISM

- Intuitionism: Resolves ethical dilemmas by appealing to one's intuition, a moral faculty of a person which directly knows what is right or wrong.
- A gut feeling of knowing what is right.

SOCIAL CONTRACT THEORY

- The moral code is created by the people who form societies.
- These people come together to create society for the purpose of protection and gaining other benefits of social cooperation.
- These people agree to regulate and restrict their conduct to achieve this end.
- Creation of Codes of ethics in medical fields?

NATURAL LAW THEORY

- This is a moral theory which claims that just as there are physical laws of nature there are moral laws of nature that are discoverable.
- Each thing has its own inherent nature, i.e characteristic ways of behavior that belong to all members of its species and are appropriate to it.
- In the case of human beings , the moral laws of nature stem from our unique capacity to reason.
- When we act against our own reason, we are violating our nature , and therefore acting immorally.

VIRTUE THEORY

- This ethics theory proposes that ethical behavior is a result of developed or inherent character traits or virtues. A person will do what is morally right because they are a virtuous person.
- The most commonly accepted virtues are:
autonomy, Beneficence, Confidentiality, Finality, Justice, Nonmaleficence, Understanding/tolerance, Respect for persons, Universality, Veracity.