CHAPTER VI

CONCLUSION

The study on applied ethics gained momentum during recent years. People become conscious of the events taking place all over the world due to rapid scientific and technological developments. We have seen that bioethics and professional ethics play an important role in the context of applied ethics. Besides, environmental ethics is also an important branch of applied ethics and it draws special attention in present era. We have presented different aspects of environmental crisis in fourth chapter of our study. As regard today's environmental crisis, some modern ethicists think that we need a new ethics which enable us to give a new approach of ethics concerning non human beings and our whole surroundings. We have seen that the human centric and eco centric approach have dominated the area of present environmental ethics. The inherent tendency of human centric attitude to avoid pollution, preserving areas of wilderness and species diversity somehow helpful to preserve nature. But this theory is criticized by many moral thinkers due to its teleological consideration of nature. The human centric attitude treats nature by imposing it only the instrumental value. Nature has not only instrumental value but also has an intrinsic value. Nature is valuable by itself. In this respect, eco ethics takes a deontological position instead of a utilitarian attitude of human centric ethics. Eco ethics holds that the necessity to show respect towards nature and other species has an immense value. Without eco friendliness feeling an ever lasting pure
environment can not sustain. But eco centric morality has also faced difficulties due to its total egalitarian concept. In context of eco ethics, the ethics of reverence for life Schweitzer, ahimsa of Jaina in India are going to such an extreme point that complete acceptance of these views is not possible. But the main tenet of eco ethics, eco friendliness is always necessary in evaluating nature. We have placed our concluding remark at the end of this concerned chapter.

Our study mainly deals with some important bioethical issues as discussed in chapter V. In view of this we now like to conclude of our study on these bioethical issues along with our own opinion.

Bioethics is a significant branch of applied ethics. The rapid advancement of biotechnology has given us the chance to manipulate life with an extreme degree of freedom but at a same time it has created some controversial ethical problems. Euthanasia, abortion, surrogate mother, cloning and there are many others conflicting bioethical issues which arise simultaneously with the progress and advancement of science and technology. As a branch of ethics and more specifically of applied ethics bioethics has an important role in this context. As a branch of applied ethics bioethics tries to clarify concepts of our moral dilemma and also find out a possible solution. Our attempts to find out a suitable solution of bioethical problems are not simply an academic endeavour but it is related to our particular life problem. It is an attempt to look at reason that credited as impartial, unprejudiced and not based on particular cultural attitude. It should
not be based on particular religious belief also. Modern moral thinkers use the term 'secular bio ethics' to mean an ethical thinking framed by men and women their rational thinking. Again rightness and wrongness of an action does not solely depend on its legality or illegality. We try to evaluate laws from an ethical perspective. Along with law oriented questions, bioethics tries to solve ontological questions also. For example, technological developments lead us from a whole body oriented definition of life and death to a brain oriented definition of life and death.

In stepping at bioethical problems, first we have faced the question, is there any definite theory or rules by which we can come out from the ethical dilemma. Like environmental ethics, bioethics also has the same problem of application of theory or principle. Bioethical problems are very much complex and therefore, it is not an easy task to find out a solution comprising all aspects from the direct use of any one of the theories and principles. We have discussed in chapter III about consequentialism and deontological theories which greatly contribute to solve bioethical problems. Utilitarianism, the most prominent theory of consequentialism almost come into conflict with deontological or duty based theory in solving bioethical problems. Thus different principles also come into conflict when one tries to solve a particular problem. An example has been quoted in chapter III about the well known case of Baby Doe where the principle of paternalism had confronted with personal and social disbenefit. As an event is associated with different influencing factors, in view of this we should keep in mind about different
basic principles while solving a moral dilemma. Personal benefit, social benefit, principle of benevolence, principle of autonomy, principle of paternalism, principle of justice, principle of right are most common principles applicable in bioethical discussion.

Discussion on important bioethical topics, namely abortion, euthanasia, surrogate mother, doctor patient relationship and cloning have been presented in the fifth chapter of the study.

In this chapter, firstly we have discussed the topic abortion which is one of the most disputed bioethical issues of present time. Now, whether abortion is ethically acceptable or not at any stage of fetal development is a question to be seriously considered. Our view regarding this question is that it depends upon the question of moral status of fetus and the right of woman. Whether the moral status of fetus, i.e. the fetus can be considered a person or not plays the crucial role in abortion controversy. The conservative view holds that fetus is a human being from its conception and it has a moral status. By human being they indicate the biological or genetic human being. And on this ground they argue that as abortion means the destruction of human life, so abortion is morally wrong. But if we follow the human centric criterion of moral status, then the moral status is found to be based upon purely on biological feature, which is possessed, genetically from the very moment of conception. And in a broad sense one may treat the egg and sperm also as a potential person. Contrasting with conservative view person centric morality of liberal view holds that moral rights depend on whether a
being is a person or not Person centric moral philosophers try to indicate some traits to determine the personhood of a being, such as consciousness, reasoning ability, self motivated activity etc. In this sense not only fetuses but infants, young children, mentally retarded people do not desire any moral rights. Along with person centric philosophers, the liberal feminists support abortion as morally right. Their attitude depends upon the question of woman's rights. For feminist thinkers abortion is right at any stage of pregnancy as woman has the right to determine what is going on her body.

Thus we have seen that conservative and liberal philosophers are right from their own stand points. But both of these groups are reluctant to include some important features of abortion morality. When the conservatives consider abortion as wrong imposing humanity on fetus neglect woman's rights who bears the fetus. The whole process of child bearing is not a mechanical process. Infect it is related to the woman physically as well as mentally. The anti abortionist thinkers undermine woman's wishes and their mental ability to accept the child bearing process. We cannot neglect the mental stage and social status of a pregnant woman, the existing person in the name of the fetus, the potential person. When we entrust the burden of a child into a woman who is a victim of rape, then the act is definitely an act of disregard of woman's autonomy and right. But considering the feminist philosopher's attitude at a same time we should notice that one's autonomy has not an absolute or unconditional value. In case of abortion, woman's autonomy is considerable always on a reasonable
ground, as the woman has the responsibility towards her fetus. The property rights argument of feminist philosophers is criticized by raising an objection which claims that it is not right to give such importance to property rights when people lives are at stake. Again the person centric philosophers deny the rights of a potential person or a fetus on the ground that the right of a woman out weighs the right of a fetus. They indicate some psychological traits to determine the personhood of a being. But we should mind it that these traits are the basis of a moral judgment. Due to the lack of these traits we do not consider the action of a mentally retarded or infant as moral or immoral. In fact, depending upon these psychological traits we cannot consider that they have no moral status. The person centric philosophers undermine the social bond and social responsibility between the members of society. We have stated earlier the comment of Richard Werner that as infants are not persons and they have no moral status, society could develop a new gourmet delight "roast unwanted infant". Werner's comment is valuable if we take the person centric philosopher's view in a strict sense. But to come out from an extreme conservative's position and to out weight the right of a woman in reasonable ground person centric attitude may be helpful to us. In respect of abortion morality we have mentioned about the moderate view. The moderate view of conservative believes that some abortion cases may be regarded as permissible on grounds of self defense. Similarly, the moderate liberal view does not signify all cases of abortion as morally right. Perhaps the most suitable expression of moderate viewers is
that we may draw a line between the two extreme of conservative and liberal view by bringing the brain activity of fetus. The question of abortion morality is related to the question of fetus personhood and most of the person centric philosophers compare the fetus with non human being. And if the fetus has an interest in not suffering pain like the animal then that interest should be given equal consideration with the similar interests of any other being. We have found that until 18 weeks of gestation the brains of the fetuses are not able to feel pain. Therefore, if abortion is unavoidable on some weighty reasons then it would be better to terminate pregnancy before 18 weeks. But weighty reasons do not mean the individual choice of a woman. We should find out a universal attitude to determine which case of abortion is morally justifiable and which is not.

Thus we may come to our conclusion that abortion is morally justified in some cases, even admitting that abortion is a matter of performing some action that result in death of a potential human being. But we should try to minimize the suffering of the fetus considering the time factor. Of course, abortion performed in late period may be also justified in some cases where mother’s life deserves more weightings than the life of the fetus.

Another disputed bioethical issue, which we have already stated is euthanasia. Perhaps no other bioethical issue, has created such a sensation as euthanasia does. To understand the gravity of the problem some factual evidences have been placed in the second part of the fifth chapter of the study. We have discussed the debate both for and against euthanasia. And
These debates help us to come into a conclusion about different types of euthanasia. First, in case of voluntary euthanasia we have seen that it is related to the question of patient's autonomy and right which in turn also related to the principle of beneficence. Though voluntary euthanasia is rejected by the 'sanctity of life principle' but the unbearable sufferings, the distressing condition and the willingness for death of the patients may constitute a strong ground of supporting voluntary euthanasia. But there must be some well scrutinized rules and regulations in performing voluntary euthanasia as implemented in Netherland. We have already mentioned these to get rid of the slippery slope from voluntary euthanasia in to involuntary euthanasia.

Secondly, as the case of involuntary euthanasia occurs disrespecting the request of a competent patient or without asking him, it violates the right of the patient's right to life and autonomy. So the question of euthanasia does not arise here. But sometimes circumstances compel us to think that in some rare cases the question of involuntary euthanasia needs careful consideration. We have discussed how Michael Tooley has stated involuntary euthanasia as 'the cost of maintaining life'.

Nonvoluntary euthanasia creates much controversy then voluntary euthanasia as it is related to disable infants or unconscious human being. The supporters of quality of life principle advance their view in support of nonvoluntary euthanasia based on the concept of person. But even if we agree with person centric philosophers that the death of the patient living in
coma with no future hope of recovery or the death of an infant living in distressing condition, are the deaths of biological organisms, but still the question remains unsolved whether a person can exercise the right of another person on his behalf or not. Here we may remember John Ladd's statement that rights do not make up the whole of morality. There are many other good reasons besides the question of right. And though love charity, compassion keep own social life peaceful but sometimes some circumstances compel us to think about nonvoluntary euthanasia. We have stated earlier about Anthony Bland's distressing condition where disallow to die leads us to cacothanasia.

In respect of euthanasia two disputed topics are active and passive euthanasia. We have described some practical evidences which show that active euthanasia or killing is better than letting die or passive euthanasia. Rachels has drawn his most well known example of Smith and Jones which is a better example to show that active euthanasia is not worse than passive euthanasia and both produce the same result. We may conclude that in case of voluntary euthanasia it depends upon patient's attitude. If a patient wants to die quickly to free himself from his unbearable suffering, then there is no logic to make his death protracted. It has been stated that in case of involuntary euthanasia the question of euthanasia occurs in a very rare and special case. There arises no question of active euthanasia of the patient as the question of autonomy and right to life related in case of involuntary euthanasia. In case of nonvoluntary euthanasia we may opine that it should
depend upon the particular circumstance. Most probably Rachels is right in observing that the most morally significant question about the occurrence or death is which method will minimized the person’s suffering.

Another widely debated issue, the surrogate mother issue has also been presented in fifth chapter of our study. This issue is a result of new reproductive technology. At a first sight, it seems that the process of surrogate mothering brings happiness to an infertile couple. It is also attractive to a surrogate as it provides a better economic profit. Sometimes it creates a happy feeling to a surrogate of giving gift of life to a childless couple. However analysis of different aspects related to the child and to the surrogate reveals that in the process of surrogate mothering there are more disadvantage in comparison to advantage. We have stated in the third part of the fifth chapter how a surrogate mother has to face many complicated problems. Our example of ‘Baby M Case’ reflects the probable conflicting situation that may arise in any surrogate pregnancy.

The most conflicting moral issue at the heart of this debate is whether a surrogate mother is selling a baby or a service. The issue of deformed child in surrogate pregnancy reflects that this process has helped treating children as a commodity or a product. One uses a child as a means to one’s end is not morally justifiable. The resulting child has to face also the problem of single parents.

Surrogate mother arrangement also hurts in the social bond, family relation and the unique value of some relations. It can affect family structure
Through surrogate mother arrangement it is possible for a single man or a single woman to become mother or father without the burden of a husband or a spouse. But such type of arrangement will deprive the resulting child from a mother or a father.

Discussions on different aspects of surrogate mother lead us to conclude that though surrogate mother arrangement may fulfill the desire of child; but at a same time it creates some unavoidable problems to the surrogate, to the resulting children and also to society. So to protect babies from becoming commodities, to protect woman from exploitation and to preserve the dignity and the very meaning of motherhood and fatherhood it is better not to encourage the surrogate arrangement.

Another bio-ethical issue 'Cloning' is one of the most recent and controversial bio-ethical issues of modern era. This sensational scientific achievement has brought a genetic revolution in human history. While categorizing cloning into two broad types namely therapeutic and reproductive cloning, we have made an in-depth study of these two in the fifth chapter. Again we have presented elaborate discussions about positive and negative aspects of cloning. Therapeutic cloning specially brings new hopes for the patients who are in great need of some kind of transplantations. As the matter is related to the embryonic stem cells of human embryo of an early stage, perhaps it would not be ethically wrong from person centric attitude. We may also support therapeutic cloning if we take an impartial attitude while comparing it with animal experimentation and
organ transplantations. However, serious objection is raised against commercialization of embryonic stem cells. Therapeutic cloning may enable commercial companies to generate unborn immature babies and to remove body parts or cells for selling at a remunerative price. As regard this objection we have earlier opined that behind each scientific invention or achievement there is a possibility of its misuse. This in turn may be detrimental for society. However, we cannot completely set aside our plans to pursue scientific achievements. Only thing is that we must keep ourselves alert so that outcome of scientific achievements can be used only for welfare of the society. Another positive impact of cloning discussed is that cloning will help to have information regarding genetic deficiencies. This genetic information will in turn help to find a technique to eliminate dreaded diseases in near future. It is a matter of grave concern that our earth is losing some important species at a very fast rate. So there is a possibility of total extinction of these species from the earth. In view of this cloning technology would be used to increase the population of the dwindling species. This constitutes one of the remarkable positive aspects of cloning.

The negative impacts of cloning, especially in case of reproductive cloning is a grave concern of present time and the matter is to be considered very seriously. Looking at the effect of reproductive cloning on the resulting child and on the animal we cannot comment that reproductive cloning is justified. The negative aspects of cloning have been discussed in details in the fourth part of the fifth chapter of the study. Our discussions regarding
animal cloning reveal that most of the cloned animals have severe abnormalities including malfunctions of vital organs and premature aging. Reproductive cloning on animal kingdom is not acceptable on the ground of animal's own interest. Again we know it very well that diversity is the crucial factor, which is the gift of nature. But if only highly efficient clones are produced abundantly to fulfill different needs of our society then the natural ecosystem will be greatly affected. Production of highly efficient clones will rally affect on survival of less efficient animals.

An elaborate discussion regarding human cloning has been also made in our study. The attempt of the scientists to produce a human clone has created global ethical debate among different groups of people. We have indicated how different global organizations have raised their voices against human cloning. Though human cloning is still not allowed the probable disadvantages of human cloning discourage us to accept in near future.

If human cloning is allowed, then it will cause polarization of our society in terms of cloned and normal human being. The detrimental consequences of such polarization will be easily perceptible is our society. In view of this human cloning cannot be accepted. Our study on cloning reveals that the desire to create cloned baby of desired sex and quality, single parenthood of the resulting cloned baby, problems of social identification give us a crucial picture of the future of our society. Moreover we have no
right to use the cloned baby as a means to our end. It is disrespect to human right of the cloned baby. Human dignity is diminished when an individual is exploited for the benefit of others. Though human cloning is not yet permitted however we should be aware of that fact that it would never be right to exploit one group of people or even one person for the benefit of others.

Our last topic of discussion is physician patient relationship which is a central concern of medical ethics since the time of Hippocrates. Medical profession has an esoteric character and the patients occupy a dependent role with respect to their physicians. The relationship between physician and patient can be understood in terms of beneficence. Therefore to act beneficently for patient sometimes the problem of violation of the autonomy of patient may arise. Our study regarding physician patient relationship deals with how personal paternalism in medical context confronts with the issue of truth telling and medical confidentiality. But we should remember that our main interest is to wish a good result for the patient. Though truth telling and maintaining confidentiality are the prima facie duties of a physician, but circumstances may compel one to violate these basic principles. We have discussed the Tarasoff case where confidentiality created such a situation for which Tarasoff had been killed. Similarly, sometimes a doctor may confront such a situation where he is compelled to tell a lie to his patient. We may remember here Ross distinction between actual and prima facie duties. Ross refuses to acknowledge general moral rules as absolute. These rules are prima facie rights but when these come into conflict in a particular
situation, Ross insists that in arriving at decisions about what is right, we must learn the facts and explore the actual duty on that particular situation. Thus though lying is prima facie wrong; it may be that in a particular situation the actual duty requires to lie.

Our discussions on these five bio-ethical issues reveal that each issue has its own special characteristics. Since these issues are very complex in nature, therefore, it seems that there is no one theory or principle that stands as a solution of these problems. The individual and social impacts of these problems also vary to a great extent. Perhaps it would not be wrong to opine that four principles namely principle of beneficence, autonomy, nonmalificence and justice, which we have discuss in our study, may be helpful to find out some acceptable solutions.

At the end of our over all study on bio-ethical problems we like to conclude that factual evidence is a necessary component to have better understanding of the problem concerned. Different constraints related to a particular problem have to be carefully observed to have a well accepted solution.