

What Medical Ethics Have to Offer both Moral and Political Philosophy

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Abstract

The four principles of medical ethics -- autonomy, justice, nonmaleficence, and beneficence -- can be interpreted as being based on a respect for human life. Human life, however, is also understood to be multidimensional. Like folk psychology, medical ethics understands there to be physical, social, mental, and metaphysical/spiritual aspects of human nature. These four categories are a very useful framework of analysis for the larger fields of moral and political philosophy. The four principles of medical ethics are also compatible with four concepts of equality derived from four different moral and legal systems in Western Civilization which had their separate foundations in religion (Canon Law), nature (Roman Law), society (English Common Law), and the individual (Social Contract Theory). There is thus a relationship between the concept of a respect for personal dignity and our common humanity in medical ethics and the concept of equality in the Western liberal political tradition.

Medical ethics bring some coherence to the moral categories. They are also one source of an applied moral philosophy that can enable cross-cultural understanding and dialogue. Medical ethics have at least the capacity to provide a well-balanced source of accommodation in a pluralistic global community without alienation or coercion.

Introduction

Medical ethics have a lot to offer the larger fields of moral and political philosophy at this particular time in history, in part, because they have the capacity to accommodate pluralism in a global community. Medical ethics can be interpreted as being based on three axioms or assertions along with a couple of relevant observations.

1. The primary moral assertion or premise of medical ethics is a respect for human life.
2. Modern medicine understands human nature to be multi- dimensional. The four general principles of bioethics or medical ethics are:

Beneficence -- (the Golden Rule -- do unto others as you would have them do unto you -- reciprocity -- benefit the patient)

Nonmaleficence -- (the Silver Rule -- don't do unto others what you don't want them to do unto you -- reversibility -- do no harm)

Justice -- (social justice)

Autonomy -- (individual rights).¹

These four principles of bioethics can be interpreted as being based on a respect for the multidimensional aspects of human nature. The four principles also relate to different aspects of the moral concept of equality and they are derived primarily from, in turn, metaphysics, nature, society, and individual concerns. This perspective provides some coherence to the ethical categories.

3. Medical ethics understands the nature/nurture controversy about human nature to be a both/and rather than an either/or issue. Medical ethics are based on the life sciences as well as a historical ethic and cultural factors.

4. Based on these initial moral assertions, medical ethics can be shown to be compatible with a moral system that has both “depth” (a capacity for a distinction of values) and “breadth” (a capacity for inclusion).

5. Medical ethics are based on the applied science of medicine and its initial axioms or principles can thus also be derived inductively as maxims from experience. Medical ethics can also provide a vehicle for cross-cultural dialogue and understanding. They have the capacity to accommodate pluralism in a global community.

1. Medical ethics are based on a respect for human life

As a physician I consider a respect for human life to be the primary moral principle of the medical profession. The Declaration of Geneva of the World Medical Association includes this principle of a respect for human life.² This does not, however, mean preserving life at all costs.

A respect for human life is a moral assertion. Even the initial axioms or assertions of mathematics though, such as the definition of a line, are contingent and not proven. Our methods of description in physics also shift at the extremes of quantum mechanics and relativity and the two have not as yet been reconciled. The capacity to perceive a straight line, however, and even the illusion of a straight line, was important in evolution and remains important for our survival and well-being.³ The same can be said for the foundations of medical ethics. If one postulates the goals of human prosperity and posterity, then moral and political values become conditional factors for achieving these ends.⁴ It is for these reasons, a hypothetical imperative if you will, that in the coming century biology rather than physics will become the prevailing paradigm.

A respect for human life also implies a concept of equality understood as an inherent dignity and worth of our common humanity. The concept of “all men are created equal” was for

Thomas Jefferson an affirmation of his own individuality, but it was also his recognition of our common humanity, or, a categorical imperative. Abraham Lincoln described the phrase “all men are created equal” as the central idea of our government.^{5,6} Jefferson believed that all human beings, including American Indians and blacks, have a moral sense.⁷ Like a muscle, however, this human capacity needs to be developed through exercise. For Jefferson it was our universal moral capacity that makes self-government possible. The great reformers in American history did not repudiate the ideal of equality, but asked that we live up to it. The moral assertion of “a respect for human life” in medical ethics is also such a self-affirmation and a recognition of our common humanity. It is this fundamental principle or moral assertion, this affirmation of human dignity and worth, this categorical imperative which recognizes our common humanity, that makes the accommodation and preservation of a wide variety of attributes, cultural differences, desires, and beliefs possible in a pluralistic world.

A respect for human life can be supported from the perspective of metaphysics, nature, society and the individual. A multidimensional understanding of human nature can be inclusive of our physical, social, mental, and psychic or spiritual needs. It is this multidimensional understanding of human nature and our interaction with the world in which we live that give some coherence to the several ethical categories. Deontological (duty based), consequential, communitarian, and individual (human rights) concepts are all included in this meta-ethical perspective.

2. The Multidimensional Aspects of Human Nature

A multidimensional framework for the understanding of human nature is not a modern or postmodern idea. It is a pre-modern idea. The classical Greeks understood human nature to be a composite whole and to have physical, social, mental, and spiritual dimensions. They also perceived these different aspects of human nature to have a correlation to various aspects of the world in which we live. These ideas were often referred to as an organic paradigm. This multidimensional understanding of human nature, however, was eventually discarded and replaced in Western philosophy primarily because it was hierarchical in its Platonic form, as the tripartite soul, and it had been used to support similar hierarchical structures in the Church and the state.

A primary insight of modern medicine is that it uses the same categories as the classical organic paradigm for understanding human nature, but it does not necessarily interpret the several dimensions of human nature to be hierarchical. This allows us to reconsider a modern version of the organic paradigm as a framework of analysis in a modern context.⁸

In *The Moral Foundations of United States Constitutional Democracy: an Analytical and Historical Inquiry into the Primary Moral Concept of Equality* (1992), James Rutherford (the author of this essay on medical ethics), previously described the multiple origins of the concept of equality in Western civilization.⁹ These included a ***metaphysical*** origin in

Judeo-Christian religion based on reverence and reciprocity, which was expressed in Canon law; a **natural law** origin in Roman law based on reason and reversibility; a **communitarian** origin in English common law based on one's rights and responsibilities in society; and finally an **individual** origin in social contract theory, which is the basis of constitutional law and which begins with the free and equal individual in a state of nature concerned with human rights and the right to resist tyranny.

American constitutional democracy integrates and balances these four ethical systems as they relate to universal equality and the coercive powers of government. The Declaration of Independence was written in the manner of Euclidean geometry. The first moral assertion of the Declaration of Independence that "all men are created equal" thus placed everything that followed, including life, liberty, and the pursuit of happiness, in this moral context. The Preamble of the Constitution describes the purposes of government to be to provide for the general welfare, to establish justice, and to maintain security and domestic tranquility or rational order. These are provided primarily by a division and balancing of the powers of government by function rather than social class with a legislature, a judiciary, and an executive branch. The metaphysics of religion and public opinion are also recognized and they are protected and separated from the coercive powers of government.

The concept of a respect for human life in medical ethics and the concept of equality in American constitutional democracy are both based on a respect for persons, an affirmation of our individual dignity and worth, and our common humanity. They are also both based on a multidimensional understanding of human nature and this is reflected in both as a system of checks and balances.

This four-part multidimensional framework can accommodate both natural and cultural evolution. It can accommodate both descriptive and prescriptive concepts of human nature and it can accommodate both the individual and social dimensions of human knowledge and activity. The framework gives some coherence to the ethical categories. The questions, *What is obligatory?*, *What is good?*, *What is fitting?*, and *What is humane?* are all included within the framework as valid moral questions. Deontological, consequential, communitarian and individual human concerns are all recognized within a historical perspective as well. Medical ethics represent a balance of consciousness in what some have described as the parliament of the mind.

This four-part analytical framework can be contrasted with the general state of philosophy in the last one hundred years, which might be compared to the story of the blind men describing the elephant; each perspective describes a particular part, but none gives a coherent view of the elephant. This four-part framework of analysis brings some coherence to the ethical categories.

3. The nature/nurture controversy about human nature is a both/and situation

From the time of Hippocrates, the profession of medicine has been based on both science and an ethic. Medicine thus easily incorporates an understanding of human nature that includes both nature and nurture. Medicine is not just descriptive, but it is also prescriptive. In medicine our perception of the facts is important and sometimes an overriding consideration, but facts are not the *sole* determinants of our values. In moral philosophy and medicine we do not accept a description of “what is” to be necessarily right. A reality principle and the sciences, however, also place constraints on our individual and social will. Darwinian evolution and nature on the one hand and cultural evolution on the other hand are both important because they place limitations on each other. As a result of sexual reproduction, the human body is made up of both genetic cells and somatic cells. The genetic cells at least have the possibility of reproduction, and continuity—the somatic cells in natural circumstances do not. What about us somatic cells? The somatic cells are concerned also about the quality of life. Moral philosophy is thus concerned about both posterity and prosperity, about Darwinian survival and reproduction and also our individual and cultural well-being. Darwinian concepts of evolution need to incorporate some recognition of our developed capacity for cultural evolution and cultural historicism, on the other hand, needs to extend history back into evolutionary time.^{10,11,12}

4. A moral system of “depth” and “breadth”

Much of our discourse could be clarified by recognizing both “breadth” and “depth” in moral philosophy. There are, for example, two great moral traditions in Western civilization. The first is from classical civilization and is based primarily on a distinction of values regarding such things as truth, goodness and beauty and such qualities as virtue. The second concerns the equal dignity and worth of individuals as persons and is derived primarily from Judeo-Christian sources, such as the Golden Rule and *imago Dei* and later Kant’s categorical imperative. The concept of moral “depth,” refers to an affirmation of life and a *distinction of values that relates primarily to attributes and behavior*. The concepts of moral “breadth” extends this affirmation to the individual, the social community, our common humanity, concerns about the natural world in which we live, and metaphysical concepts of meaning and purpose. For a moral system to have sufficient “breadth,” for example, there needs to be a *respect for persons and an affirmation of our common humanity*. The two ethical systems are often confused in *dialogue* when there is no recognition of the difference between an *equality of persons* and a *distinction of values that relates to attributes and behavior*. There can be “moral” positions that are “narrow” and “shallow.”

5. Medical ethics as an applied ethics

Medicine is an applied science and the principles of medical ethics have thus also been derived inductively as maxims from experience and case studies. Folk psychology, which relates to our introspection and everyday experiences, intuitively recognizes the physical, social, mental, and spiritual aspects of human nature. These categories are compatible with those used in the four-part framework of analysis which is compatible with medical ethics.

The four-part framework of analysis is not meant to defend a particular conclusion, but it will help to understand the spectrum of moral and political considerations involved in a complex difficult issue.

Most of the ethical issues in medicine are not complex, but when there are significant conflicts one frequently falls back on a procedure which one thinks is an appropriate means that also does justice to the ends. This is the case with voting in a democracy and the function of the jury and the Supreme Court in the legal field. The practice of medicine is primarily a voluntary relationship and the decisions usually rest on and require the informed consent of the individual patient. Legal issues, the issues of medical science, and metaphysical issues, however, can also play a significant role for the patient, the doctor, and the hospital.

The medical profession has essentially universal recognition and medicine is a social institution that has the capacity to “expand the circle of trust,” build social capital, and help maintain morality and order without coercion or alienation. Medical ethics are one source of applied moral philosophy that can provide crosscultural understanding and enable ethical dialogue. Medical ethics have the capacity to provide a well-balanced source of affirmation, accommodation, moderation, coherence, and synthesis in a pluralistic global community.

Summary and Conclusions

A moral assertion is made in this essay that a respect for human life is the foundation of the four principles of beneficence, non-maleficence, justice and autonomy. The four principles in medical ethics also relate to the several historical concepts of equality in United States constitutional democracy, as both are based on the dignity and worth of persons, and an affirmation of both our individual personal dignity and our common humanity.

In this framework, human nature is understood to be multi-dimensional with individual, social, rational/scientific, and integrative/metaphysical concerns. It is this “balance of consciousness” that brings some coherence to the meta-ethical categories in moral philosophy. A consideration of what is right, good, fitting, and humane can all be included.

This four-part framework of analysis, is particularly effective in evaluating singular theories in philosophy which focus on only one aspect of human nature or those philosophies which exclude a particular aspect of human nature. One often does not have to argue that those philosophies are wrong, but only that they are not inclusive enough.

This multidimensional understanding of human nature does not necessarily lead to certainty, but, because of its affirmation of life, it also does not consider everything to be subjective, relative, arbitrary, or based only on material utility. This framework of analysis thus addresses what some consider to be the postmodern condition..

The principles and moral assertions of medical ethics put forth here are a respect for human life, that there are multiple dimensions of human nature, and that nature and nurture are both important for they place some limitations on each other concerning our values. Medical ethics are an example of a very useful four-part framework of analysis for moral and political philosophy that also provides some coherence to the moral categories. They are one source of an applied moral philosophy that can provide cross-cultural understanding and enable ethical dialogue. In a political context, medical ethics can provide a well-balanced source of affirmation, accommodation, moderation, coherence, and synthesis in a pluralistic world. Medical ethics have a lot to offer the larger fields of moral and political philosophy at this particular time in history, in part, because they have the capacity to accommodate pluralism in a global community without alienation or coercion.

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Addendum

These articles are some further thoughts on human rights which might be a response to some of the questions about my paper or part of a dialogue on the topic of human rights at a conference sponsored in part by the **United Nations Information Centre (UNIC)**

As a guest at an international conference, I have chosen these comments, blogs, and articles because they focus on how my own country, the United States of America, can better define and convey our values to a pluralistic global community. We should remember that The UN Universal Declaration of Human Rights was a response to the tragedies of the 20th Century. We should not forget. The Preamble begins:

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world

It would be appropriate for all of the members of the United Nations to reflect on their own values in the context of that document.

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Equality as an Affirmation of Our Common Humanity

http://www.moralfoundations.com/equality_and_humanity_2.pdf

(written in 2007)

Our government rests in public opinion. Whoever can change public opinion, can change the government, practically just so much. Public opinion, or any subject, always has a "central idea, from which all its minor thoughts radiate. That "central idea" in our political public opinion, at the beginning was, and until recently has continued to be, "the equality of men. --- Abraham Lincoln 1856

At the time of a clash of civilizations it is not unusual for both sides to re-examine, define, and even sometimes codify their basic values and cultural institutions in order to both preserve and convey their basic values and traditions. At the time of the fall of communism in the Soviet Union and in Eastern Europe, the United States did this poorly. It appears that we are making a similar mistake in our war against terrorism, which is very much a battle of ideas and ideologies and will have to be understood as such for any chance of a long-term resolution and reconciliation. We are missing a defining opportunity in the history of the moral and political philosophy of the liberal tradition; first, by not defining our primary moral value as equality, understood as a respect for the dignity and worth of our common humanity; and second, by not defining our government as a constitutional democracy, which is the only way to convey both the substantive and the procedural concepts of equality that it incorporates.

At the time of the fall of communism, the media, the academics, and our government almost universally described the United States as a capitalistic democracy. This was in part because we allowed the Soviet Union to describe their communism to be primarily an economic system rather than a totalitarian political system, which denied any concept of moral or political equality. The primary alternative to communism should have been constitutional democracy. It is the democratic aspects of our government that incorporate the procedural aspects of equality, such as "one person, one vote" and majority rule. It is the constitutional aspects of our government, such as the Bill of Rights, that incorporate our substantive concepts of equality. These constitutional principles are placed beyond the usual majority rule of the legislative process.

Jefferson, Madison, Tocqueville, and Lincoln all considered equality to be the primary moral principle of constitutional democracy. Since the events of September 11, 2001,

however, I cannot recall one instance of even a mention of equality. The terrorist attack of 9/ 11 was an attack on both our freedom and security and it is perhaps understandable that our values have thus been described primarily in those terms. In the Declaration of Independence, however, the first premise was that "all men are created equal" and that put everything that followed, including life, liberty and the pursuit of happiness, in a moral context. Even the great reformers, such as the women suffragettes and the Rev. Martin Luther King, Jr., did not repudiate these principles, but urged us to live up to them and place them into practice.

Donald Rumsfeld, the Secretary of Defense, was asked how the United States was faring against the extremist ideology in the global "battle of ideas." He said, "If I were grading, I would say that we probably deserve a D+ as a country." We are indeed in a "battle of ideas", in part, with a radical version of Islam. Islam, the religion of 1.2 billion people, is based on a submission to the will of God. Much of the liberty that we convey, on the other hand, is seen by others as the self-indulgence of our culture. We also unnecessarily lost much of the moral high ground with our initial waffling on the issues of water boarding and human rights.

During the current war on terrorism it may be appropriate that we emphasize freedom. To achieve our objectives we will also need the cooperation of many countries that are not constitutional democracies. To win the peace, however, we will need to understand and convey that our primary moral value is universal equality. It is such a recognition of our common humanity in a pluralistic world that makes the accommodation of a wide variety of attributes, cultural differences, desires, and beliefs possible without the use of coercion or being the cause of alienation.

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United States Constitutional Democracy and American Exceptionalism
<http://www.thefarcenter.com/2013/09/united-states-constitutional-democracy.html>

Most nations have been historically based on a common ethnicity, language, religion, or history. The recent Constitution of the Maldives, for example, grants citizenship

only to Muslims. In contrast to this, Seymour Martin Lipset, in the summary chapter of his book *American Exceptionalism* (1996), quoted from my own work, *Moral and Political Philosophy*, noting that in the United States: “The free and equal individual with moral responsibility is the basis of communal solidarity.”

In April, 2009, Barack Obama missed the historical point of American Exceptionalism when he stated:

“I believe in American exceptionalism, just as I suspect that the Brits believe in British exceptionalism and the Greeks believe in Greek exceptionalism.”

Jefferson, Madison, Tocqueville, Lincoln, and the great reformers such as the women suffragettes and the Rev, Martin Luther King, Jr. all considered equality to be the primary moral concept of our government. Our democracy incorporates a quantitative concept of equality with “one person – one vote.” It is the Constitution with the Bill of Rights, however, that incorporates qualitative and substantive concepts of freedom and equality that protect the individual from the possible abuses of majority rule. Even the Constitution, however, can be amended by a super-majority of two-thirds of the Congress and three-fourths of the states. Concerning this ability of a super-majority to change the Constitution and the the Bill of Rights, James Madison thus wrote that he hoped the Bill of Rights “might acquire by degree the character of fundamental maxims of free government, and as they become incorporated into the national sentiment, counteract the impulses of interest and passion.”

It would help us to both understand and convey our values if our government officials, the media, and academics began to refer to our moral concepts as including both equality and freedom, our government as a constitutional democracy, and American exceptionalism as being based at least historically on the free and equal individual with moral responsibility as the basis of our communal solidarity. This was unique or "exceptional" at the time of our founding.

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Intermediary Institutions and Civil Society

<http://www.thefarcenter.com/2013/11/intermediary-institutions-and-civil.html>

Edmund Burke is considered to be one of the founders of conservatism. One of his criticisms of the French Revolution was that, by destroying the intermediate institutions which help maintain order in society, the state would be left with only the tool of coercive power and this would lead to tyranny. The French Revolution eventually claimed that the state was the source of all all moral and political authority. The progeny of this type of tyranny turned out to be Nazi Germany and Communist Russia.

The inclination of conservatives is thus to incorporate the basic values of the culture in the intermediary institutions so that there is less need for the coercive powers of government. For conservatives, in particular, there should thus be a concern about the recent problems in almost all of our intermediary institutions. It is hard to think, for example, of any national bank, Wall Street firm, insurance company, or health care company that has not been the subject of very large regulatory penalties. There has been a rather remarkable failure of the elites in our culture.

On the other hand, the more secular liberals have been reluctant to address the issues and problems concerning the intermediate institution of the family in our culture. The inclination of liberals has also been to raise the cost of government and entitlements even in the presence of an unsustainable national debt and to mortgage the future, thus breaking the contract with the next generation to which Edmund Burke also referred.

James H. Rutherford, MD

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Moral and Political Philosophy
by James Rutherford
<http://www.moralfoundations.com>

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In political philosophy, the international political tragedies of the twentieth century bear witness to the need for universal concepts of equality. It is difficult to imagine an adequate resolution of the global problems which have resulted from technology without a concept of universal equality and a respect for human life and our common humanity. Several writers have noted that our technical progress has far exceeded the parameters of our biological adaptive mechanisms and moral structures. In evolutionary theory this is sometimes referred to as the “nuclear trap.” Recently, the two major political powers in the world had a nuclear defense policy of mutual assured destruction, with response times measured in minutes. Power politics as policy thus reaches an undesired

absurdity in which it has the potential to be destructive not only of self, but also the foundations of much of life on earth. Among the problems which threaten the future of all peoples are those of nuclear or biological warfare, genetic engineering and population control in a time of scarce resources and a threatened environment, and the level of totalitarianism and terrorism which technology has made possible. Raoul Naroll, in *The Moral Order* (1983), called the creation of a stable human world order the deepest historical task of our times.

It is, important that we be able to understand and convey to the court of world opinion the moral concepts of a respect for human life and equality understood as a respect for persons and the inherent dignity and worth of our common humanity. This is important, for survival, well-being, the enjoyment of individual freedom and the progress of human liberty are not inevitable. They are contingent to a large degree, on our willingness and ability as moral agents to place our free will within ethical constraints. It is indeed the self-imposed ethical or moral foundations of government that change mere obedience to the coercive powers of government into a sense of consensual responsibility for a moral duty, a just order, the common good and human rights. The coercive powers of government are also needed less when those moral values and ethical constraints are incorporated into the culture and our intermediary social institutions, such as voluntary associations, education, law, medicine, economics, science, religion, and philosophy.

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