

## Chapter IV

### ETHICAL PRESUPPOSITIONS OF THE CONCEPTS OF LIFE, DEATH AND HEALTH ; SOME PHILOSOPHICAL OPINIONS

Life, Death and Health among the human beings are not solitary events, they are societal in nature, at least they concern other human beings. No man is an island, said the English poet John Donne, and hence the bell that tolls for me, tolls for others as well. Births delight us as much as deaths make us sad. There appears to be a human concern involved in these terminal events of human existence. This human concern has a moral dimension. Any attempts to lessening of human pain has been looked upon as a virtue. Although it is in literature, novels, stories and poetry, we get a direct treatment of life, death and suffering, yet we find that some philosopher, ancient and modern have important things to say on these matters. We propose to take note of some of them. We begin with Confucius, and then pass on to Spinoza, Kant, and lastly we shall consider the existentialist position on those issues.

#### Confucius

Of the many philosophies six are important in China. Among these confucianism and Taoism are the most

important. Taoist and Confucian thought have shaped the practice of medical care in China.

A brief account of Confucianism may be given below.

This school has arisen among the literate (ju). The ideal man according to this school is the cultured person, who is self-controlled and integrated into the world (harmoniously attuned and poised in all social situations) and capable of mastering all the opportunities of the world through detachment and harmony.

It should be noted that the Confucian does not seek liberation from rebirth or the world or salvation from sin and punishment after death, he affirms life, accepts society and desires to establish and preserve a harmonious civilised society.

Confucius says that man cannot live like birds and beasts, he must live among men. He realises that morality has to be practised and virtue achieved not in solitariness, but in life lived with others and develop relations with others. Virtue leads man beyond himself and aims at perfecting the human community as a whole. Confucius affirms that the superior man develops his personality not only to improve himself or to bring security and peace to some others but to bring security

and peace to all people. Confucius advocates li which constitutes the spirit of a community and that an individual becomes a man through the community. Li educates an individual to become a man - a member of a community. Confucius has considered music is as important as li. To him music has a role for the development of the personality and giving the right tone to the community. In music man finds the themes that order his life and harmonise the community. Confucius tries to guide people by virtue and regulate them by li and music.

There are some similarities among Confucian and Kantian ethics. Kant's argument is that persons must be regarded as ends in themselves. One can never treat a rational being as a means in any way. Universal laws are created by rational agents. He tries to establish the systematic union of rational beings through common laws. Jen is the most important concept in Confucian thought. It has been variously translated by various thinkers. For example, Legge has translated it as benevolence of virtue for Waley it is goodness. Mencius considers that Jen is preeminently compassion. Jen is considered as the distinguishing characteristic of man. Jen is love of fellow men and authenticity. To be authentic is to be sincere and upright (Chih). In the superior man Chih

and li are blended together, i.e. he is authentic and at the same time he sticks to the ways of behaviour approved by tradition. To him he who has jen becomes a real man. Jen contributes to civilization and can be sought only in the midst of it.

Confucius is interested to establish an ideal social order. According to him good order will be attained through exact terminology. Words must properly define and distinguish things and persons, i.e., they must befit their meanings. The Confucian notion of life has important bearings on social aspect of medical care, the doctor-patient relation in particular, and hospital administration in general.

Confucius is considered to be a universalist. Because to him, within the four seas all men are brothers. He has accepted students from all social strata, declaring that in education there should be no class distinctions.

Confucius are very much aware of rituals. He says rituals must be performed by according to tradition. Performance of rituals disciplines men and purifies them. There is no evidence that Confucius has any belief in the existence of gods. But he has accepted rituals and sacrifices for them. Because both of these have an intrinsic value.

### Spinoza

Of all philosophers, Spinoza's notions of life and death have been most well-known. Somerset Maugham's novel, Of Human Bondage, is based on Spinoza's idea of human existence. Human beings, like everything else within the system of nature are modes. Man consists of mind and body. The mind and body are one and the same individual, which is conceived under the attribute of thought and extension respectively. Mind's existence can be defined by a certain time only in so far as it involves the actual existence of the body. Thus it has the power of determining the existence of things by time and of conceiving them under the attribute of duration. Mind does not act on body nor body on mind. Both are concurrent expressions of one determined series bound by causal laws. Spinoza says that the mind is eternal in so far as it involves the essence of the body under the form of eternity. His proposition is "He has a body capable of many things, has a mind of which the greater part is eternal". (Ethics, V, Prop.39). Spinoza's another proposition about this is "Every idea of every body or individual thing actually existing necessarily involved the eternal and infinite essence of God". (Ethics, II, Prop.45). Individual things cannot be conceived without God. So far all bodies are followed from the infinite essence of God, under which they are modes, are identical with eternity itself.

We may now look at some of the propositions of Spinoza, and see what he has to say on life and death :

Prop.LXVII. A free man thinks of nothing less than of death, and his wisdom is a meditation not of death but of life.

Proof - A force, that is, one who lives according to the dictate of reason along, is not led by the fear of death, but directly desires what is good, that is, to act, to live and preserve his being on the basis of seeking what is useful to him. And therefore he thinks of nothing less than of death, but his wisdom is a meditation of life.

Prop. IX Desire which arises from pleasure or pain which has reference to one or certain parts of the body not all has no advantage to man as a whole.

Spinoza's position may be further explicable as follows : As pleasure has reference generally to one part of the body, we therefore desire as a rule to preserve our being without having regard to our health as a whole. To which it must be added that the desires by which we are usually held have regard only for present not future time.

The human body rests upon the proportion of motion and rest. The proportion of motion and rest are different in

the case of an unborn embryo and in due course when we are dead. Birth and death are thus only incidents of the same sort of redistribution which is the fact behind the appearance of cosmic creation. The human body can be changed into another nature entirely different to its own. At times such sufferings or mental disorder change a man. Spinoza has explained this condition by the following example. Recovering from illness a Spanish poet was unaware of his past life. He did not believe that the dramas and tragedies he had composed were his own. Due to sickness one may become oblivious of his own mother tongue. He is said to be happy who is enabled to live through the whole period of life with a healthy mind in a healthy body.

Some concluding remarks about Spinoza's philosophical position should now be made. It is usually said that freedom of choice, which is supposed to be the basis of any moral action, medical or other wise is rejected by Spinoza, it is also true that he does not really prove that there is no such thing as freedom of choice. But the nature of his assumption implies that everything that happens coheres within a unitary interdependent system. He sees human action as not ultimately separable from the total pattern of events which constitutes nature as a whole. On this analysis interaction between persons is not deferential kind from interaction between things.

It follows then that individuality is a relative matter and it is contended within a more complex unity. It follows that inspite of the appearance of autonomy of human beings, in comparison with the objects the inorganic world, individuality does not in any way exempt human action from the chain of causes.

For Spinoza consciousness is not independent from the world of physical events. The physical is in no sense a different from the physical. Consciousness is simply a different aspect of the same world as the physical. The inseparability of the physical from the psychical is a difficult part of Spinoza system. In many respects Spinoza's system seems to be in hamony with modern development of scientific theory, in psychology, biology, philosophy of science. But the difficulty with Spinoza's theory is this that it renders the concepts of "responsibility" and "obligation" empty of content, and if that he so then that concept of medical care becomes difficult on Spinoza's account. Ethics is based on the investigation of individual decision and of the lines of reason by which decisions are reached. Science seeks causes but ethics seeks reason. Both may well be valid ways of viewing a situation. But they asked different questions, on the basis of different assumptions. For ethical theory freedom must be assumed. Kant said that from point of natural science freedom is an impossibility. But from the point of view of the moral agent freedom is a necessary hypothesis and now we turn to Kant.

## Kant

Kant's ethical theory may be construed as having significant implications for the world of medicine. The world of medicine involves persons, physicians and patients, standing in moral relations. A moral relation may be taken to mean a relation of duties and obligations.

In this sequence we shall explicate Kant's ethical theory in existence. Rather we propose to concentrate on such aspects of his ethical theory that may have bearing on medical ethics. A doctor does his duty. Now what does this mean ?

It is well known that for Kant Categorical Imperative (which state unconditionally which actions must be done or not done) underlies the notion of duty, is at the foundation of morality. Of the various formulations of the categorical imperative the following is specially relevant for us : "So act as to treat humanity, whether in your own person or in that of any other in every case as an end, never as a mere means". According to Kant the obligatory nature of morality derives from the capacity of moral rules to function as the freely chosen principles of a harmoniously self-governing group of rational beings who are themselves a part of a rational universe. It should be interesting to see how Kant's theory deals with specific situations. He takes the prohibition of suicide as an example of a maxim which commands categorically, and is therefore part of

the moral law. He uses the principle of non-contradiction as a test of whether a maxim confirms to universal law. The Kantian analysis would oppose the advocates of voluntary euthanasia, that is those who propose granting to the patient the right to request that his life be ended. Kant argues the point that the principle of enhancing life cannot be used as the basis of an argument for destroying it. But there may be patients who, in view of their medical condition, rationally contemplate suicide or who wish no further effort to be made to prolong their life. The principle upon which they are basing their decision is that the cessation of life is preferable to its continuation is a form which is destructive of its true character. There is nothing contradictory in stating that one form of not-life (death) is preferable to another form of not-life.

The problem of applying the principle of non-contradiction in concrete situation is that meaning of terms are often discrete and it becomes a necessary to assert an identity in the meanings of term if the principle has to work e.g., let us consider the argument, all forms of direct abortion are wrong because they intend a murder of an innocent life. This argument depends on equivocacy in the use of the terms "murder" and "life". Murder is taking of life of another human being, whereas abortion is a destruction of a fetus. In order to save life or prevent suffering, it may well be the case that destruction of a fetus is an unjustified form of destruction of a potential

person, but the point cannot be proved by supposing that abortion and murder are logically equivalent.

So it may be said that Kantian principle of non-contradiction is unlikely to be equal to the task of applying moral rules to the dilemmas of medical care. In matters of life and death the problem is so often, one of the uncertainties of definition or of the necessity to choose the lesser of two evils. When the assigning of moral qualities of actions is rendered ambiguous in this way and appeal to non-contradiction is of no health.

But the most significant implication of Kant's ethical theory, in so far as medical care is concerned, obtains in his concept of ends in themselves. In fact we owe to Kant an analysis of their relationship between moral agents and means which they employ to achieve their objectives. In Kant's view moral agents legislate for themselves. In view of this uniqueness, Kant argues, it can never be morally permissible for one moral agent to use another as a mere means, that is, in a way deprive him of his capacity to choose. Human beings have to use one another in order to the objectives. But such a use only justified when person used freely chooses to act in this way. He must always remain an end in himself.

Kant's notion of end in themselves enables us to lay

down guidelines for the relationship between patients and staffs in hospital. Doctor-patient and nurse-patient relations break through the bounds of morality, when one or other party is robbed of his autonomy. Doctors and nurses are used as a means towards recovery by patients, but this can never mean that the patient can demand anything he chooses of the staff. Again where a private medical practice obtains, the patient is used as a means by the doctor for earning money. This also cannot be carried beyond the bounds of morality. The Kantian idea of men is exemplified in the "conscience clause" in the abortion act. Should Euthanasia even be legalised? Similar safeguards would be essential.

The principle of treating the concept ends in themselves since to find a direct application to clinical situations.

Kant approaches the concept of person through the concept of reason. In his view a person is a rational being, i.e. a being capable of reasoning from particular situation to general rules and of applying these rules consistently to himself and others. A pre-condition for doing this is the freedom to choose between alternatives. The Kantian idea be used as a guideline for the treatment of subnormal human patients. There must be some important consideration apart from rationality which ensure that the subnormal are accorded the same rights of

other patients. If we can discover for these considerations, we may get more adequate definitions of persons than the purely rationalist one. Albert Schweitzer, in his book Reverence for Life has suggested the concept of a "Reverance for Life" as the prevailing value, which prevents arbitrary killing of the subnormal human being. But such a notion of sanctity of life is not universally respected. There are many instances of medical practice in which biological existence is terminated on the grounds that human life is not at stake. The status of personhood can be ascribed to a living organism with the capacity to communicate and be communicated with, both at a rational and at a emotional level. It is this possibility of relationship rather than any biological criteria alone, that determine the decision.

Now to come to the concept of respect. Respect for person is taken to be the cernel of second formulation of the categorical imperative. The Greek term agape which means 'love' or 'charity' is considered on a par with 'respect'. The term implies a combination of rational and emotional elements : the feeling of fellow humanity applied consistently without personal bins. Paul Tillich, in his book Morality and Beyond, has argued for an interdependence of reason and emotion. Respect then implies a relationship of involvement with other persons, such that our choices and intentions are governed by their ends and aspiration as well as our own. To acknowledge another person is to acknowledge the possibility of otherscentres of

choice and intention by which our personal aspiration may be modified. It sets in the centre of morality the language of 'we' rather than the language of 'I' and 'they'.

### Existentialism

The basic concept of this philosophy is "Existence precedes essence or Existence determines essence". This kind of philosophy begins from existing man rather than man as a thinking subject.

All existentialist philosophers are concerned with the constituent of the personal being i.e. freedom, decision and responsibility. Another group of existentialist philosophers include following themes, finitude, guilt, alienation, despair, death. The world appears to them with full of sorrows. All of them seem aware of the tragic elements in human existence. When man's freedom get resisted by outer influence then arises frustration. For the existentialists, man is never just part of the cosmos but always stands to it in a relationship of tension with possibilities for tragic conflict. In any case, as far as the individual is concerned, existence ends in death.

Our memory takes back us to a certain extent, after that it becomes vague and finally breaks off. There was a time when we were not. Death is a natural and ultimate phenomena.

This end comes to every being.

Existentialists are much more concerned with the weakness and mortality of man rather than with his strength. To them death is not simply the termination of life. According to the biologists too awareness of the death of a man is one of the characteristics that allows man to exist as man and not merely as animals.

Heidegger is the only philosopher among all other existentialists philosophers, who has gone through the concept of death in details. Anxiety is a kind of characteristic in human nature. The source of anxiety is nothingness. Through anxiety man encounters nothingness and becomes aware of his finitude and the necessity of death. The existence that is mine, at any time it may vanish into nothing. As anxiety discloses man's finitude so also it discloses by indelible transitoriness - his "being-into-death". By saying death Heidegger does not mean "death-bed" or death is understood as the biological termination of empirical reality. Such a view of death is an objectivized view which can be understood only by the one observing, never by the one who has to die. Death is the supreme possibility among all possibilities of human existence. Man's possibilities are limited by his final end which is always imminent. Death cannot be considered as end in the sense of a goal or fulfilment, it is a limit to existence. Death is one of the most inexorable

'givens' of the human condition. Everyone tries to overcome his own death. But every Basin must die his own death. He is always old enough to die. But the advanced medical science help man to reduce his mortality. But the full elimination of death cannot be possible. Death and temporal finitude are so much a constitutive part of humanity that an unending human life would be a unusual. Death is and will remain part of the factual human condition.

Man does not want to accept death by heart. Always he tries to explain it in various manner. To them death does not really change anything, after death it will be as usual. In the hope of the alive life man uses medicine to deep freezing the deadbody, uses the expensive caskets, soft music piped into the tombs. He does all these things with the hope that one day medicine will have discovered a cure for the victims' disease and there can take place a joy and resurrection.

Other philosophers like Paul Tillich, Nikolai Berdyaev have clarified the idea of death in a different manner.

Paul Tillich has affirmed in his book 'The Courage To Be' that courage is the self-affirmation of one's being. On the other hand he says that anxiety is the existential awareness of the threat of non-being. Anxiety may arise out of nothing particular, its object is the negation of every object. Whereas

fear has a determinable object - a pain, a rejection by someone who is loved, a misfortune, the anticipation of death. The fear of dying ultimately ceases to be a fear of an object - a sickness or an accident.

Nikolai Berdyev tries to explain the problem of death and immortality of hell and paradise in the light of their ethical significance. According to him, ethical knowledge is a way of being, it is different from scientific knowledge. It is not concerned about the knowledge of objects or events. Ethical knowledge is immediate and irreducible. Death penetrates life in every experience of transitoriness and separation. Death is not considered as a biological happenings, but as an event which embraces the whole of life.

Among other existentialists the notion 'death' is considered to be irrational. Sartre thinks that death has no special importance in itself - it is absurd like human life. He expresses 'death comes along into the bargain'. Albert Camus asserts that it produces not despair but rebellion. "Human insurrection is a prolonged protest against death". Heidegger says for authentic existence death becomes an integrating factor.

As long as there is a goal, a future, there is meaning in life. According to Sartre life has no meaning because we must die.

There is no need to be at the very end to realize the end but rather one's awareness of death is enough to give an authentic approach to one's existence as a whole. Every Dasein must die his own death. One is totally helpless in the face of it. For this reason Sartre's for itself tries to run away from life. He cannot accept death as a natural phenomena. But on the other hand, Dasein does not do this. Dasein makes itself free-for-death, it chooses its own death.

Human existence is meaningful in terms of its future, on account of its goals and its commitment. The meaning of human existence cannot be decided on the balance of death.

Existentialism has been influential in the post-war Europe. Of late existentialist psychology has developed, and which in its turn has gone a long way into reconstructing the notion of medical care. A patient has to be taken on his existential value, along with his fears and anxieties, hopes and despairs. The doctor, swearing by science, cannot dislodge the existential patient's horizons and treat him as a biological phenomenon. The patient's existential roots are as important as that of the doctor's. On the existential horizon the doctor and the patient are to face each other as too embodied existences encountering against the background of human predicament.