GENEVA / YAOUNDE ETHICS WEEK

Fundamental Principles of Ethics
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WHAT IS ETHICS?

• Ethics is a derivative or subset of morality, which is one of the main branches of philosophy

• Other subsets of morality are political philosophy, jurisprudence or philosophy of law, civics, ethos, etc.

• What is philosophy?

• It is “reflective critical thinking” on any issue or subject matter. The other main branches of philosophy beside morality are: metaphysics (which studies the fundamental questions of being or what there is in existence); epistemology (which studies the fundamental questions about human knowledge); and logic (an instrumental or procedural science concerned with the rules of correct thinking or reasoning and argumentation)
WHAT IS MORAL PHILOSOPHY?

• Critical reflection on what is right/wrong, good/bad, in human conduct, actions, behaviour

• Ethics and politics are important derivatives/subsets of morality; along with law they are the highly discursive aspects of morality, aimed at laying down principles, guidelines, regulations and rules of action/conduct

• Medical ethics is particularly concerned with the conduct and behaviour of members of the medical profession, especially with the relationship between patients and health providers

• Biomedical research ethics strives to lay down the principles and guidelines of morally acceptable research on human subjects/participants
TOWARDS CONCEPTUAL CLARITY

• The terms ‘morality’ and ‘ethics’ are often used interchangeably but there is a subtle difference between them
• Ethics is a derivative or subset of morality; ethics has a narrower connotation and application than morality
• Laws, customs, ethos, taboos, civics, etc. are also derivatives or subsets of morality
• Morality generally is concerned with good/bad, right/wrong in human actions or behaviour
• This concern may manifest itself in various ways in various domains of human activity
• The main regulatory faculty/instrument for morality is reason or rationality – a defining attribute of human beings
• There are no human beings anywhere that are not concerned with morality
• Non-human creatures, because they do not reason, are not concerned with morality or ethics
• The necessary pre-conditions of morality are rationality, sociality and freedom – all defining attributes of humans
ETHICS

• Ethics refers to the actively discussed aspects of morality and the set of principles that can be conceived to regulate and by reference to which such discussion is carried out
• Ethics is a forensic science, whereas morality as such tends towards the latent
• Moral discourse, articulate moral reasoning, argumentation/debate, belong in the domain of ethics
• Morality as such tends to be quietly practiced and integrated into customs, laws, ethos, ways of life, practices, etc.
• Morality is basically the same for all humans everywhere at all times; what is morally right or wrong cannot differ from place to place or from time to time; moral diversity and disagreement are reflective of human limitations
• Ethics, because it is the discursive and debated aspect of morality, may be culture-tinted, place/time-sensitive and even coloured by particular interests and circumstances
ETHICS AND MORALITY

- Morality can be conceived *sub specie aeternitati*, as if it were timeless and eternal
- Ethics is necessarily subject to context, perspective, circumstance and constraining human limitations
- Hence, we can talk about situation ethics, utilitarian ethics, deontological ethics, medical research ethics, feminist ethics, Nso’ ethics etc.
- Ethics, ethical principles and rules, need constantly to be discussed, debated, reviewed/reformulated, to rid them of purely spatio-temporal and contingent or accidental elements
- This is an unending task, because human beings are fallible and limited beings and every human situation at all times and places has its own ego-centric predicaments

TYPES OF ETHICS

- We could think of ethics and categorize them according to various subject matters such as: bioethics, medical ethics, clinical ethics, economic ethics, journalistic ethics, sexual ethics, etc.
- We can also categorize ethics according to the approach or method used in dealing with it.
- Thus we can talk of normative or prescriptive ethics which deals with moral norms and their justification, non-normative or descriptive ethics which deals with factual investigations of moral conduct and belief systems, and meta-ethics which is concerned with the language, concepts and types of reasoning used in ethical discourse.
- We can also talk about Christian ethics, Confucian ethics, utilitarian ethics, deontological ethics, situation ethics, virtue ethics, feminist ethics, etc.
FUNDAMENTAL PRINCIPLES OF ETHICS

• Four fundamental principles of ethics have usually been recognized and widely discussed in moral literature

• These principles are: autonomy, beneficence, non-maleficence and justice

• In simple terms, these principles have to do with respect for all other humans as moral equals, making sure that our actions are well-intended/motivated and calculated to achieve good ends or results, avoiding the infliction of harm, and treating others with fairness and equity

SCOPE AND APPLICABILITY OF THE FOUR PRINCIPLES

• The four fundamental principles of ethics are equally relevant and important in medical ethics, clinical ethics, bioethics, and morality generally, within all possible contexts and perspectives.

• They are cross-culturally valid, although the emphasis given to each and the way they are operationalized may differ slightly from culture to culture, from place to place, from context to context, and even from time to time within the same context.

• The four principles, in the terms, language and idioms we are discussing them here are, of course, very much a paradigm of the western industrialized world, where their relevance and urgent applicability have been made abundantly manifest by various activities that violated or that run the risk of violating them.

• They, nevertheless, remain equally important even where they seem to be lying dormant for want of stakes requiring urgent discussion and application.

• You may not have heard of these principles or thought about them in these terms, but if you reflect on the traditional moral ideas and practices of your own traditional society you will realize that they are recognized and taken into consideration in day to day living.
• The word autonomy comes from two Greek words: nomos (“rule”) and autos (“self”), giving it the literal meaning of “self-rule” or “self-governance”
• Autonomy implies an individual who is master of himself/herself and can act, make free choices and take decisions without the constraint of another
• The necessary pre-conditions of autonomy are competence (the capacity to be a moral agent) and liberty or freedom
• Individual autonomy may be diminished or completely absent, as in the case of minor children, mentally handicapped or incapacitated persons, prisoners, etc.
• The principle of autonomy is the first, though not necessarily most important, among the fundamental principles of ethics
• It is based on the moral imperative of respect for other human persons as moral equals
• Such respect demands treating them as “ends” in themselves and never merely as “means” to any other end, treating them with consideration, giving due regard to their point of view and respecting their well-considered choices
• Personal autonomy and freedom are ethically limited by the autonomy and freedom of other persons; that is why in every society/community discussion, compromise, legislation are indispensable
The principle of autonomy accords very well with an individualistic perspective of life and may be overemphasized in discourse within individualistic cultures like Western culture. But it is equally important in all cultures, including communalistic cultures like African culture, in which individuality as distinguished from individualism is also highly respected. In health care and health research ethics, the principle of autonomy issues directly to the requirement of informed consent/refusal, which is the necessary though not sufficient condition for ethical medical research/practice on humans. Informed consent, which was the main preoccupation of the Nuremberg Code, and which is equally central in other regulatory documents, such as the Declaration of Helsinki, Belmont Report, CIOMS International Guidelines for Biomedical Research Involving Human Subjects, is the “centre piece” of the ethics of medical research on human subjects.
JUSTICE

• Justice is *fairness* or *desert* or *entitlement*; it implies giving to each his/her due

• Justice requires that “equals be treated equally and un-equals unequally”

• What this means is that human beings as moral equals should be treated equally unless there is a reasonable justification for treating them differently

• The general moral idea or intuition underlying the principle of justice is that which states: “*Do unto others as you would have them do unto you if you were in their place and they in yours*”

• In medical research the principle of justice demands fairness in the treatment of individuals and communities and the equitable distribution of the burdens and benefits of research

• This has important implications for such issues as choice of study population, recruitment into study, study and post-study benefits, etc.
BENEFICENCE AND NON-MALEFICENCE...

- The principles of beneficence and non-maleficence are best considered together, as they are like two sides of one and the same coin

- In simple terms, beneficence means *doing good* and non-maleficence means *avoiding evil/harm*

- They are complimentary ethical principles, the one imposing affirmative duties and the other negative ones
BENEFICENCE AND NON-MALEFICENCE

- In medical research ethics, the principles of beneficence and non-maleficence translate into the duties to maximize benefits while minimizing harms, especially for the research subjects.
- Both principles have been recognized in medical ethics from time immemorial.
- That medicine aims at achieving good/benefits (beneficence) goes without saying but non-maleficence has been further emphasized and enshrined in the medical slogan “primum non nocere” (above all/first do no harm!).
- Generally, research, like other human activities, to be ethical, must, at least aim at achieving good while avoiding harm.
- However, not all achievable good is ethically mandatory; some good is supererogatory (that is to say, desirable or commendable but not obligatory); but harm ought always to be avoided.
- Hence, some people consider non-maleficence to be the most basic of all the cardinal principles of ethics; it lays down the least minimum condition for ethical correctness, as if to say: “even if you would not do good, at least do no harm”.

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RECAPITULATIVE QUESTIONS

• What are the main branches of philosophy?
• What is the difference between ethics and morality?
• To which cardinal principle of ethics is the requirement of ‘informed consent’ most closely connected?
• What implications for medical research can be drawn from the ethical principle of justice?
• What are the cardinal principles of ethics? Explain each in your own words and argue for the one you consider to be the most important for biomedical research in the developing world.
• Using an example, explain what is meant by saying that some good is ‘supererogatory’.
• What, in your view, is the main difference between medical ethics and biomedical research ethics?