Acta Clin Croat 2007; 46 (Suppl 1): 127-131 Review

ETHICAL ISSUES IN MEDICINE

Valentin Pozaić

Archidiocese of Zagreb and Center for Bioethics, Philosophical and
Theological Institute of Society of Jesus, Zagreb, Croatia

Ophthalmology – Bioethics

From the biblical viewpoint there is hardly a branch of medicine that could meet with as much light and encouragement as the one belonging to the ophthalmologist, the eye doctor. A single passage from the Gospel offers a great deal to conclude: "And when Jesus departed thence, two blind men followed him, crying, and saying. 'Thou, Son of David, have mercy on us.' And when he was come into the house, the blind men came to him: and Jesus saith unto them, 'Believe ye that I am able to do this?' They said unto him. 'Yea, Lord.' Then touched he their eyes, saying: 'According to your faith be it unto you.' And their eyes were opened." (Mt 9, 27–30).

This is an account of human distress and need, a cry for help. At the same time, this is also a tale of trust. The sick placed their trust fully into the one they had turned to for help; the coming together of necessity, trust, understanding, and empathy led to recovery.

Although you can say that your profession, ophthalmology, is very much a specialist occupation, it is by no means among the less meaningful. Speaking of himself the suffering Job says: "I was eyes to the blind." (Jb 29, 15). In other words, what really matters is to help those who have lost sight, or were born blind, or have impaired vision, to preserve the sight of those who have got it.

The "eye" and the "vision" symbolism is so strong that it can be hardly put into words. The preciousness of sight is beyond estimation, beyond expression. The words of the Evangelist Matthew testify to this: "The light of the body is the eye: if therefore thine eye be single, thy whole body shall be full of light." (Mt 6, 22).

Correspondence to: *Valentin Pozaić, PhD, S.J.*, episc.aux.zagrebiensis
Archidiocese of Zagreb, Kaptol 31, POB 553, HR-10001 Zagreb, Croatia
E-mail: vpozaic@ftidi.hr

Received January 30, 2007, accepted March 26, 2007

The ethical aspects of an ophthalmologist's medical work are a subject matter of a discipline which is known today as bioethics[1] and is defined as "the systematic study of human behavior in the areas of life and health care sciences, provided this behavior is examined at the light of moral values and principles"[2].

A more complex definition by the same author, W.T. Reich, can be found in the second, revised edition of the *Encyclopedia of Bioethics* where bioethics is defined as "the systematic study of moral dimensions, including vision, decision, behavior and rules of life sciences and of health care"[3].

The latter definition has been adopted by the principal editor of the third edition of the *Encyclopedia of Bioethics*[4]. Has the science of bioethics itself undergone a change, or has the understanding of bioethics become more complicated? Who is going to remember a definition such as this, and moreover, who is going to be the one to comply?

Controversies in Theory and Practice

In general, in a modern democracy it is the right of the majority to determine what is good and what is bad. Ever more often, however, there are rumors of a silent majority, of the terror exercised by a minority (minorities) over many, of manipulation and domination of certain ideological interests, individual or corporate, within a democratic system. Invoking social, professional and political correctness is more highly valued than calling upon ethics or morality.

Conversely, ethics, the estimation of values in the light of intellectual cognition, along with morality, and with the aid of the light of faith, Revelation, speaks of good and evil, of the invitation to one's conscience from the established set of values, the voice of God, demand-

ing from one to choose what is good and to reject what is bad, always and without hesitation. One's personal dignity, one's moral figure, depends on that choice. When one's free choice is in harmony with the cognition of good, one can be said to possess moral integrity: there is a harmony between the world of values and the world of action.

Modern world is a world of contrasted experiences: the lower the moral standard, the more numerous the laws. Lack of morality prompts an abundance of legislation! As the art of consensus is ever more difficult to find in the domain of ethics, there is a growing tendency for human behavior to be prescribed by legislation, not only in politics and in society in general, but also in medicine.

This fact questions basic human dignity: freedom of conscience. To act in accordance with one's own rightly formed conscience is the elemental human right: one must not be prevented from keeping in harmony with conscience, nor should he be forced to act against conscience. In the ruthless combat between law and conscience it is not uncommon for one to avail oneself of the right to call upon one's conscience, against the existent non-moral laws. The issue becomes especially sensitive in the professions that are markedly humane, like your medical profession, which observe their own ethical codes of practice.

Ultimately, the ethical codes themselves have become conditioned by legislation. They no longer rely solely on professional competence and right conscience, on a correct ethical-moral viewpoint. The ideal, in medicine, is the profession interwoven with morality. This, inevitably, calls for continuous professional training and for permanent moral education: thirst for knowledge and integrity.

The words to this effect, taken from an interview with Professor Jelena Krmpotić-Nemanić, nestor of the School of Medicine in Zagreb, can be found at the School web site. In her final message to the students of medicine she says: "In medicine, you must know everything in order to be able, at a later time, to filter off what you actually need. In science, you must stick to the truth. No confabulations, no adaptations to your liking, nothing but the truth."[5].

In a democratic system decisions are taken by the majority. This would imply that the majority is always right. However, we are told that in society the wise are in the minority[cf.6]. If the current political scene is marked by the prevailing votes of the majority which, as it often happens, is not necessarily in the right nor of correct moral orientation, then the right will belong to the majority regardless of the axiological horizon, regardless of the scale of values. So, law will take precedence over morality.

Undoubtedly, legislation in the field of bioethics is necessary and warranted[7]. However, a law without a moral background, lacking virtue, devoid of conscience-supported conduct, and wanting in mutual human trust, cannot bear fruit[8]. If in dealing with major issues of international politics interests gain priority over principles, this is bound to have repercussions on bioethics[9].

It is not unreasonable to ask: is it at all possible, in a society overburdened with legislation, to speak of ethics? The ethics and morality of the laws can be, and indeed, should be relevant in that case too. Consequently: "As politics is a sphere of human action, and as following the widespread ethical tradition "*humanum et morale convertuntur*", then what is truly humane has both the ethical and moral dimensions, and conversely, what is truly moral is also humane"[10].

In a relativist society it is only at the very edge of disaster that invocation of ethics and morality becomes a matter of routine, although not a very convincing one. A clear testimony to this is the alarming environmental situation. Today, natural law, law of equilibrium, and natural moral law are largely recognized. In such circumstances requests for spiritual restoration are usually strongly voiced. Let's only recall the 1990s. At that time I received a number of invitations from various people to prepare a lecture on "Ethical views into the future of the Republic of Croatia". Several versions of the text have appeared in various periodicals[11].

Today, spiritual renewal is hardly ever mentioned. The dictatorship of relativism is back in power: "We are moving towards a dictatorship of relativism which does not recognize anything as for certain and which has as its highest goal one's own ego and one's own desires", said cardinal Joseph Ratzinger in his magisterial sermon during the Eucharist before he entered conclave, to leave it a day and a half later as Pope Benedict XVI[12]. What would Hippocrates have to say to this? He, likewise, could not evade the pressure of relativism. Would Hippocrates agree to having his Oaths metamorphosed into various Pledges[13]? At the end of the 20th century the German weekly magazine *Der Spiegel* decided to publish a cross-section of the state of morality in the world, a surprisingly negative one, accompanied by a challenging front-page illustration: Moses descends

Mount Sinai carrying the tablets with the Ten Commandments while the people are revelling around the golden calf. The caption to the famous figure is the question: "3000 years after Moses, 2000 years after Christ. Where is morality[14]?

Anthropology

It is only right to begin with anthropology where corporeal and physical life, marital love and procreation – child-bearing, pain and disease, death and dying, freedom and responsibility, the individual and society find their place and receive their ethical-moral appraisal.

The materialistic viewpoint – man viewed solely as part of a system, black, red or of different color – is bound to produce far-reaching consequences to the individual as well as to society: if man "wears himself out in his earthly existence, he is not worth much, especially after his working and production abilities have receded, and he can no longer enjoy life. It is by no means surprising that a fall in religious standard should be followed by an increased suicidal rate"[15].

Life's elemental value, the transcendent value of the individual, the integral and unique comprehension of the individual stemming from a unique synthesis of physical, psychological and spiritual values, the priority and complementarity relationship between the individual and society[16], personalistic and mutualistic concept of marital love – these are starting and orientation points for all humanistic and social ethics, as are for bioethics. The social reality of the I – you relationship, or, as some would prefer: you – I, alone, if not affirmed by the metaphysical and biblical-theological essence of personal existence and inter-personal relationships, articulates only what is visible, and not what is essential to man, what is crucial to his person and to all his relationships: with all creation, with his equals, and with his Creator[17].

The question of man's place in politics, or in ethics, morality, belongs in the sphere of opposites. What has become of the great ideal of the World Health Organization: Health for All by Year 2000? Or, to use a paraphrase: Vision for All by Year 2000.

To man, life is a gift as well as a duty, a mission: he is to preserve it and to improve it in order to be able, with the optimum of his physical and mental abilities, at any moment, to respond to the call from God. In politics, an individual, a single person, a family, seldom carry any meaning. We see the principles crushed and subjected to interests, the individual succumbing to politics and to social and general interests. The explanation we are offered is a politically formulated one, confusing, and hardly acceptable to common sense. An ophthalmologist writes: "Ethics should be a defense of the human mind against manipulation of man by man"[18]. In the world of the culture of death, and of the anti-culture of life, the physician as guardian and servant of human life is called upon to promote the culture of life[19].

In Christ's life there is a well-known scene, when Pilate says: "Behold the man!" (Jn 19,5). Wishing to awaken one's fundamental feeling for a fellow man Pilate uses those words to present Jesus, scourged and wearing a crown of thorns, to the angry crowd. Yes, this is the man: in any condition, be it one of utmost humiliation, physical or social, man is man. Among different meanings the message carries an announcement: "From now on, let it be known that dignity cannot be limited to acknowledgment of positive qualities" – such as concern mind, health, speech, autonomy.... And for this reason the physician will "equally respect the one who is in good health as the one lying in bed, immobilized by illness, be he "devoid of human likeness", disfigured by old age, physical or mental handicaps, be he even "less than nothing", because he will recognize in him the suffering Christ who expects him to take Him in his care"[20]. Here, "Behold the man!" applies as well.

The physician knows that in that case too the golden rule applies in its positive formulation: "All things whatsoever ye would that men should do to you, do ye even so to them" (Mt 7,12) as does the rule of rules: "Inasmuch as ye have done **it** unto one of the least of these my brethren, ye have done **it** unto me." (Mt 25,40).

An aspect of serving in modern world is to show concern for respect of man's authentic dignity. "Personal dignity is one's most valuable good and it is thanks to it that one's worth surpasses all material world... By sheer force of its dignity human being is always a value in itself and to itself. This is how it should be regarded and how it should be treated; or conversely, human being should never be taken for an object to be used, or a tool, and be treated as such.... Personal dignity is an indestructible property of every human being"[21].

If man has been created in God's image, the image of God who is love – *Deus caritas est*, if this is man's identity, then always and everywhere should his acts be in harmony with his identity, that is, they should reflect God's love. Great Augustine was therefore right in saying: "Love, and act as you will!" Only acting in this way means acting in harmony with human dignity. It is such

acts that the culture of life stems from: respect of human life in all stages of development, from natural conception to natural death.

Person

The starting point are the dignity and integrity of human person as fundamental values. All else – development, progress, politics, economy, globalization – should be considered in relation to person. One is not only *animal rationale* – rational animal, one is also *homo sapiens* – a wise being, and above all, one is *imago Dei* – the image of God. From this concept stem the radical indicatives of equality and dignity, of freedom and right, as do the imperatives of responsibility and obligation, duty.

Christianity has introduced into the western culture the concept of **person** as an autonomous and conscious, free and responsible being. From this unique notion of person derives a concept of the universality of values, morality and law, as does a request that the dignity and integrity of human person be safeguarded and respected.

It was Cicero (106–43), a pagan, Roman noble, orator and writer, who addressed the subject of the law of conscience and equality of all people, emphasizing the universality of the law in time and space: "It is not permitted to pass a law contrary to this one, nor must one part of it or all of it be revoked; neither the Senate nor the people can free us of this law, and we are not to ask Sextus Aelius to explain it or to interpret it. The law will be no different in Rome than in Athens, no different now than in later times, but this one law, eternal and inalterable, will bind all people..."[22]. A person born within family will grow soundly and harmoniously, if the principles of natural moral law are observed.

It is interesting to note how a company, neither lacking in income nor refraining from sharp social critique, comes to present itself to the public:

– "Having unshakeable moral values and sound business principles means we take pride in what we do. It gives us clarity when making decisions, it unifies and motivates staff, and it allows society to measure our performance beyond the generation of wealth.

– Since our earliest days, we have been guided by a passionate commitment to honesty, integrity and respect for people. We believe in the promotion of trust, openness, teamwork and professionalism"[23].

Physical Integrity – Moral Integrity: Conscience

Invocation of conscience and individual autonomy is not at all exceptional. Justification on the grounds of conscience appears to be most authoritative. It touches upon the very core of human dignity[24]. Having a conscience, being capable of discerning between good and evil, is a property specific to man. The *scintilla animae* – the spiritual spark sheds clear light and teaches that good should be done and evil avoided. There has been many a panegyric in honor of conscience.

There is no alternative. A man of moral integrity cannot not act in accordance with his conscience. In the field of morality a threefold descent is well known: values generally proclaimed, the attitude regarding values given up, and finally, values disputed in daily life. Firstly, man is worthy only of symphony: a harmony between the world of views and the world of action. Were it not so, one would become seriously disturbed: one's inner self would divide, split, one would be gravely ill. Secondly, different people have different consciences, or better to say, they have different states of conscience, depending on how they have been brought up, in truth or in false beliefs. The Second Vatican Council has pointed out the risk of arbitrariness concerning one's moral judgment of what is good and what is bad: "This cannot be said of the man who takes little trouble to find out what is true and good, or when conscience is by degrees almost blinded through the habit of committing sin"[25]. Such conscience is in need of treatment and education.

Every man is person: there are those who are personalities. Those are people with a developed axiological horizon, with a developed and educated conscience, who have a clear understanding of the values and of the freedom of choice, and are capable of acting in accordance with truth. These are virtuous people, accustomed to the culture of renouncement and used to cultivating impulses, people who have acquired the spiritual capacity to understand and to do good easily, even when this is difficult and demanding and hazardous[26]. A man calling upon his conscience will accept the consequences of his act. In making estimations and choices he will distinguish the spiritual, moral values which have no price, from the material values which have counterparts in the same order. In a virtuous man others will recognize the ideals of humanity. Such man can, and indeed he must, call upon his conscience, his autonomy.

In the wide confusion where the targets are not distinguished from the tools serving to reach them, in the

night, in the darkness of the axiological horizon, we need a clear, penetrating, and acute sight: so that we can discern what is good, what is less good, and what is bad. We need a light: the light of common sense – *ratio recte iudicans*, we very much need the virtue of wisdom. *Ars vivendi* – the art of living should indeed be *sapientia vivendi* – the wisdom of living.

References

1. POTTER Van R. Bioethics. Bridge to the future. Englewood Cliffs, NY, 1971.
2. REICH WT. Introduction. In: REICH WT, ed. Encyclopedia of bioethics. 1st edition. New York: Macmillan-Free Press, 1978; Vol. I, p. XIX.
3. REICH WT. Introduction. In: REICH WT, ed. Encyclopedia of bioethics. Revised edition. New York: Macmillan – Free Press, 1995; Vol. I, p. XXI.
4. POST GS. Introduction. In: POST GS, ed. Encyclopedia of bioethics. 3rd ed. New York: Macmillan – Thomson-Gale, 2004; Vol. I, p. XI.
5. http:www.mef.hr/studenti/interview/krmpotic_nov2001.html
6. IBSEN H. *Neprijatelj naroda*. Zagreb – Beograd: Epoha – Komerc-Union, 1968.
7. REITER J. *Wendezeit in der Biopolitik*. Herder Korrespondenz 2004;1:20-5.
8. SCHOOYANS M. *Aborto e politica*. Città del Vaticano: LEV, 1991.
9. REITER J. *Streit um Stammzellen*. Was steht an in der Biopolitik? Herder Korrspondenz 2003;8:389-94.
10. VALKOVIĆ M. *Etička dimenzija politike*. Glas Koncila 1999; Nov 21 (47):8.
11. POZAIĆ V. *Etički pogledi u budućnost Republike Hrvatske*. Obnovljeni život 1991;5:446-58.
12. Cardinal Ratzinger's Homily – Full Text – Pre-Conclave and Papal Election Mass. Vatican Radio | April 18, 2005; Missa pro eligendo Romano Pontifice. Omelia del cardinale Joseph Ratzinger, *Lunedi* 18 *aprile* 2005. http://www.vatican.va/gpll/documents/homily-pro-eligendo-pontifice20050418 it.html: Cardinal Ratzinger's Challenge.

    http://www.washingtonpost.com/wp-dyn/articles/A64469-005Apr18.html
13. *Od Hipokrata do Heroda. Metamorfoze Zakletve u Prisegu*. Glasnik HKLD 2004;2:38-40.
14. Front page: Der Spiegel. 51/20.12.99.
15. ROTTER H. *Würde des Lebens*. Innsbruck – Wien: Tyrolia, 1987:23.
16. John Paul II. *Centesimus annus* – Sto godina. Zagreb: Kršćanska sadašnjost, 1991.
17. POZAIĆ V. *Dominium terrae – amor terrae. Izmirenje čovjeka i prirode*. Socijalna ekologija 1996;3:347-57.
18. SIMON CASTELLVI JM. *Los ojos del ciudadano*. Club de Autores, 2000:131.
19. John Paul II. *Evangelium vitae* – Gospel of Life. 1995, No. 89.
20. THIEL MJ. *Au nome de la dignité humaine… Perspectives éthiques et théologiques*. Médecine de l'homme 2001;251:12.
21. John Paul II. *Christifideles laici*. 1990, No. 37.
22. CICERO MT. *De re publica*, 3. In: Cicero Tullius M, Libri politici. Zagreb: Demetra, 2001; Vol. I. Država XXII 33: 160).
23. Living by our values. Shell (http://www.shell.com/)
24. FUČEK I. *Osoba. Savjest*. Split: Verbum, 2003.
25. Vatican Council II, Revised edition 1988, *Gaudium et spes* – The joy and hope, No. 16.
26. POZAIĆ V. *Kultura odricanja – kultura života*. Glasnik HKLD 2003;4:11-4.