“An ethical climate is a different thing from a moralistic one...in our present climate, we care much more about our rights than about our “good”, whereas for previous thinkers about ethics, the central concern was the state of one’s soul, meaning some personal state of justice or harmony.”
~ Simon Blackburn

“Soul” - Immaterial essence, animating principle, or actuating cause of an individual life. Separable in existence from the body, the spiritual part of humans.

“Let Your Soul Be Your Pilot” ...

When you're down and they're counting
When your secrets all found out
When your troubles take to mounting
When the map you have leads you to doubt
When there's no information
And the compass turns, yeah to nowhere you know well

Just let your soul be your pilot
Let your soul guide you
He'll guide you well
And your eyes turn towards the window pane
To the lights upon the hill
The distance seems so strange to you now
And the dark room seems so still
Let your pain be my sorrow
Let your tears be my tears too
Let your courage be my model
That the north you find will be true
When there’s no information
And the compass turns to nowhere that you know well

Let your soul be your pilot
Let your soul guide you
Let your soul guide you
Let your soul guide you upon your way...

Some Definitions

Profession
- Professional
  - Commitment to provide important services to clients/patients
  - Specialized training
  - Maintain Self-Regulating Organizations
  - Control entry into occupational roles
  - Formal certification in that candidates have required necessary knowledge and skills
- Medical/Health Care Professional
  - Background of specific education and skills
  - Skills that morally and ethically must be used to benefit patients
  - Background knowledge derives from closely supervised training
  - One who provides a service to others

Professionalism

Professional Code
- A statement of the role morality of the members of the profession
- Rules of etiquette, responsibilities and ethical behavior
- Stems from attitudes, technical competency, established boundaries, respect for self and clients, business practices, communication skills.
- High standards of action

Health Care Professional Codes
- Often develop some general principles: do no harm, do good, confidentiality, patient’s rights (respect for autonomy & veracity)
- Focus on rights of those receiving services rather than on the obligations of the health care professional

Deductivism:
- Customs, scientific theories, religious/metaphysical convictions, conceptual accounts underlie interpretation of situations.

Inductivism:
- Use existing social agreements & practices & generalize to norms such as principles & rules. History & philosophy don’t produce constant set of moral norms.

Coherentism:
- Only relevant model. Never ending search for defects of coherence. Constantly testing the theory itself for adequacy by its practical implications, but protects against the risk of prejudice & merely intuitive moral judgments, because theory & practice have a relation of reciprocity that is mutually constraining.

Excursions in Ethics: Personal, Community, Planetary
© Lisa Anselme RN, HN-BC 10-2016
Case Study

- 18 month old boy
- Kidney failure due to MPGN, not doing well on kidney dialysis.
- Possibility original disease will not occur in kidney transplant but prognosis uncertain.
- Tissue typing: 4 y.o. sibling very good match. Mother not compatible. Father is compatible & has good anatomy.
- Father doesn’t wish to go forward as donor. Wants doctor to state not compatible. Father lacks courage. Believes should let child die.
- Cadaver donors with decrease success rate.

Utilitarianism

- + Requires objective assessment of everyone’s interests & impartial choice to maximize good.
- - Consider: suppose the only way to achieve the maximum utilitarian benefit is to perform an immoral act.
- Demands we act like saints without personal interests or goals (e.g. elderly -> commit suicide -> organ donation).
- Interests of majority override interests of minority (Risk = unjust distributions.)

Kantism

- Deontological: duty or obligations based theory. Immanuel Kant (1724-1804)
- Categorical imperative: must act irrespective of our desires. Must act to treat every person as an end, not as a means only.
- If act from fear or selfish reasons, lack the necessary good will that derives from acting for the sake of obligation.
- + To be consistently committed to a moral system of rules and principles as a moral requirement. This claim is undeniable and far reaching. Individuals cannot act morally and make themselves privileged or exempt.
- All moral rules absolute: obligated to do the impossible if conflicting obligations.
- Overemphasizes law, underemphasizes relationships.
- Moral arguments based upon external source such as theology
- Father donates out of affection, compassion or concern, = actually lacks moral worth because not based upon recognition of generalized obligation.
- Could not use siblings as that would be using them entirely as a means to another’s end.
- This same principal would exclude coercing father.
- Lying about tissue typing would be immoral, regardless of reason for doing so.
- Kantian would also need to weigh whether maintenance of confidentiality has moral weight.
### Liberal Individualism

**Rights based theory**
- Protects against oppression, unequal treatment, Intolerances, invasion of privacy, liberty, or expression that individuals & groups can make upon others or upon society.
- Legitimate conflicting rights must be balanced.
- Violation of a right different than infringement of a right.
- Excludes overall community rights.
- Claims & entitlements may undermine the core relationships between those whom are trying to establish rights.
- Can be international standards for treatment of persons & evaluation of communal action.

- Father’s decision not to donate is within his rights.
- No one has right to claim assistance from another, but could argue child has claim upon parental obligation & medical need. This would not hold true for underage siblings.
- Father has right to undergo tests & still exercise right of autonomy, privacy & confidentiality.
- Physician has right to protect his/her integrity & resist becoming complicit in father’s choice to maintain silence.

### Communitarianism

**Aristotle, Hume & Hegel**
- Emphasizes need to foster neighborhood, create communal ties, promote public interests and develop national goals.
- Enacts public policy from a **shared consensus** about the good society, not individual rights.
- Great challenge is to reach consensus and to determine mutual goals.

- Would question what communal values & relationships are present & at stake.
- Focus on family as small community between individual & state.
- Asks what rules, acts, policies of living organ donation, privacy & confidentiality best promote communal values & family values.
- Would charge father is not sufficiently committed to goals & responsibilities to & of the family.
- Would also believe father a twisted product of society that protects rights of autonomy & privacy over greater community good.

### Virtue Ethics

**Plato & Aristotle**
- Socially valued character traits
- Virtue is intimately connected to motives.
- Properly motivated individual often does not merely follow rules; they also have a morally appropriate desire to act as they do.
- People who perform morally right actions because of obligation and rules are not morally virtuous even if they always perform the morally right action.
- Person we trust is not the rule follower but the person disposed by character to be generous, caring, compassionate, sympathetic, fair, & in integrity.

### Classic Virtues

- **Compassion** - empathic, unconditional regard
- **Discernment** - sensitive insight involving acute judgment & understanding & events in decisive action
- **Trustworthiness**
  - Key elements of trust: loss of intimate contact, increased growth of large, impersonal businesses
- **Integrity**
  - Acceptance, selflessness, and integration of moral character
- **Key deficiencies are hypocrisy, insincerity, bad faith, self-deception**

### Virtues/ideals in Professional Life

- [Image of a Virtue Ethics chart with specific virtues and ideals listed, such as Compassion, Fidelity, Prudence, Temperance, Courage, Justice, Generosity, Compassion, Mercy, Gratitude, Humility, Simplicity, Tolerance, Purity, Gentleness, Good Faith, Humor, Love, and additional virtues like Trustworthiness, Integrity, and Key deficiencies stated as hypocrisy, insincerity, bad faith, self-deception.]
Virtue Ethics

- Failed courage seems to have overwhelmed the father’s compassion & sense of fidelity.
- Physician feels uncomfortable about truthfulness & integrity.
- Direct lie (cannot donate because not good match) or deliberate deception (cannot donate because of medical reasons).

Ethics of Care

- Focus upon relationships involving care, responsibility, trust, sensitivity, fidelity.
- Father doesn’t want to see child suffer, but seems mostly concerned about self.
- Will depend upon balance of risk/benefit and courage in confronting the risks.
- Physician: several conflicts in relationships: to dying child, to siblings, to fearful father, to mother & to family unit.
- Matters not only what physician does (maintain confidentiality) but how the actions are performed.
- What are underlying motives, whether + relationships are promoted or thwarted within the family.

Biomedical Ethics Principles

- Autonomy
- Nonmaleficence
- Beneficence
- Justice

Autonomy

- Respect for self governance
  - Wish not to be touched, observed, or intruded upon. Breathing space around body: zone of privacy.
  - Virtue of truthfulness most widely praised character trait for health care providers.
  - Respect for autonomy = primary reason rules of disclosure & informed consent.
  - Requires respectful action, not just respectful attitude.
  - Kant: to violate autonomy is to use that person as a means to an end without regard to their personal goals.
  - John Stuart Mill: Does not have prima facie standing. Can be overridden by competing moral considerations, (e.g. risk to public, requiring scarce resources for which no funds are available).
- Two conditions in all theories: Liberty and Agency

Non-Maleficence

- Above all - do no harm
  - (Hippocratic oath)
- Nursing code (ANA) safeguard the public from the “incompetent, unethical or illegal” practices of any person.
- Refraining from assisting someone can be as morally reprehensible as doing harm.
- Supports many other specific moral rules:
  - Do not kill, do not cause pain or suffering to others; do not incapacitate others; do not cause offense to others;
  - Do not deprive others of the goods of life.
Negligence  Malpractice  Beneficence  Justice

- Departure from standard of care (omission)
- Failure to guard against risks of due harm to others
  - Professional has duty to the client
  - Professional must breach that duty
  - Affected party must experience harm
  - Harm must be caused by breach of duty
- Departure from professional standards (commission)

- Action done for the benefit of others.
- Benevolence: character trait of being disposed to act for the benefit of others
- Principle of Beneficence: moral obligation to act for the benefit of others
- Utilitarianism is primarily based on this principle

Examples of Rules of Beneficence

- Protect & defend the rights of others
- Prevent harm to others
- Remove conditions that will cause harm
- Help persons with disabilities
- Rescue persons in danger
- ANA: nurses’ primary commitment is to the health, welfare, and safety of the client
- Hippocratic Oath: come for the benefit of the sick, will apply treatments for the benefit of the sick according to their ability & judgment, & will keep patients from harm & injustice

- Fairness
- What is deserved and that to which one is entitled
- Fair, equitable distribution in society: privileges, resources, opportunities, property
- Different from criminal justice & rectificatory justice
- Aristotle: equals are to be treated equally. (doesn’t determine what makes individuals equal or what is equal treatment)
  - To each person an = share
  - To each person according to need
  - To each person according to effort
  - To each person according to contribution
  - To each person according to merit
  - To each person according to free market exchange

Considerations in Populations

Ethical decision making with:
- Adults
- Minors
- Animals
- Planet

We are Energetic Beings Living in an Energetic World
Humans & Environments are Energy Fields forming Patterns of flow
- Open, flowing system
- Symmetry = health
- Asymmetry, constriction to flow = disease
- Innate urge toward expansion (negentropy)

Science of Unitary Human Beings
Martha Rogers RN, PhD

Practitioner/Caregiver Role
Caregiver is not the manipulator of the environment but *is the environment.*
This requires attention to the caregiver’s own health.

Self Reflection
Choose Your Cohorts Wisely

**Individuals**
- Fire Walkers
- Leaders of Courage
- Higher Consciousness
- Willing to stand in alignment
- Virtuous
  - Actions, Behaviors, Ideals

**Collectives**
- Spiritual Communities
- Communities in Service

Vibrational Strength & Clarity

Nonmaleficence: Do No Harm

- Shielding patients from direct & indirect toxicity associated w/ CAM
- Discussing risks/benefits neutrally & dispassionately w/o undermining patient’s self esteem & cultural identity
- Remaining open to possibility of offering therapies = less cost, less invasive, or less toxic than biomedicine & may result in overall benefit (even w/ mixed evidence)
Autonomy w/ CAM

• Duty to respect patient autonomy parallels the obligation to refrain from demeaning or insulting the patient due to personal or cultural bias, even if the culture is defined in terms of prevailing scientific & medical norms.

• Acknowledging the patient’s right to make knowing, voluntary & intelligent health care choices

Beneficence w/ CAM

• Encouraging strategies for health promotion & disease prevention
• Helping patients utilize self-care & CAM therapies that relieve pain & suffering

• Provide therapies that complement conventional medical tools by emphasizing emotional & spiritual care

Justice w/ CAM

• Requires ensuring access to CAM therapies that are known to be safe, effective, and appropriate for the condition in question.

• Implies autonomy on a collective, social scale.

Assumptions Impacting Ethics & CAM

• Inherent skepticism or resistance towards therapies outside the biomedicine paradigm
• Current scientific models are ultimate decision makers of evidence relating to health
• Regulation of CAM medical providers relatively nonexistent

Integration implies:
• Evolving new ideas based on emerging information & perception

Multiple Stakeholders

<table>
<thead>
<tr>
<th>Group</th>
<th>Hypothesized Primary Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Patients &amp; their families</td>
<td>1. Cure of identified disease</td>
</tr>
<tr>
<td>2. Physicians</td>
<td>2. Success of proposed interventions while doing no harm</td>
</tr>
<tr>
<td>3. Allied Health Providers</td>
<td>3. Facilitate effectiveness of medical intervention</td>
</tr>
<tr>
<td>4. CAM providers</td>
<td>4. Facilitate healing</td>
</tr>
<tr>
<td>5. Policymakers &amp; regulators</td>
<td>5. Fraud prevention</td>
</tr>
<tr>
<td>6. Consumer groups</td>
<td>6. Access to integrative treatment modalities</td>
</tr>
<tr>
<td>7. Industry</td>
<td>7. Profit on approved drugs &amp; devices</td>
</tr>
<tr>
<td>8. Research scientists</td>
<td>8. Safety &amp; efficacy of proposed therapeutic interventions</td>
</tr>
</tbody>
</table>

Challenges with CAM

• Measurement/validation in some instances impossible & counterproductive;
• Healing involves reclaiming of wholeness on all levels: body, mind, emotion, spirit.
  – Spiritual cannot always be measured.
  – Subtle energy/consciousness tends to be relegated to the mystical, improbable, fantastic, delusional or frankly religious & thus not provable & not meaningful to standardized therapy protocols.
The Opportunity

• Holistic and Integrative medicine suggests the need to reexamine some of the most fundamental assumptions of biomedicine re: the meaning of disease, health and wholeness.
• Challenging:
  – legal, ethical & regulatory models to assimilate various principles of integrative & energy medicine
  – produce rules through which biomedical, bioenergetic, & environmental models of health care are integrated in cutting edge ways to maximize patient well being

Ethical Concerns with CAM

➢ When is it ethical to recommend CAM therapies?
➢ When is it unethical to recommend or fail to recommend CAM therapies?
➢ Is there an ethical distinction between recommending CAM & ensuring patients have autonomous access & pursuit to CAM?
➢ How do we ethically resolve discrepancies between belief systems of practitioner & patient?
  ➢ (e.g. Should atheist practitioner pray w/ patient if scientific investigation suggests that prayer has efficacy?)

Ethical Questions to Ask with CAM

• What satisfies informed consent?
• How does the practitioner handle paradigm shifts that challenge existing health models?
• When is it ethical to recommend/provide or refuse to provide CAM therapy that does not fit with the practitioner’s best medical judgment for that patient?
• What is the role of safety & effectiveness in practitioner decision making & future clinical practice with re: to CAM?
• Will necessary biomedical care be inappropriately delayed by patient’s choice of CAM?

Safety, Effectiveness & Ethical Presumption

<table>
<thead>
<tr>
<th>Risk</th>
<th>Benefit</th>
<th>Safety</th>
<th>Effectiveness</th>
<th>Nonmaleficence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td>High</td>
<td>Safe</td>
<td>Effective</td>
<td>Presume Ethical</td>
</tr>
<tr>
<td>High</td>
<td>Low</td>
<td>Unsafe</td>
<td>Ineffective</td>
<td>Presume Unethical</td>
</tr>
<tr>
<td>Low</td>
<td>Low</td>
<td>Safe</td>
<td>Possibly Ineffective</td>
<td>Possibly Unethical</td>
</tr>
<tr>
<td>High</td>
<td>High</td>
<td>Probably Unsafe</td>
<td>Effective</td>
<td>Probably Unethical</td>
</tr>
</tbody>
</table>

Cohen, Future Medicine, 2003

Similarities in CAM/Biomedical Ethics

• Integrative & energy medicine; do not necessarily implicate new ways of conceptualizing the entire field of ethics.
• Ethical considerations applicable to biomedicine & CAM frequently overlap.
  – e.g. Confidentiality, safe boundaries, scope of practice, duty to disclose risks/benefits…

Areas of Discord

• CAM use often presents dissonance between medical paternalism (Doctor knows best) & patient autonomy
• Patient request for CAM creates possibility for a transcultural dialogue, in which the patient’s mental, emotional & spiritual realities are tested against the provider’s perception of the obligation to safeguard the patients welfare.
Overlapping Legal & Liability Considerations

- Licensing & credentialing issues overlap with ethical concerns when patients visit providers who lack state licensure. *(Exceptions: US states with national health freedom coalition acts.)*
- MD is on safer legal ground referring only to licensed CAM providers & using modalities that commonly are accepted among such providers.
- Need for licensure, certification & other credentialing varies from state to state.
  - May be ethical/beneficial to help the patient obtain a non-toxic therapy. Other families have found treatment effective, but treatment itself may be illegal.
  - May be legal to provide a CAM therapy but unethical; *(e.g. states do not licensed acupuncturists expert in Traditional Chinese Medicine but allow MD to practice acupuncture w/ minimal training.)*

Toughie

*Rabbs’ fringe-limbed tree frog, Panama*

*The loneliest frog on Earth is dead.*

Handsome, own Wikipedia, winning the hearts of race car drivers & movie directors, UN headquarters.

Planetary

**The Five Horsemen**

- Climate
- Food
- Water
- Disease
- Obesity

Rights of Nature

*We are talking only to ourselves. We are not talking to the rivers, we are not listening to the wind and stars. We have broken the great conversation. By breaking that conversation we have shattered the universe. All the disasters that are happening now are a consequence of that spiritual “autism.”*

~ Thomas Berry, *The Dream of the Earth*
"Courage is the Heart's Answer when Fear Speaks"
—Roshi Joan Halifax

Kitty Hospice
- Unconditional Love
- Surrender/Release
- Grace
- Quality, Diligent and Tender Care
- Cherishing
- Respect

Planetary Hospice
- Surrender/Release all fear
- Unconditional Love
- Diligent, Quality, Tender Care
- Reverence
- Trust
- Respect

Credits and Thank You to
- Families, Communities, Bioethicists, Ethics Committees and Environmentalists who struggle with the truly hard decisions.
- Artwork and Photography
  - Healing Environment Print: Helen Mehl
  - Landscape, Madonna w/ Earth Child, Gallery Doorway, Leaf & Flower Photos: Lisa Anselme
  - Flower Woman Collage, People, Discs, Portraits & Kitty & Wildlife photos: Cat Miller
  - Noise & Music Meme: Out of the Broom Closet
  - Toughie the Frog: National Geographic, Huffington Post
  - Pollution Earth, Earth Hands, Justice & Liberty: Public Use
- Sting
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