

Different Views and Interpretations of the Notion of Bioethics and Their Consequences

Rinčić, Iva

Source / Izvornik: **Journal of Intercultural Management and Ethics**, 2022, 5, 19 - 24

Journal article, Published version

Rad u časopisu, Objavljena verzija rada (izdavačev PDF)

<https://doi.org/10.35478/jime.2022.2.03>

Permanent link / Trajna poveznica: <https://urn.nsk.hr/urn:nbn:hr:184:028777>

Rights / Prava: [In copyright](#) / [Zaštićeno autorskim pravom](#).

Download date / Datum preuzimanja: **2024-12-22**



Repository / Repozitorij:

[Repository of the University of Rijeka, Faculty of Medicine - FMRI Repository](#)





Journal of Intercultural Management and Ethics

JIME

ISSN 2601 - 5749, ISSN-L 2601 - 5749

published by

Center for Socio-Economic Studies and Multiculturalism

Iasi, Romania

www.csesm.org

TABLE OF CONTENT

Editorial	3
Mihaela Bebeșelea	
Protecting Shareholder Value: Unethical Corporate Leadership Threatens the American Dream	5
Clifton Clarke	
Different Views and Interpretations of the Notion of Bioethics and Their Consequences	19
Iva Rinčić	
The Human Embryo – Between Christian and Secular Tradition	25
Petru Cernat	
Informed Consent in Medical Law in the Romanian Legal System. A Comparative Law Perspective	37
Camelia Mihăilă	
Patient Compliance with Biotechnological Applications in Gastroenterology	45
Andreea-Luiza Palamaru , Tudor Winzinger, Dumitrașcu Diana-Lăcrămioara, Elena Toader	
Covid-19 Vaccination Based on the Use of Biotechnologies and Patient Compliance: Ethical and Philosophical Aspects	51
Andreea-Iulia Someșan	
Knowing More Is Not Always Knowing Better. An Ethical Approach To The Direct-To-Consumer Genetic Tests	63
Bianca Hanganu, Irina Smaranda Manoilescu, Beatrice Gabriela Ioan	
Ethics and Development. Peculiarities in the Case of Postal Services in Romania	71
Băluță Aurelian Virgil, Lăzărescu Caius, Rada Alexandru Cristian	
Holocaust. Intercultural Premises and Consequences	83
Liviu Warter, Iulian Warter	

DIFFERENT VIEWS AND INTERPRETATIONS OF THE NOTION OF BIOETHICS AND THEIR CONSEQUENCES²

Iva Rinčić, PhD

Professor, Faculty of Medicine and Faculty of Health Studies, University of Rijeka, Croatia
E-mail: iva.rincic@uniri.hr

Abstract

In general, one of the major reasons of misunderstanding the term of bioethics is terminological discrepancy. In the case of bioethics, the two „fathers“ of the word – Fritz Jahr (1926) and Van Rensselaer Potter (1970, most probably without knowing of Jahr) – coined it departing from essentially different premises. By Bio-Ethik, Jahr intended the fusion of the bios (life) and ethos (custom; moral attitude), while Potter tried to combine „biological sciences“ with humanities (primarily ethics). A third interpretative approach appeared in 1971 at the Georgetown Kennedy Institute of Ethics, reducing bioethics to medical ethics and research ethics.

No wonder that, at the beginning of the 21st century, all over the world, so many different understandings of bioethics are present. This, to quote Tristram Engelhardt, might guarantee „a fertile or strategic ambiguity,“ but it also has caused profound disagreements among scholars, institutions, and publishers.

This paper intends to explore those differences, enter into their reasons and roots, and present an overview of the most important „problems and consequences“ they have created.

Keywords: history of bioethics; Fritz Jahr; Van Rensselaer Potter; Tristram Engelhardt

Early Age: Jahr's bioethics

According to current knowledge and state of findings, the first person to use and explain term bioethics (bio-ethik) is Fritz Jahr (1895-1953), protestant priest and teacher from Haale an der Salle (Germany). It seems that Jahr's first publication saw the light of day on 26 March 1924 in the *Mittelschule: Zeitschrift für das gesamte mittlere Schulwesen* magazine [Secondary School: A Magazine for the Entire Secondary School System] (Jahr, 1924), soon followed by his first paper mentioning bio-ethik and others grounding bioethical theoretical foundations, and main principles and aims (*bioethical imperative*) (Jahr, 1926, 1927).

In his 1926 article, entitled 'Wissenschaft vom Leben und Sittenlehre' ['The science of life and morals'], Jahr develops hypothesis and arguments how modern research in psychological studies go in favour of equality between animals and humans. Similar to these trends, (human) ethics should follow the same approach. In Jahr's words, 'from biopsychology (Bio-Psychik, according to the terminology of R. Eisler) to bioethics (Bio-Ethik) there is just one step'. Almost humorously, coining a new term from the Greek word bios and 'ethics', Jahr started to develop a thesis and arguments why people should adopt moral duties not only towards each other but also towards animals and plants. To support his reasons, Jahr introduces contributions by St. Francis of Assisi, Friedrich Schleiermacher, Richard Wagner, Eduard von Hartmann, Immanuel Kant and many others, outlining framework for his intellectual bioethical *expose*. All together, Jahr has left only several short bioethical expositions in few articles; however he has managed to formulate strong formula - 'bioethical imperative': 'Respect every living being as an end in itself, and treat it, if possible, as such.' (Achte jedes Lebewesen grundsätzlich als einen Selbstzweck, und behandle es nach

² Parts of this article were previously published in the book (Rinčić and Muzur, 2018).

Möglichkeit als solchen!). (Rinčić & Muzur, 2019). Although the traits of Kant's philosophy are apparent - according to H. –M. Sass, Jahr's Bioethical Imperative is encompassing content-based version of Kantian formal Categorical Imperative (Sass, 2009), it is precisely this Jahr contribution making him irreplaceable in a history of bioethics.

Beyond bioethics, Jahr has shared in his articles several other topics (the Fifth Commandment, sexual ethics, education and schooling, and the cult of Sunday), referring to numerous authors, sources, intellectual heritage and perspectives, confirming his broad education and complex interests. Bible, Buddhism, Yoga and Sankhya (Samkhya), Hans Christian Andersen, Johann Sebastian Bach, Ludwig van Beethoven, Giovanni Boccaccio, Ignaz Bregenzner, Charles Darwin, Rudolf Eisler, August Hermann Francke, Karl Robert Eduard von Hartmann, Immanuel Kant, Constantine I the Great, Martin Luther, Karl Marx, Friedrich Nietzsche, Jean Jacques Rousseau, Johann Christoph Friedrich Schiller, Arthur Schopenhauer, Socrates, Richard Strauss, Leo Nikolayevich Tolstoy – are just some of the authors having direct impact on Jahr's opus, work and ideas.

All together, as far we know today, Jahr has published 22 articles in the period 1924-1948, but has left forgotten until 1997/1998, being re-discovered in conference presentation and proceedings chapter entitled *Evolution der Biosphäre und Ethik* by Rolf Löther (Löther, 1998). Since then, Jahr work and ideas has provoked interest of numerous scholars in different countries (see later Rinčić et al., 2021.), being considered as a original well of bioethical term, turning point of modern (antropological) ethics and confluence of different cultures, standpoints and perspectives. Despite many denials, specially in States, Jahr has also become reflection point for other bioethical contributions and traditions, specially, V. R. Potter and A. Hellegers.

Mainstream: V. R. Potter and A. Hellegers

Although he was not the first in history to use the term 'bioethics', Van Rensselaer Potter II is undoubtedly one of the most important figures in the history of discipline. His legacy is harboured by several moments: he was probably not familiar with Jahr's work, indulging him slices of founding merits. The term itself, bioethics, Potter has coined differently from Jahr: in his pioneering bioethical works (articles 'Bioethics: The science of survival', 'Biocybernetics and survival', 'Disorder as a built-in component of biological systems: The survival imperative' and the book *Bioethics: Bridge to the Future*), Potter derives this term from 'biological science' and 'ethics' (returning lost moral values to biology), seeing it as a 'bridge' between natural and human sciences. Potter has started his legacy in bioethics already being renowned scientist, biochemist and a oncologist, placing him in a position of academic credibility and recognition (features that Jahr has never achieved). Finally, despite the ignorance of his achievements by mainstream bioethics (mainly organized by Kennedy Institute of Ethics), Potter has succeeded in further development of his ideas (*Global Bioethics*) by establishing recognizable and vivid network of global followers.

Potter's idea was first embraced by André Hellegers (1926-1979), a Dutch obstetrician and fetal physiologist who had strongly opposed the teaching of the Roman Catholic Church on fertility control, and founded Georgetown University's Joseph and Rose Fitzgerald Kennedy Institute of Ethics in Washington, D.C.: by associating the institute's orientation with Potter's notion of bioethics, Hellegers institutionalized and, in a way, “saved” Potter's teaching from oblivion (as occurred with Jahr's work; cf. Muzur & Rinčić, 2018), but also deformed it. As Potter himself said only a few years after he had launched bioethics, *„My own view of bioethics calls for a much broader vision. It calls for a wider and more purposeful understanding of biological evolution and cultural evolution“* (Potter, 1975). The fact remains that in a report about the establishment of the Kennedy Institute, dated at the end of 1970, there is no mention of ethics, let alone bioethics. And while ethics began to emerge

in materials connected to the foundation of the Institute in March 1971 (the Institute was formally inaugurated at a press conference on 1 October 1971, which included addresses by Eunice and Sargent Shriver, A. Hellegers, Rector Robert Henle and Edward Kennedy), bioethics was first mentioned only at the end of June. It was around that time – between March and June of 1971 – that 'bioethics' found its way into the media in the USA, primarily thanks to the central theme of the April issue of the widely read Time magazine (a special section was entitled 'Man into superman: The promise and peril of the new genetics'. It was featured on the front page, while the text itself mentioned Potter and his, at the time recently published, first book about bioethics). At some point later in time, Potter even called bioethics an 'orphan' not accepted by either environmental or medical ethics due to Hellegers' ignorance. Regarding the establishment of the Institute, he said that philosophers got hold of the word without paying attention to its source and premises and started establishing institutes for bioethics (Potter, 1991).

The second influential institution in America (actually the first in terms of age) that dealt with bioethics – the Hastings Center in New York – treated Potter and his ideas in a very similar way. The centre was founded in 1969 in Hastings-on-Hudson (in the northern suburbs of New York), the little town it was named after, although it has relocated twice since. Now it operates in the small town of Garrison, 90 miles north of New York City, upstream on the River Hudson. The Center was founded by the philosopher Daniel Callahan (born in 1930, and educated in part at Georgetown University) and the psychiatrist-psychoanalyst Willard Gaylin. In his 'Preliminary Sketch' (1968-1969) about the establishment of the Center, Callahan does not mention bioethics or 'the biological revolution', but in 1970 he directed his attention and action programme more clearly towards the ethical aspects of the 'biological revolution' (by which he meant biomedical research and its results), the 'population explosion' and the 'environmental crisis' – thus moving closer to Potter than the Georgetown group.

Despite his work in bioethics in early 1970s, Potter was only able to prepare his new work (book *Global Bioethics: Building on the Leopold Legacy*) in 1988, after he had withdrawn from university research and teaching. Having in mind this book was kind of statement to his international network, general impression, however, is that the book was created primarily under the influence of certain personal events (as he himself says, 'by 1988 it had become clear that the word bioethics had completely slipped out of my hands'). Apparently, the frustrations that changed Potter's attitudes also changed the development of bioethics in general.

Potter passed away September 6, 2011. His last decade of life was devoted to strengthening ties and legacy of his network – «Global Bioethics Network», encompassing 38 individuals from Canada, USA, China, Japan, New Zealand, Mexico, Dominican Republic, Cuba, Panama, Colombia, Venezuela, Chile, Germany, Italy, Spain, France, Ukraine, Poland, and Croatia (Brunetto Chiarelli, Hyakudai Sakamoto, Peter Whitehouse, Hans Schweinsberg, Michael Fox, Erin D. Williams, Heinz Herrmann, Marcelo Palacios, Ivan Šegota, just to name few of them). Global bioethics network was his answer to Kennedy Institute of Ethics turn of bioethics in the direction of the 'four principles mantra', promoting narrow, uniculturocentric and 'boring' to such an extent that a Potter's ideas seem like a natural step forward. Most appropriate way to announce following trends probably is the one offered by Daniel Otero: 'global bioethics should not be understood as a separate field of bioethics [...] but rather as an integrative perspective that puts all special aspects of bioethics and human knowledge into the context of a global project'.

Integration of integrative bioethics

Within last few years bioethics has been challenged by many new sections and trendy names. One of it is integrative bioethics; in USA first appeared in the literature after the First Bioethics Conference in Cancer Health Disparities Research held at Tuskegee from January 18 to 20, 2012. According to crucial standpoints, this approach is „unique, holistic, broad, inclusive, largely interdisciplinary, and not focused on medical morality. Despite its innovative name and explanation, Tuskegee integrative approach is strongly rooted in biomedical field, demonstrating how the ethical issues raised by a complex enterprise like cancer health disparities research could be addressed using an integrative bioethics approach that is conceptually interdisciplinary, methodologically multi-disciplinary and trans-disciplinary in practice (Sodeke, 2012a; Wilson et al., 2013).

Nearly in the same time, under the same integrative bioethics label, very different approach started to rise, having greatest strongholds in South-East Europe (Croatia, Slovenia, Bosnia and Herzegovina, Serbia, North Macedonia, Bulgaria and Albania). The reasons for such impetus and rapid development were many, specially in Croatia – reaction to downsizing bioethics to (new) medical ethics issues, interest in original V. R. Potter’s vision of bioethics as an ethos that includes biological sciences (not only medical ones!), rejection of domination of American values (autonomy and pragmatism), and methodological insufficiency of principlism, discovery of Fritz Jahr legacy etc. In first phase, this demand was formulated as a plea for Europeanisation and philosophication of bioethics (Skledar, 2003), soon following by organization of an international conference on Bioethics in South and Southeast Europe - Perspectives for an integrative ethical reflection surrounding intracultural difference was organized at InterUniversity Centre in Dubrovnik, Croatia, 2004³. This was the first step in the institutionalisation of integrative bioethics in Croatia, an idea which was soon to be promoted in international settings (symposia, publications, summer schools - 2006, 2008). In the following years, integrative bioethics became the framework and an intellectual platform of networking and cooperation of ex-Yugoslav republic and other countries in neighborhood, now independent countries (Albania, Bosnia na Herzegovina, Bulgaria, FYR Macedonia, Serbia, Slovenia etc.). Probabaly the main reason for such process was the character of integrative bioethics in Croatia and region, reaching beyond usual terms: it is a pluriperspective field (not being science in a strict way, it is a field characterized by different perspectives), where inter-related heterogeneous perspectives (the prespectives are necessarily different, but placed in relation), create a basic orientation (corelation of perspectives has a creating potential in providing orientation) toward numerous number of questions regarding life or condition of its preservation (it is oriented to all life related questions, not only medical one (Čović, 2005, p. 150-151). Integrative bioethics is the field of inquiry and discipline that brings together and embraces the social, cultural, economic, religious, philosophical, political, legal, scientific and technical domains of knowledge to influence ethical decision-making in life activities (Rinčić & Muzur, 2011).

Once again, the Balcans has naturally proved to be complex, even for bioethics in its current iteration and practice.

Instead of conclusion: where are we now, where are we heading?

Naturally, any new branch of bioethics open space for new (sub)-branches. Many of them are already existing, having sometimes same name and different meaning, and opposite (integrative bioethics). In the same time we are saturated with many new trends, for example European bioethics or Mediterranean one. Our intrinsic and in the same time imposed instinct

³ The very idea of integrative bioethics concept to be, Čović promoted yet in 1997, in his article on pluriperspectivism - that “significantly more widely established and, apart from the specifically scientific approach, encompasses philosophical, religious, world-view and similar approaches” (Čović, 1997, p. 570, according to Kukoč, 2012, p. 456).

for originality is every day harder to be limited. No wonder we are constantly facing new ideas and proposals (Scandinavian Bioethics, Transylvanian Bioethics, Bosnian Bioethics etc.). Not all of them are geographically induced; for example urban bioethics (Rinčić et al., 2020), space bioethics (Sawin, 2021), water and bioethics (Rosaneli et al., 2021).

As much there is always understandable interest and solid grounds for different views and perspectives in bioethics, we can not deny risks of dissipation and (artificial) barriers in mutual understanding. The price of achieving more transparent level of bioethical self-sufficiency should not be a pledge of losing the general bioethical idea. Sometimes it is just good enough to get back to the roots and strongholds of original bioethical ideas and re-discover a whole new bioethical horizon.

References

- Čović, A. (1997). New paths of medical ethics. *Synthesis philosophica*, 12(24/2): 559–571.
- Čović, A. (2005). Bioethikunter den Bedingungen des Postkommunismus - Fallbeispiel Kroatien. In A. Čović & T. S. Hoffmann (Eds.), *Bioethik und kulturelle Pluralität: Die südosteuropäische Perspektive* (pp. 148-172). Sankt Augustin: Verlag Academia.
- Jahr, F. (1924). Weltsprache und Weltsprachen. *Mittelschule*, 38(13), 96–97.
- Jahr, F. (1926). Wissenschaft vom Leben und Sittenlehre (Alte Erkenntnisse in neuem Gewande). *Mittelschule*, 40(45), 604-605.
- Jahr, F. (1927). Bio-Ethik: eine Umschau über die ethischen Beziehungen des Menschen zu Tier und Pflanze. *Kosmos*, 24(1), 2-4.
- Kukoč, M. (2012). Development of integrative bioethics in the Mediterranean area of South-East Europe. *Medicine, Health Care, Philosophy*, 15(4), 453–460. doi: 10.1007/s11019-012-9381-0
- Löther, R. (1998). Evolution der Biosphäre und Ethik. In E.-M. Engels, T. Junker & M. Weingarten (Eds.), *Ethik der Biowissenschaften: Geschichte und Theorie – Beiträge zur 6. Jahrestagung der Deutschen Gesellschaft für Geschichte und Theorie der Biologie (DGGTB) in Tübingen 1997* (pp. 61-68). Berlin: Verlag für Wissenschaft und Bildung.
- Muzur, A., & Rinčić, I. (2018). How a humble teacher changed global trends: the contribution of Fritz Jahr to modern bioethical debate. *Formosan Journal of Medical Humanities*, 19(1-2), 1-6.
- Muzur, A., & Rinčić, I. (2019). *Van Rensselaer Potter and his place in the history of bioethics* Zürich: Lit.
- Potter, V. R. (1975). Humility with responsibility: A bioethic for oncologists. *Cancer Research*, 35, 2297-2306.
- Potter, V. R. (1998). *Global Bioethics: Building on the Leopold Legacy*. East Lansing, MI: Michigan State University Press.
- Potter, V. R. (1991). Professor: Bioethics institutes vital today'. *Wisconsin State Journal*, 1 December
- Rinčić, I., & Muzur, A. (2018). *Van Rensselaer Potter and his place in the history of bioethics*. Zürich: Lit.
- Rinčić, I., Doričić, R., Byun, S.-y; Lee, C. K. & Muzur, A. (2020). From Mere Urbanity to Urban Bioethical Standards: An Invitation to a Broadening of Bioethics. *Jahr: Europski časopis za bioetiku*, 11(1), 143-158.
- Rinčić, I., Buterin, T., Doričić, R., Eterović, I., Gensabella, M., & Muzur, A. (2021). The right to exit the footnote: a story of rediscovery and revival of Fritz Jahr's bioethics (with special regard to Italy). *Medicina e Morale*, 1, 11-24.

- Rosaneli, C. F., Fischer, M. L., Sganzerla, A., & Neto, A. P. (2021). Water and global health interaction: a bioethics question. *Agua Y Territorio / Water and Landscape*, (19), 111-124, e5471. <https://doi.org/10.17561/at.19.5471>
- Sass, H-M. (2009). European Roots of Bioethics: Fritz Jahr's 1927 Definition and Vision of Bioethics. In A. Čović, N. Gosić & L. Tomašević (Eds.), *Od nove medicinske etike do integrativne bioetike/From New Medical Ethics to Integrative Bioethics* (pp. 19-31). Zagreb: Pergamena – Hrvatsko bioetičko društvo.
- Sass, H. M. (2011). Can bioethics live without tradition and history? How Fritz Jahr translated the 5th Commandment into the present and future: a methodological and conceptual case study. *Jahr* 2(4), 395-405.
- Sawin, C. (2021). Bioethics in Space Exploration. In L. R. Young, J. P. Sutton (Eds.), *Handbook of Bioastronautics* (pp. 1-6), Cham: Springer, https://doi.org/10.1007/978-3-319-12191-8_136
- Skledar, N. (2003). *O igri, ljubavi i smrti. Antropološki ogledi i razgovori/On game, love and death, Anthropological essays and conversations*. Zagreb: IDIS.
- Sodeke S. O. (2012). Tuskegee University experience challenges conventional wisdom: is integrative bioethics practice the new ethics for the public's health?. *Journal of health care for the poor and underserved*, 23(4 Suppl), 15–33. <https://doi.org/10.1353/hpu.2012.01693>.
- Stevens, M. L. T. (2000). *Bioethics in America: Origins and Cultural Politics*. Baltimore/London: Johns Hopkins University Press.
- Wilson, W. D., Warren, R. C., Sodeke, S. O., & Wilson, N. (2013). The Fate of Local Food Systems in the Global Industrialization Market: Food and Social Justice in the Rural South. *Professional Agricultural Workers Journal*, 1(1) Article 5. <http://tuspubs.tuskegee.edu/pawj/vol1/iss1/5>