



HOW TO MAKE THE RIGHT DECISIONS?

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SPA234 Ethics and Legal Issues

ARE MY ACTIONS LEGAL/ETHICAL?

- Laws – rules of conduct
- Legal is not always ethical?

ARE MY ACTIONS LEGAL/ETHICAL?

- Some actions that are **illegal** may **not** be **unethical**
- Some actions that are **unethical** may not be **illegal**.
- Laws can be unethical or immoral. (Nazi's).
- We use different kinds of mechanisms to express, teach, and enforce laws and ethics.

ARE MY ACTIONS LEGAL/ETHICAL?

- A man is walking down the street and sees someone fall and injure himself. On the other side of the street. He immediately crosses the street **outside of the crosswalk** to attend to the injured person. Are his actions legal? are they ethical?
- What if by stepping into the street he causes a car to swerve and to hit him?

ARE MY ACTIONS FAIR?

- The concept of fairness is highly subjective.
- Fair: deserved, equitable, and unbiased.
- Requires the decision maker to have a complete understanding of benefits, and liabilities to all parties affected by the decision.
- The goal of every decision should be an outcome of relative equity that reflects insightful thought and soundness of intent

WOULD MY ACTIONS BE THE SAME
IF THEY WERE TRANSPARENT TO
OTHERS?

WHAT DO YOU THINK?

CRITICAL THINKING

- Is the **identification** and **evaluation** of evidence to guide decision making.
- A critical thinker uses broad in-depth analysis of evidence to make decisions and communicate his/her beliefs clearly and accurately

Critical Thinking	Problem Solving
Multiple possible solutions	One solution only
Expected model for bioethics	Naïve view of science , trying to find the right answer

APPLICATION OF CRITICAL THINKING IN BIOETHICS

- Often (usually) there is no single ‘right’ answer to a question.
- Reaching a particular answer may depend on an individual’s values and the premises that he/she builds on those values.
- Can I make a logical step by step argument based on valid premises (arising from my values) and relevant information?

STAGES OF CRITICAL THINKING

- 1. the **issue** presented here is...
- 2. the **stakeholders** identified are....
- 3. the **values** that need to be considered are...
- 4. I feel that these values are **important** because...
- 5. my **position** on this issue is
- 6. I **believe in this position** for the following reasons...

STAGES OF CRITICAL THINKING

- I feel these **reasons are good reasons** because...
- Others might **feel they are not good reasons** because.....
- I might **disagree** with them because....
- Given the above discussion, **my final position** on the issue would be.....

CASE STUDY

- Ahmad is a 21 year old builder. He is engaged to Sarah, and she has recently discovered that she is pregnant with their first child.
- Ahmad's grandfather (from mother's side) was diagnosed to have a genetic disorder that affected her hearing at older age.
- The genetic disorder is inherited in an autosomal dominant fashion; in other words it is equally likely to affect men or women.

CASE STUDY

- And if you this condition then you have a 50% chance of passing it on to your children.
- Mike's mom Razan has decided not to take the test to find out if she got the faulty copy from her father.
- However, now that he is expecting to be a father himself, mike is keen to find out if there is any risk that he has passed on the condition

CASE STUDY: CRITICAL THINKING

- Using the ethical matrix , consider how mike's decision about whether or not to take the test affects the wellbeing, autonomy, and fairness for each of the stakeholders (Ahmad, Sarah, Razan, and the new child)

Stakeholder	Wellbeing	Autonomy	Faireness
Mike			
Sarah			
Mureen			
The new baby			

CASE STUDY

Stakeholder	Wellbeing	Autonomy	Fairness
Ahmad	<p>If the test says that Mike has the affected gene, he can plan to minimize the impact of the condition for future child (HAs/CIs).</p> <p>If test is negative → Guilt feeling for mum</p>	<p>Mike is within his rights to request a test.</p> <p>He might also decide not to – His autonomy is maintained both ways.</p>	<p>Insurance implications</p> <p>If affected may be denied insurance.</p>

CASE STUDY

Stakeholder	Wellbeing	Autonomy	Fairness
Sarah	<p>Mike taking the test will remove uncertainty over the relationship at present.</p> <p>However, there are issues associated with Sarah's psychological and emotional wellbeing.</p>	<p>If Mike had the affected gene, Sarah may decide not to get married with him / She may seek abortion</p>	<p>Sarah may become more willing than Mike that he has the test because the result will clarify the situation</p>

CASE STUDY

Stakeholder	Wellbeing	Autonomy	Fairness
Razan (Ahmad's mother)	<p>If Ahmad's result was negative, this does not mean she is okay.</p> <p>If test result is positive, she is almost sure she has the gene and will start losing hearing at some point.</p>	<p>Razan has decided not to do the test</p> <p>Her autonomy will be violated if Ahmad takes the test and is positive</p>	<p>Knowing she has chosen not to take the test, Mike must hide the result of his test to his mom if he wants to respect her wishes.</p>

CASE STUDY

Stakeholder	Wellbeing	Autonomy	Fairness
The new baby	<p>If ahmad has the condition, this will change the attitude of the parents.</p> <p>They may seek abortion?</p>	Not applicable	Not applicable