

Chapter I. philosophical Foundation of bioethics

1.1 Moral:

The word morality is commonly taken in two different senses. By this we mean a set of judgments that men, individually or collectively, make about their own actions as well as those of their fellow human beings, with a view to attributing to them a very special value, which they consider incomparable to other human values.

This is moral value. Technical skill, however great it may be, has never taken the place of a virtue; It never seemed that an act of improbity could be compensated by a fortunate invention, a painting of genius or a scientific discovery. What does this value consist of, what characterizes it? This incomparability of moral values is enough to establish that moral judgments occupy a separate place in all human judgments, and that is all that matters to us.

By morality we also mean any methodical and systematic speculation on matters of morality. What this speculation is, what its object is, what its method is, this is what thinkers are far from having determined with precision.

This speculation has, in part, the same object as the judgments that the moral conscience makes spontaneously. In either case, it is a question of appreciating ways of acting, of praising or blaming, of distributing positive or negative moral values; to mark forms of conduct that man must follow, others from which he must turn away. But, on two essential points, the method of assessment is not the same.

1.2.Ethics

It is a reflection , a research on human values: life, death, respect of the person, freedom, confidentiality... More than allowing us to discern between good and evil, it leads to choosing between several forms of good, or even the least wrong. It is based on reflection , human qualities and openness. She also does advance universality and concern for all other than oneself. She is the fruit of collective reflection , exchanges and debates. It is an active approach, which can And must evolve In THE time. Finally, She East rarely directive, She East suggestive and above all leads to formulate the questions in such a way as to allow everyone to find the most appropriate response, in a given situation, to respect and well-being of the other. We clearly see the difference between law and ethics, civil law (or religious in certain countries) is an imperative most often imposed by the community to itself, non-

compliance with which exposes it to punishment. Positive laws, which constitute positive law arise “normally ” from natural law, which is based basically on of the requirements of justice; It is in What they oblige in awareness. However, “ *our conscience is above the law, and everything that is legal is not necessarily moral* ” (Ph. Barbarin)... and this is where the reflection ethics.

1.3. **Deontology :**

Deontology, from the Greek deon "duty" , is first of all the name, in moral philosophy, of the "theory of duties". In a less technical sense, and more widespread today, it designates the set of duties imposed on professionals by the exercise of their profession. This set of duties can be formalized by the governing or representative bodies of a profession in the form of a code; we have been talking, and for a long time, about the “doctors’ code of ethics”. We also speak of ethics, from the Greek ethikê , "science of what relates to social or moral behavior", then "art of directing conduct"; consequently, the expression code of ethics is also in use. However, it is appropriate to distinguish this last notion, which always refers to deliberately very abstract principles, from ethics whose aim and application are more immediately practical.

2. **The committees of ethics**

The health care situation has never been more conflict-ridden potential than today. Ethics medical traditional worked according to the moral principle of **beneficence** and **non-maleficence** , understood in a way paternalistic. The professional was alone in making a decision, and beneficence and nonmaleficence constituted the only moral principles to be respected. The possibility of a moral conflict was therefore very distant. On the other hand, values and principles moral different intervene In every situation specific, incoming often in

conflict with each other. There are potential conflicts between each of them. THE Many conflicts are not linked to the morality of a society or a profession. In fact , conflicts arise when people have the right to decide and take part of the decision-making process. When only one person has decision-making power and that the only moral duty of others is to obey, conflicts are practically impossible. Conflict is part of human life, and it is more common in as respect for human freedom and moral diversity increases . The problem lies not in the existence of conflicts , but in the

desire to recognize them and to resolve them. This is the main objective of bioethics: to train people to manage moral conflicts so that they make wise decisions and thus improve the quality of health care . To this end, bioethics calls on the deliberation to address conflicts morals and reflect on them . This procedure allows you to work individually, especially when the problems are not too complex. But when conflicts present difficulties, or involve numerous parties, the debate must be collective. There are a few areas, apart from taking treatment decisions, where special bioethics bodies have were created to incorporate respect for values into the regulation of healthcare health. This is the origin of what we call 'bioethics committees'. Those are reflection bodies set up to enable informed decisions to be made and formulate of the recommendations as to large directions has follow. He exist different types of ethics committees, as indicated in UNESCO guides Establish bioethics committees and bioethics committees at work: procedures And policies:

- ✓ committees loaded of there formulation of the policies and or consultative (CNE)
- ✓ committees of bioethics of associations of professionals of there health (SPC)
- ✓ committees of ethics of the care/ethics hospital (CEH)
- ✓ committees of ethics of the research (CER)
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- Each of these committees has its particularities, as indicated in the documents of UNESCO . For example, **healthcare ethics committees (CEH)** make a big work in the field of clinical bioethics. They are composed of doctors, nurses, of workers social And of non-professionals, men And women. There diversity routes , of the specializations And of the experiences allows better decision making .