

Law as the King's New Clothes: Challenges in Biomedical Law and Ethics

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Abstract

The purpose of this study was to investigate the basic issue of biomedical law and ethics and the strategies to approach such significant topics. The key question is what problem more than anything else can impose itself on the relationship between biomedical law and ethics. "Survival" seems to be the answer to the question.

The present study was conducted for the purpose of describing and analyzing using library resources. The results showed that the importance of preserving human species in the world on the one hand and the application of medical procedures on the other hand may impact the relationship between biomedical law and ethics. However, the intrinsic self-esteem of human beings makes the problem complicated especially when it comes to medical experiments on humans, human cloning, and so on. Studies have shown that while a prevailing equality-based perspective in society can prevent the commodification of human-beings in such a situation, it is ultimately the virtue of "sacrifice" that avails the medical profession to assist human survival in the light of ethical considerations. In this case, survival itself is an end and a "good" that deserves to be achieved.

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The title is extracted from a story by Hans Christian Andersen, the Danish author.