

Paul Elling
RGS6036.E1
EXERCISE 6

1. The major ethical question in DAX'S CASE revolves around the right of a person to refuse medical treatment and be allowed ultimately to die. Each person involved in this case made his/her choice to ignore Dax's wishes and "treat" Dax. You are to write a paper explaining each of the following person's viewpoints and identifying the theory (from the 10 in Exercise 2) that most clearly defines the action that the person took with regard to Dax. Remember that you are not expressing your views here but rather the views of each of the participants.

A. Dax's mother - Ada Cowart

As Dax's mother, Ada Cowart had a unique viewpoint in Dax's case that the others involved did not. For Ada, losing her son is not an option, because of her love for him and her deep religious principles. From Ada's viewpoint, her son still had a life to live and it was possible that he might decide to live when it would be too late. (Kliever, 1989, 6) Ada believed that, from a religious standpoint, granting someone their wish to die was unacceptable. Life was too precious from Ada's point of view. In addition, Ada maintained a strong relationship with God, and it was her hope that her son, Dax, would be able to reconnect with God through his struggles. Due to her convictions, Ada remained adamant in her arguments with Dax about the treatments he was avoiding. The theory that most clearly defines Ada's stance on Dax's medical treatment would be Divine Command theory. Divine Command theory takes God's word as to what is right and what is wrong. Ada's religious commitment means that she follows the word of God and expect Dax to do the same, despite his overwhelming pain and great discomfort.

B. Dax's lawyer - Rex Houston

The viewpoint of Rex Houston, Dax's lawyer, is mixed in comparison with the other stakeholders in the story. While he is concerned for his client,

Houston still has a job to do, which involves him trying to win the court case against the pipeline owners. Rex Houston feels conflicted. He can certainly understand Dax's desire to die and be free of such excruciating pain. In order to build the best case possible against the pipeline owners, however, Houston needed Dax to remain alive. (Kliever, 1989, 6) Although Dax suffers unimaginable pain, the financial award that Houston could win for him is tremendous. To Houston's credit, he requested and achieved changes in the wound care that Dax received. Houston, however, would not be party to Dax's wish for death. A mixture of theories are at play with Rex Houston, with ethical egoism most clearly defining the action that he took. The most humane action would be to allow Dax to choose his own fate and end his pain. However, Rex Houston has to do his job, which is to win his client's case and to promote his own greatest good. Houston stands to gain recognition by winning the case against the pipeline owners. A win would almost certainly mean more clients for him in the future.

C. Dax's Doctors (only choose 1) - Dr. Robert Meier--rehab
Dr. Charles Baxter-Parkland, **Dr. Robert White-**
psychiatrist

Dr. Duane Larsen--surgeon

(The doctors' decisions to treat Dax were based on very similar types of reasoning. Therefore discussing one doctor's decision and subsequent theory will be sufficient.)

Dr. Robert White, Dax's psychiatrist, expressed more sympathy for Dax than did Dr. Baxter or Dr. Larsen. Dr. White was troubled by Dax's case for years. According to Dr. White's discussions with Dax, he found Dax to be perfectly mentally competent to decide his own fate. Dr. White wondered if Dax was depressed or just extremely frustrated. (Kliever, 1989, 8) Dr. White's viewpoint included recording Dax's experience as an example for advocating medical patients' rights. Dr. White's concern for Dax led him to putting Dax in contact with an attorney who had previously represented

clients who refused medical treatment. The doctor fully realized that had he experienced the same horrible pain as Dax, he, too, would have wanted to die. (Kliever, 1989, 16) From a psychiatrist's point of view, Dr. White recognized that Dax had a stronger will than other burn victims that he had treated. While other patients regressed in their behavior, Dax continued to be adamant about his desire to die. (Kliever, 1989, 17) The theory that most clearly defines Dr. White's approach to Dax's case is utilitarianism. Dr. White appears to sincerely be concerned with Dax's welfare, which would be the greatest good over evil for Dax. This concern is evident in his helping Dax locate an attorney that would represent Dax's right to make his own decision. Dr. White might even be described as an ethical altruist for acting in the good of someone else, in this case Dax.

2. Describe Dax Cowart's decision to die using the Warner Ethical Conduct Paradigm. Discuss each step of the paradigm and explain what you think had an influence on Dax's desire to die rather than be treated. (Obviously, you are not able to have all the information about Dax and his innermost thoughts. However, you have been given many hints from the book that should enable you to piece the information together for a good profile.) 4-6K (2-4 typed pages).

Dax Cowart's decision to die can be described using the Warner Ethical Conduct Paradigm at each step. In terms of the first part of the Warner Ethical Conduct Paradigm, values and beliefs, Dax believed that he should not have to live in pain. He also believed that he had the right to decide his own fate rather than leaving it in the hands of those around him. Dax didn't value a tortured life, as evidenced in the story when he repeatedly refused treatment that would have extended his misery. (Kliever, 1989, 5) What Dax did value was his life prior to becoming a burn victim. Before the accident, Dax was in full control of his life and was not living in excruciating pain.

The second part of the Warner Ethical Conduct Paradigm, wants and needs, can also be used to help explain the influence on Dax's desire to die. Similar to values and beliefs, Dax's wants and needs involved him wanting to exercise his willpower in deciding his own fate. Dax also needed to relieve himself of the immense pain he was experiencing. Despite what Dax wanted, he was forced to undergo painful treatment, including tankings and surgery, that Dr. Larsen administered. (Kliever, 1989, 7) Dax wanted to die so much that he allowed his treatment to lapse for some time. This adamant refusal caused Dax's condition to deteriorate further.

Relationships, which are the third part of the Warner Ethical Conduct Paradigm, greatly influence Dax's desire to die rather than live in pain. Dax's relationship with his mother, Ada Cowart, became very strained during his time in the hospital. Ada wanted Dax to continue treatment and to come to terms with his relationship with God. Dax's disgust in being unable to convince his mother to agree to his desire to end his life led him to seek the help of other family members. Unfortunately, he was unsuccessful in his attempts and was disappointed in these relationships. (Kliever, 1989, 8) Dax's relationships with his doctors definitely influenced his desire to die. Dr. Meier and Dr. Larsen both believed it to be their duty to administer treatment despite Dax's refusal or passive response. Their relationships with Dax were negative in that they would not grant Dax his wish to die. Dax's relationship with Dr. White allowed Dax to vent about his desire to die. Dr. White even helped Dax seek an attorney who helped others in the past in their efforts to avoid medical treatment. (Kliever, 1989, 8) Overall, the relationships that Dax had during his traumatic experience only increased his desire to exercise his free will.

Dax's intelligence, the fourth part of the Warner Ethical Conduct Paradigm, was obviously still intact despite his horrible condition. Dr. White confirmed Dax's mental competence in his discussions with Dax.

(Kliever, 1989, 8) Although the explosion and fire had altered Dax's physical state, he maintained a sharp intelligence that included a strong-willed nature. This determination to see his wish to die implemented remained in the forefront of Dax's mind throughout his entire ordeal. Had Dax not possessed such a willful persona, he might have given in to the doctors and his mother early on and accepted treatment. Clearly, Dax demonstrated his intelligence when he went on to earn a law degree and subsequently open his own law practice. Despite his physical limitations, which among other things included blindness, Dax worked his way through it. Dax's intelligence was also noticeable through his determination to live his life, despite repeated setbacks.

Discipline, the fifth part of the Warner Ethical Conduct Paradigm, had a definite influence on Dax's desire to die. Dax was disciplined in his adamant refusal to undergo treatment and also to have his life ended. His mind was clearly disciplined in that he endured tortured pain and went sleep because of his refusal to accept medication. (Kliever, 1989, 9) After getting out of the hospital, Dax showed discipline by repeatedly trying to live his life rather than give up. His discipline was further evident in his pursuit of a law degree. As Dr. White noted, most burn victims regress in their personas to the point of being childlike. (Kliever, 1989, 17) Dax did not regress like others. Instead, he maintained a staunch discipline to have his desire to die achieved despite refusal to help by his doctors.

References

Kliever, Lonnie D. Dax's Case: Essays in Medical Ethics and Human Meaning.

1st ed. Dallas: Southern Methodist University Press, 1989.