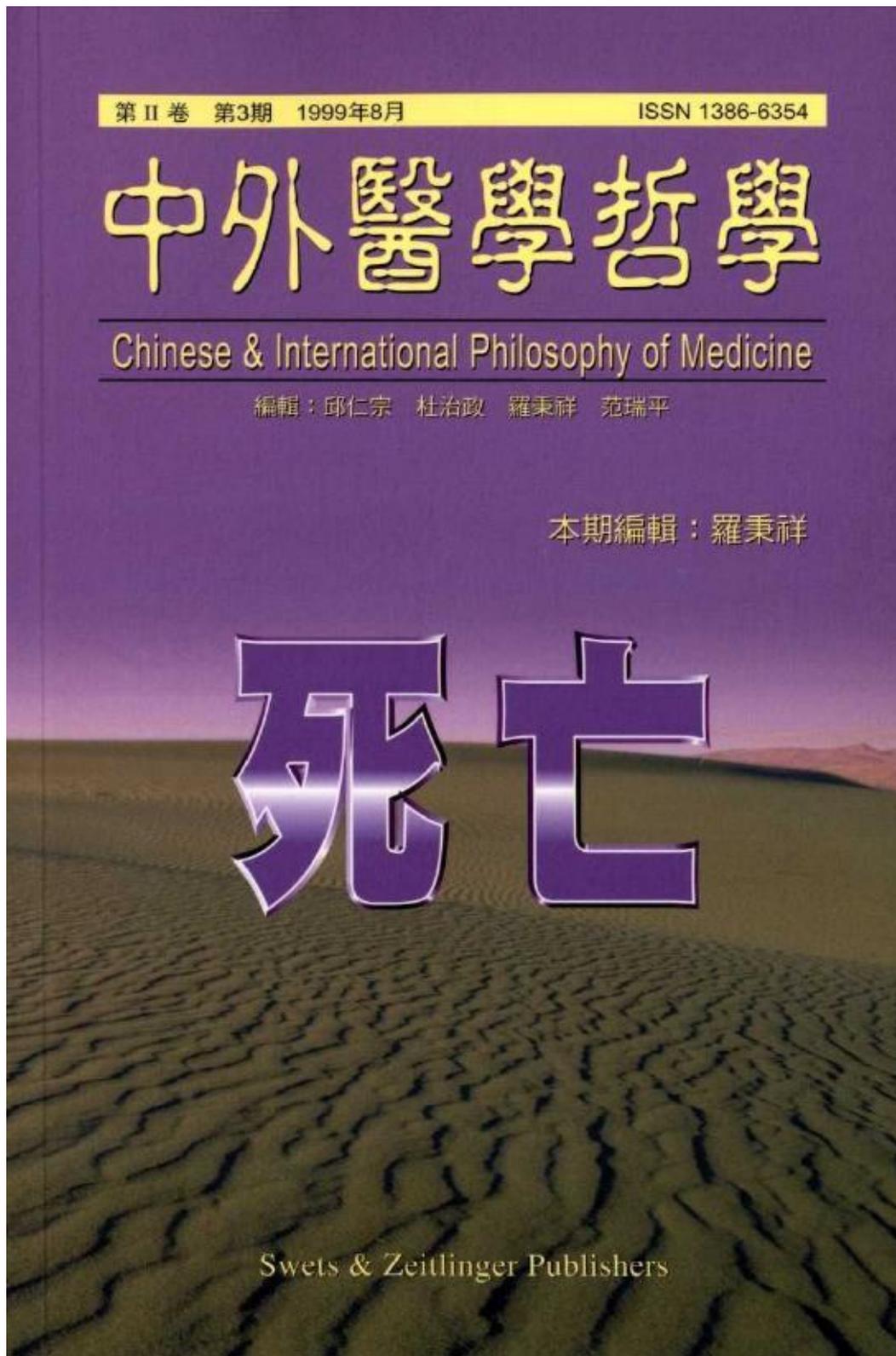


[Table of Contents\(目錄\)](#)

[中文摘要](#)

[Abstract\(English\)](#)



[Order](#)

Vol.2 No. 3 (08/1999)

死亡
Death

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羅秉祥 Lo Ping-cheung	導言：確定死亡之醫學及哲學問題 Introduction: Medical and Philosophical Issues in Determining Death
邱鴻鐘 Qiu Hongzhong	由死而觀生的中醫學 To Face Life through Death: Traditional Chinese Medicine's Perspectives on Death
Hans-Martn Sass	死亡的標準：自我決定和公共政策
John P. Lizza	萬物之靈與死亡：我們的死亡法律定義在形而上學錯在哪裏？
Anthony Preus	對死者和垂死者的尊重
靳風林 Jin Fenglin	儒道死亡思想之比較 A Comparison of the Confucian and Daoist Views on Death

摘要

確定死亡要分開三個層次：死亡的定義、死亡的判準、死亡的測試；當中既有醫學問題，也有哲學問題。“全腦死亡”(簡稱腦死亡)的提出，並非要修改傳統對死亡的定義；全腦死亡只是一新的死亡判準，在死亡的測試上既可用新的腦功能測試，但也不排斥傳統的心肺功能測試，視情況而定。因此，全腦死亡判準，並沒有提出一個新的死亡觀來取代舊的死亡觀。反對全腦死亡判準的意見走向二個極端。有些人認為全腦死亡只是一個人的死亡的必要但非充分條件，還需心肺死亡配合才構成充分條件。但另一些人則認為，全腦死亡是作為萬物之靈的人之死亡的既非充分也非必要條件；真正的必要(或甚至充分)條件是上腦(大腦)死亡。要徹底處理這些醫學爭論問題，無可避免地我們要問“死亡是甚麼？”“生命是甚麼？”及進一步追問“人是甚麼？”這些哲學問題。

目錄

摘要

本文論述了傳統中醫對待死亡本質的看法，對待死亡的態度和死後世界觀的基本觀點，比較了中醫生死觀與西醫生死觀的差異及其在安樂死、養生觀等問題上的反映。本文認為，傳統中醫的生死觀的特點是：在死亡概念上重人的精神特徵和社會特徵的喪失；在對待死亡的態度上，樂天知命，安時而處順；對待惡疾等迫生狀況，認為迫生不如死，如命當夭折，便不以人助天；中醫亦關注死亡的判斷問題，但它的目的在於遠於死而近於生；中醫貴生重己，但以向死而生，未死先死為養生之策略。雖天道自然，但人道自己，人壽可以力移，死可以被超越。作者認為，中醫的死亡觀將為世界性的死亡觀的討論提供有益的啟示。

目錄

死亡的標準：自我決定和公共政策

Hans-Martin Sass

摘要

“全腦死亡”標準，在死後器官捐獻和對符合這些嚴格標準的病人終止治療方面，得到了西方文化的支持。但是，它們對亞洲文化和照顧持續性植物狀態的倫理學來說，沒有多少價值。本文把“包括腦幹的整個腦”的標準作為一種默認的觀點，以此為基礎，本文為綜合性的統一確定死亡法規引入了一個公式，但允許有行為能力的成年人通過事先指令在死亡過程中選擇其他確定死亡的標準。

目錄

萬物之靈與死亡：我們的死亡法律定義在形而上學錯在哪裏？

John P. Lizza

摘要

本文對 1981 年醫學以及生物醫學和行為科學研究倫理問題總統委員會的建議提出異議，該委員會建議美國的所以司法機構應該採納統一死亡確定法案，該法採取全腦死亡的定義，而不是高級腦死亡定義。我要論證委員會以哲學家們或一般人群對構成“萬物之靈”(personhood)的是甚麼沒有一致意見為理由，擯棄支持高級腦定義的“萬物之靈論據”是錯誤的。我主張，哲學家們同意認識功能的某些潛力是萬物之靈的必要條件，這一條件不存在於無腦畸形和持續性植物狀態(PVS)，所以這類人應被認為死人。我進一步論證，一般人群之間缺乏一致意見在很大程度上由於對 PVS 的醫學現實有誤解，以及受到對處於 PVS 的特殊個人的感情的影響。我也考查並反對曾用來支持委員會立場的兩個可能的論據：高級腦定義會威脅年邁老年人和嚴重致殘者，目前沒有充分的醫學技術來確定何時高級腦活動已經停止。

目錄

對死者和垂死者的尊重

Anthony Preus

摘要

本文反對永久無意識的人不可能受到傷害，因而得不到道德上的敬重這個論題，並論證：即使是死者也能被傷害和得到道德上的尊敬，所以那些有疑問的或者沒有完全死亡的人更應受到某種道德上的敬重。

目錄

儒家死亡思想之比較

靳風林

摘要

本文對儒家死亡思想進行了深入細緻的比較研究，認為在對待死亡的態度上，儒家重生輕死，對死存而不論；道家則由反對悅生惡死，進而歌頌、讚義死亡。在對死亡本質的認識上，儒家從天命角度出發，認為死由命定，是天意的體現；道家則為死氣聚氣散的結果；同時二者又都認為死亡本質上是一種安息。在對待死亡價值問題上，儒家強調把死亡落實到道德價值的開拓上；而道家則堅決反對給死亡以價值判斷，強調避死全身才是人生之根本。在超越死亡的途徑上，儒家認為人只要生活充實，為理想而奮鬥，創造了某種永恆之物，便可超越死亡；而道家則強調通過，“心齋”、“坐忘”，達到與大道合一，從而實現死而不亡。儒道上述對死亡及死後狀態的體認，派生出積極入世、奮發有和純精神修煉、不問世事的截然不同的人生態度和準則，對中國的後世哲學產生了重大而深遠的影響。

目錄

Abstract

This essays begins by noting the brief history of "updating" death since the Harvard Medical School Report in 1968. The deficiencies of this report are noted and the background of the President's Commission's Report on "Defining Death" are briefly explained. The author then discusses and endorses the three-fold distinction in the determination of death as suggested by other scholars, viz., the definition of, the criterion of, and the tests for death. While the test for death is basically a medical issue, and that the definition of death is basically a philosophical issue, the criterion of death is both medical and philosophical.

Since the People's Republic of China does not have any brain death legislation, and since some recent Chinese biomedical ethics textbooks have an inaccurate understanding of brain death, the present author summarizes the major theses of "Defining Death" by the President's Commission of 1981. It is pointed out that the idea of "brain death" does not indicate a new definition of death; it only advocates a new criterion of death, and a new way of testing death (neurological) in addition to the conventional way of testing death (cardiac-pulmonary). Hence the precise idea of "brain death" is not as radical as some Chinese interpreters think it to be.

This essay also analyzes the criticism of brain death criterion both from the left and from the right. The Jewish position, as articulated by Hans Jonas and others, that brain death is not the sufficient condition of human death is explained. The present author points out that Jonas' idea that the argument for brain death is value-laden is vindicated by many Chinese writings on biomedical ethics. The position in the other extreme, viz., whole brain death is not even a necessary condition of the death of persons, is also explained. The arguments in its favor and against it are both critically analyzed. The serious mistake of many Chinese writings of equating the condition of persistent vegetative state with whole brain death is criticized. The author also notes that according to Buddhist views, pvs patients still possess some degree of consciousness and hence should not be deemed dead.

The philosophical issue of "what is death?" necessarily leads to another issue, viz., what is the nature of human life? The ancient Chinese discussions of the nature of the soul (*shen*) and the body-mind (*xingshen*) problem are briefly discussed. The author points out the relevance of these discussions to the contemporary reflection on the nature of human death.

To Face Life through Death: Traditional Chinese Medicine's Perspectives on Death

Qiu Hongzhong

Abstract

The theoretical basis of traditional Chinese medicine lies in Confucianism and Daoism. Hence traditional Chinese medicine's perspectives on death have continuity with both the Confucian and the Daoist views on death. This essay analyzes many ancient Chinese medical texts and tries to articulate their views on death and dying.

Concerning the definition of death, traditional Chinese medicine offers two theories. One theory sees death as the loss of *shen* (spirit) or the separation of *shen* (spirit) from the body. *Shen* is located in our vital organs, not just in the brain. Another theory sees death as the dispersion of *qi* (vital force) away from human body. Both theories regard human death as not just a biological event; it is regarded as more spiritual and social than physiological. In other words, human death is not defined in the same way as death of other organisms is defined.

Chinese medicine aspires not only to cure diseases but also to enhance health. In order to achieve this goal, medicine often uses death as a threat to remind people to keep fit and to cultivate healthy life styles. Only when one is constantly death-conscious will one be able to stay away from death. In traditional idiom, the goal of medicine is to cure a disease before the disease arises.

Many traditional Chinese medical codes of practice stipulate that doctors should terminate treatment when the patient is in a terminal condition rather than prolong the agony. A tormented life is considered worse than death and is detestable. Hence there has been a strong interest to detect vital signs other than breathing and heartbeat so that an early detection of death can be possible. One can then avert death when it just starts to arise. However, once death is diagnosed as inevitable traditional Chinese medicine deems that it is unfitting for human beings to meddle with nature through strenuous efforts to avert death.

Though traditional Chinese medicine fully acknowledges human mortality, it also advises people to transcend death. While Confucianism emphasizes the cultivation of virtue, Daoism stresses the oneness with nature so that one does not fear death when death arrives and does not delight in life while one is enjoying life. In so doing, the negating and annihilating effect of death will be mitigated.

Table of Contents

Abstract

This essay is a comparative and in-depth analysis of the Classical Confucian (Confucius, Mencius) and Classical Daoist (Lao Zi, Zhuang Zi) views on death. Four aspects of these two philosophies of death (attitude toward death, philosophical articulation of the essence of death, valuation of death, and transcending death) are analyzed and critically contrasted.

First, regarding the general attitude toward death, Confucianism is more rational whereas Daoism is more mystical. Confucianism deems that the problem of human life is more important than the problem of human death, and hence speaks little of death. Daoism, however, is strongly against the human tendency to avoid the topic of death. Since human life and human death alternates like the four seasons, death should by no means be detested. On the contrary, death should be greeted with enthusiasm.

Concerning the nature of death, Confucianism deems that death is a manifestation of the decree of Heaven, which is beyond our control. Death is fate, and is not subject to our autonomy. Daoism understands life and death in terms of the presence and the dispersion of *qi* (vital force), which is also beyond human control. Besides, both philosophies concur that death is the time of rest; it is a release from the labor of this world.

Regarding the value of death, Confucianism strongly thinks that death, like life itself, should be used to serve the cause of *ren* and *yi* (i.e., morality). Hence death can be potentially full of moral significance, and we should try our best to give as much moral meaning to it as possible. We therefore should be prepared to give up our life for the sake of a moral cause. Daoism strongly disagrees with Confucianism in this regard, and takes a naturalistic stance toward death. Since death is an intrinsic part of life, it should neither be delayed nor hastened. Life should be lived to its temporal fullness and should not be sacrificed for any human cause. To die for morality is as bad as to die for financial gain.

Lastly, both Confucianism and Daoism try to transcend the negation and annihilation imposed by death. Confucianism thinks that as long as we live altruistically we will not be bothered by death and not be affected by the anxiety over death. Besides, though one's biological life will perish, one can attain immortality through one's lasting influence to subsequent generations. Daoism, on the other hand, emphasizes the importance of being one with the Dao through meditation and other spiritual disciplines. The end result will be a total mindlessness of death.