



# The body in forensic autopsy from the perspective of commodification or sacredness



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## ABSTRACT

Forensic autopsy practice places the deceased body in a dialectical position between the value of sacredness as a representation of inherent human dignity and the phenomenon of commodification within the modern medico-legal context. This interdisciplinary literature review analyzes the concept of the sacredness of the body from the perspectives of religion, moral philosophy, and medical ethics. On the one hand, the deontological approach emphasizes absolute respect for the corpse as an entity with intrinsic dignity, avoiding any treatment that is degrading or merely instrumental. On the other hand, utilitarianism justifies autopsy as an instrument for pursuing justice, legal proof, and public benefit, even though it may shift the body into an object of scientific data. The autopsy process leads to desacralization through the "medical gaze," yet medical ethics demands dignified handling to preserve integrity and respect. This study concludes that the tension between sacredness and commodification is complementary; modern forensic autopsy must balance scientific-legal interests with humanistic values, ensuring that the corpse remains respected as a symbolic ethical subject while also serving as an epistemic source of truth.

**Keywords:** autopsy, bioethics, ethics, human remains, sacredness.

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## INTRODUCTION

The corpse subjected to forensic autopsy is far more than a passive object of medical scrutiny; it embodies a complex intersection of ethical, philosophical, and cultural significance. In modern forensic practice, the deceased body occupies a profoundly ambivalent position, simultaneously a vital source of objective scientific and legal evidence and the enduring material trace of a once-living person endowed with intrinsic human value.<sup>1,2</sup> Recent scholarship underscores that respectful treatment of the corpse that includes careful preservation of bodily integrity, appropriate positioning, and minimization of unnecessary disfigurement constitutes an essential component of professional ethical standards in forensic medicine, precisely because such practices continue to express and uphold human dignity within a scientific framework.<sup>3</sup>

This tension between utility and respect finds deep roots in philosophical

thought. John Locke's concept of self-ownership suggests that the body remains intimately bound to personal identity and moral entitlements even after death.<sup>4</sup> Immanuel Kant's deontological framework goes further, insisting that human beings possess inherent dignity as ends-in-themselves, never merely as means; consequently, the corpse must be handled in a manner consistent with this unconditional moral worth.<sup>1,5</sup> In contrast, Baruch Spinoza's naturalistic monism views the body as returning to the universal order of nature while still participating in rational value.<sup>6</sup> Together, these perspectives highlight the persistent moral significance attributed to the human body beyond biological cessation.

In contemporary forensic medicine, the corpse functions instrumentally as the primary means of establishing the cause, mechanism, and manner of death. Yet international ethical guidelines and principles of biomedical ethics continue to demand respect for the deceased,

encompassing attention to body positioning, privacy, physical integrity, and culturally sensitive handling.<sup>7,8</sup> This normative stance reflects a significant conceptual shift: the traditional notion of bodily *sacredness* has largely been reframed as professional *ethical respect*, which is a secular yet morally binding obligation that seeks to reconcile the imperatives of scientific truth-seeking, legal justice, and enduring human dignity.

## METHODS

This study is a narrative and conceptual literature review with an interdisciplinary approach. Data sources come from scientific literature, philosophy books, forensic medicine journals, bioethics, and relevant law. Literature searches covered academic databases (such as PubMed, Springer, and related sources), using keywords like "dignity of human corpse in forensic medicine," "ethical aspects of autopsy," "deontology utilitarianism forensic autopsy," and "commodification

of body in medicine.” Source selection focused on publications from 2015 to 2025 for contemporary relevance, supplemented by classic philosophical texts (Kant, Mill, etc.). Analysis was conducted thematically on the sacredness of the body, commodification, desacralization in autopsy, and ethical dialectics. There are no primary empirical data; all analysis is conceptual and a synthesis of secondary sources.

## RESULTS

From religious and theological perspectives, the human body is regarded as more than biological matter: it represents personal identity, has intrinsic value, and symbolizes dignity that endures beyond death.<sup>2</sup> Conceptions of the body as the image of God or the vessel of the soul introduce a transcendent dimension, ensuring that dignity persists even when biological functions cease.<sup>1</sup> Contemporary bioethics literature reinforces this view, insisting that the corpse is not merely inert biological material but a symbolically meaningful entity deserving of respect.<sup>3</sup>

In contrast, commodification processes, particularly within medical capitalism, are reframing the body as an economic object. This transformation is evident in practices such as organ trade, reproductive technologies, and certain therapeutic applications, where bodily parts or tissues acquire market value.<sup>9,10</sup> Such commodification frequently exacerbates social inequalities, positioning economically disadvantaged bodies as biological reserves for the wealthy and thereby violating fundamental ethical norms and human rights.<sup>11</sup> John Stuart Mill’s utilitarianism provides a normative justification for certain instrumental uses of the body, evaluating actions according to their capacity to produce the greatest overall happiness, while allowing for qualitative distinctions among pleasures.<sup>12</sup> This framework underpins arguments that justify forensic autopsy when it serves public goods such as truth-seeking and justice.

The forensic autopsy procedure itself involves systematic external examination, a Y- or U-shaped incision, organ evisceration, and detailed analysis to establish the cause, mechanism,

and manner of death.<sup>7,13</sup> Through this process, the body is transformed from an integrated biological whole into a source of scientific data.<sup>14</sup> While this shift appears instrumental, Kantian deontology offers a potential justification: autopsy may be morally permissible when it does not reduce the corpse to a mere means, but instead serves higher moral ends such as the realization of justice.<sup>5</sup>

Modern biomedical ethics, as articulated by Beauchamp and Childress, requires that forensic practice uphold the core principles of autonomy (where applicable), beneficence, non-maleficence, justice, and, especially, respect for dignity. This includes avoiding unnecessary mutilation, preserving bodily integrity to the extent possible, and ensuring respectful handling throughout the procedure. Michel Foucault’s concept of the “medical gaze” illuminates the desacralizing tendency of this process: the corpse is reframed as a pathological object open to clinical dissection and objectification.<sup>7</sup> Nevertheless, contemporary bioethics counters this tendency by insisting on the deceased’s continued moral claim to dignified treatment.<sup>15</sup>

Ontologically, the post-mortem body in forensic autopsy functions as an empirical entity and privileged source of data, yet it retains an irreducible dignity.<sup>16,17</sup> Epistemologically, autopsy generates knowledge through direct observation, histopathology, toxicology, and other reconstructive techniques that enable accurate determination of the circumstances of death.<sup>18</sup>

This practice thus embodies a central ethical dialectic. Deontological ethics prioritizes the corpse’s intrinsic dignity and demands absolute, unconditional respect. Utilitarian reasoning, by contrast, justifies instrumental treatment when it produces significant collective benefits such as establishing legal truth, delivering justice, preventing public health risks, or deterring future harm. The prevailing consensus reconciles these positions through the requirement of *dignified handling*: forensic autopsy may be mandated without family consent when public interest so requires, but must always be conducted with professionalism, cultural sensitivity, and respect for the symbolic and moral status

of the deceased.<sup>19,20</sup> In this framework, the corpse functions as a “silent witness” that provides objective, irreplaceable evidence,<sup>21,22</sup> while simultaneously requiring forensic practitioners to balance epistemic and legal imperatives with enduring ethical obligations.<sup>23</sup>

## CONFLICT OF INTEREST

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## AUTHOR’S CONTRIBUTION

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## CONCLUSION

The corpse in forensic autopsy exists in an ethical dialectic between deontological sacredness, which entails inherent dignity and unconditional respect, and commodification/utilitarianism, grounded in scientific-legal benefits for society. This tension is complementary; modern autopsy balances respect for dignity with the pursuit of truth, ensuring the corpse is not merely a biological object or commodity but a symbolic ethical-epistemic subject at the intersection of ethics, law, and humanity.

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