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APPLIED ETHICS

Euthanasia

EUTHANASIA

- Refers to any action where a person is intentionally killed or allowed to die because it is believed that the individual would be better off/ at least no worse off dead than alive.
 - Voluntary(with consent),
 - Involuntary (against consent),
 - Non-voluntary (unable to indicate consent)
 - Active (deliberate action to kill; commission) and
 - Passive (letting someone die; omission)
- Under what circumstances can euthanasia be justifiable, if at all?

Duo euthanasia: former Dutch prime minister dies hand in hand with his wife

Dries and Eugenie van Agt, both 93, died as number of couples in Netherlands choosing joint end to life grows



📷 Eugenie and Dries van Agt on the campaign trail in 1982. Photograph: BNA Photographic/Alamy

A Catholic former Dutch prime minister, Dries van Agt, has died by euthanasia, hand in hand with his wife Eugenie. They were both 93.

Discussed Issues under Euthanasia

- Is there a moral difference between killing someone and letting them die?
- When, where, and how may a person hasten her death?
 - only the terminally ill
 - anyone who finds her life no longer worth living
 - only by refusing medical treatment that sustains her life,
 - Anyone can take active measures
- Can there be a right to die?
 - Does a right to life automatically give us the right to die?
 - In general, when does a right to X give us a right to not X?
- Should the law always respect our explicit wishes, even when we wish to act in a way that would normally be considered harmful?
 - Should we have the autonomy to do only those things that society considers to be in our own best interests?
 - Should we give people choices that they might not want to have?
 - What are the likely consequences of legally permitting physician assisted suicide?
 - Affect the doctor-patient relationship?,

ARGUMENT FOR VOLUNTARY ACTIVE EUTHANASIA

1. If a person is suffering considerable pain due to an incurable illness, then that person's death is in his or her own interest.
2. If a person's death is in that person's own interest, then committing suicide is also in that person's own interest.
3. Therefore, if a person is suffering considerable pain due to an incurable illness, then committing suicide is in that person's own interest. (From (1) and (2).)
4. A person's committing suicide in such circumstances may also satisfy the following two conditions:
 - a) it neither violates anyone else's rights, nor wrongs anyone;
 - b) it does not make the world a worse place.
5. An action that satisfies conditions (a) and (b), and that is not contrary to one's own interest, cannot be morally wrong.
6. Therefore, a person's committing suicide when all of above conditions obtain would not be morally wrong. (From (3), (4), and (5))

ARGUMENT FOR VOLUNTARY ACTIVE EUTHANASIA...

1. It could be morally wrong to assist a person in committing suicide only if (i) it was morally wrong for that person to commit suicide, or (ii) committing suicide was contrary to the person's own interest, or (iii) assisting the person to commit suicide violated an obligation one had to someone else.
2. Circumstances may very well be such that neither assisting a person to commit suicide nor performing voluntary active euthanasia violates any obligations that one has to others.
3. Therefore, it would not be wrong to assist a person in committing suicide in the circumstances described above.
4. Whenever assisting a person in committing suicide is justified, voluntary active euthanasia is also justified, provided the latter action does not violate any obligation that one has to anyone else.
5. Therefore, voluntary active euthanasia would not be morally wrong in the circumstances in question.

ARGUMENT FOR VOLUNTARY PASSIVE EUTHANASIA

1. Voluntary passive euthanasia is not morally wrong in itself.
2. Intentionally killing a person and intentionally letting a person die are, in themselves, morally on a par.
3. The only intrinsic difference between voluntary active euthanasia and voluntary passive euthanasia is that the former is a case of killing, and the latter a case of letting die. This is distinction without a difference.

An aunt will inherit lots of money if her five-year-old nephew dies. She plans to drown him in the bathtub and make it look like an accident. He just started his bath; she's on her way to the bathroom to drown him. She opens the bathroom door and is delighted to see that he has slipped in the bathtub and is drowning. She watches, ready to push him under if he steadies himself and saves his own life. But, as her luck would have it, he drowns; she never touches him throughout the ordeal. She inherits the money.

If she claimed that she didn't "do anything," she did: she stood there, and doing nothing is doing something. And letting someone die can be as bad, or nearly as bad, and perhaps sometimes even worse than killing someone: indeed, a way to kill someone is to let them die.

4. Therefore, voluntary active euthanasia is not morally wrong in itself. (From (1), (2), and (3).)

ARGUMENTS AGAINST EUTHANASIA

- Builds on arguments against suicide
 - If Euthanasia is rational, it should be predictable. However, except for severe depression, no one is likely to turn to suicide
- There is something inherently tragic about suicide
- Not a personal act but a social choice; Parity with duelling?
 - Applicability of doctor-patient confidentiality
 - Make doctors less committed to saving life and less sensitive to their patients' pain. If this were a consequence of legalizing the practice, it would be a powerful reason to oppose its legalization, even if we might think individuals have the right to take their own lives.
- The duty to relieve suffering has never been an absolute duty, overriding all moral objections.
- Difference between killing and letting die
 - To think that doctors “kill” patients by terminating treatment is tantamount at that point to saying that doctors have abolished lethal disease and that they now die only because of a physician’s actions

ARGUMENTS AGAINST...

- More difficult to check abuses
- In reality, this is not availed so much by terminally ill patients but by people who feel they no longer have control over their lives
- Death is no indignity, even if accompanied by pain and a loss of control.
- Death is a fundamental fact of human biology, as fundamental as any other part of human life. If that human life has dignity as human life, it cannot be lost because death brings it to an end, even if in a disorderly, unpleasant fashion. It takes more than that to erase our dignity.
- Euthanasia confers no dignity on the process of dying; it only creates the illusion of dignity for those who, mistakenly, believe a loss of control is not to be endured. It can be, and most human beings have endured it.
- No one would say that the newborn baby, unable to talk, incontinent, utterly unable to control her situation, and unable to interact with others, lacks dignity. Neither does the dying older person, even if displaying exactly the same traits.
- Dignity is not so easily taken from human beings. Nor can euthanasia confer it on someone.

ARGUMENTS AGAINST...

- Critique the claim that we can justify the right to die simply by appealing to individual autonomy.
- Having options is not an unadulterated good.
 - Options may make us vulnerable to unwanted pressure from others.
 - For example, having the option of working for less than minimum wage increases the chances that employers will offer people less than the minimum wage.
 - Options also close off the possibility that we can maintain the status quo – in this case, continuing to live - without having to choose it. Autonomy is not the only good nor is it invariably desirable, although it is most assuredly a good.
 - Our legal, political, social, and economic environments shape our choices (or lack of them).
 - The emphasis on autonomy may also lead us to overlook the ways that our dying - or continuing to live - profoundly affects our families [Can cut both ways!]

CONCLUSION

- A deep divide in philosophical perspectives between individualists, who hold that personal autonomy is one of the highest goods, and communitarians, who stress our relationships with others.
 - Individualists focus on our separateness from (and often conflicts with) others, while communitarians focus on our relationships with, dependence on, and responsibilities to, others.
- Views might also depend on whether you hold significant differences to apply between acts of omission and commission
- What appears as a moral disagreement can now be understood as a more complex deep philosophical disagreement.

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APPLIED ETHICS

CAPITAL PUNISHMENT/ DEATH PENALTY

CAPITAL PUNISHMENT

Capital punishment is the practice of prescribing death as a punishment for certain crimes.

- There are both Deontological and Consequentialist justifications that have been provided for retaining it



Deontological Justification

Deontological defenses of capital punishment see execution as a morally “fitting” response to murderers’ horrible deeds. There are two main varieties.

- Retributivist Justifications

- Punishments should be equal in severity to their crimes
- Justified because it matches the badness or wrongness of murder—i.e., it is a proportionate punishment for murder; proportional to murder because it involves the same kind of act.
- More sophisticated approaches begin with the idea that life is uniquely valuable: it is the precondition of everything else good for someone.
- Because being murdered prevents the victim from having any valuable experiences, murderers are punished too lightly if they can enjoy even the limited goods life in prison allows.

Deontological Justification...

- Purgative Justifications
 - A duty to purge exceptionally evil offenders from society by executing them.
 - The continued existence of such offenders morally stains society:
 - by expending resources on them, society takes on responsibility for their violation of human dignity.
 - Capital punishment dissolves that responsibility

Criticisms of Deontological...

- “Eye for an eye” retributivism seems to mandate immoral punishments like torturing torturers.
- Capital punishment is sometimes judged to be disproportionately harsh because murderers suffer from prison time, from knowing their execution date, and from losing their lives, whereas murder victims only lose their lives.
- Critics argue that life in prison, the longest sentence possible, is just as proportionate as execution and less morally controversial

Consequentialist Justification

- Many defend the death penalty not as a response to criminals for their past evil deeds but by arguing that executing murderers produces better overall social consequences than not doing so. Two consequences are frequently discussed.
- Deterrence
 - Common sense suggests that the fear of being executed prevents, or deters, potential murderers from killing.
 - The beneficial consequences of executions—innocent lives saved—outweigh the costs to the legal system and the executed person
- Incapacitation
 - Deterrence is about reducing murder rates overall.
 - Incapacitation aims at preventing specific offenders from reoffending: some murderers might be so dangerous, only death ensures they won't kill again

Consequentialist...

- Ernest van den Haag (1968) argues that even though we don't know for certain whether the death penalty deters or prevents other murders, we should bet that it does.
- Due to our ignorance, any social policy we take is a gamble.
- Not choosing capital punishment for first-degree murder is as much a bet that capital punishment doesn't deter as choosing the policy is a bet that it does.
- There is a significant difference in the betting, however, in that to bet against capital punishment is to bet against the innocent and for the murderer, while to bet for it is to bet against the murderer and for the innocent.

Criticisms of Consequentialist Justifications

- Deterrence theorists presume a deterrent impact on murder rates exceeding that of imprisonment.
 - It is not enough to show that execution deters murder. Execution must deter murder better than imprisonment for its costs to be justified.
- A further objection is that they permit punishing people for actions they didn't perform.
 - Deterrence theories could allow executing the innocent: if executing an innocent person would prevent future murders and authorities could keep her innocence secret, the benefits would plausibly outweigh the costs and deterrence theories would support killing her.
 - Incapacitation theories punish offenders for what they might do in the future, rather than any wrongs actually committed

General Objections to Capital Punishment

- Violation of Right to Life
- Violation of Human Dignity
- Procedural Issues
 - Arbitrariness (Rarest of the rare)
 - Discrimination
 - Irrevocability