

EUTHANASIA AND PHYSICIAN-ASSISTED SUICIDE: PART TWO

Recall: Euthanasia vs Physician Assisted Suicide

Euthanasia – The act of killing someone with the intention to benefit her.

PAS – The act of a physician providing the means for a person to kill herself.

The Method of Killing

Question: If we were to permit euthanasia, what should our method of killing be like?

It should be: _____ & _____

Consequences-Based Arguments: Against PAS and Euthanasia

1. **Pressure-Based Argument** – Permitting PAS and euthanasia creates pressure on the elderly to prematurely end their lives (e.g. inheritance)

Response: We could deploy safeguards to ensure it is a truly voluntary decision.

Response to Response: The elderly will feel a burden to their loved ones and permitting PAS and euthanasia might lead them to prematurely end their lives voluntarily.

But: Even if this is wrong, no evidence to suggest it will happen (Netherlands).

2. **Palliative-Care Argument** – Permitting PAS and euthanasia diminishes incentives to develop better palliative care.

Response: Little evidence to support this. Also, there is an argument that it could improve palliative care.

3. **Slippery Slope Argument** – Permitting voluntary PAS and euthanasia will lead to permitting non-voluntary and even involuntary euthanasia.

Structure of the argument:

X is permissible

If we permit X it will lead to Y

Y is impermissible

Therefore we should not permit X

Question: Can you think of examples of slippery slope arguments used in popular discourse?

Write one here: _____

Is a slippery slope argument a good argument? Generally not – it requires evidence that X will lead to Y.

In the case of PAS and euthanasia, in the Netherlands and elsewhere, it has not led to involuntary euthanasia.

Warning! It is not recommended you focus on these types of arguments in your essay/presentations. Why? They do not enable you to demonstrate the full extent of your significant analytical skills. This is because whether you are correct or not depends on empirical matters, not on the quality of your philosophical arguments. So, it would be far better to concede the empirical claim of your opponent for the sake of argument, and then show that *even if they are right* about their empirical claims, they are still mistaken to hold x is wrong etc.

Non-Consequentialist Argument Against PAS and Euthanasia

There are many arguments for and against PAS and euthanasia that do not appeal to the consequences of permitting them. Let's turn to some of them now.

Sanctity of Life View – All human life is valuable. The act of killing a human life is impermissible because you destroy something of sacred value. For this reason, it is wrong to kill yourself. You are destroying something valuable. As a result, euthanasia and physician assisted suicide is impermissible.

- It is not necessarily a religious view.
- Sanctity of life does not track wellbeing/utility. That is, life is not more valuable in this respect the more happiness it contains. Nor is it less valuable if it contains misery. The value of human life is independent of the contents of that life.

Objections to the Sanctity of Life

Ronald Dworkin – How can a life be valuable when its owner thinks it's valueless, or disvaluable?

Alternatively, perhaps we could accept human life is valuable, but there are further arguments that permit euthanasia and PAS, **despite its value!**

Self-Ownership View – If you own something, you are permitted to do what you like to it (car crush, destroy your painting), even if it has great value. Similarly, you own yourself – so you are permitted to destroy yourself, even if though your life has value. Hence, PAS and euthanasia are permissible.

Two worries about the self-ownership response:

- Perhaps you **do** do something wrong when you destroy something, even if you own it. (J. M. W. Turner painting).
- Is self-ownership incoherent?
 1. If a person owns X, then he should own anything generated by X
(e.g. own a cow → own its milk)
 2. BUT my father owns the sperm.
 3. My mother owns the egg.
 4. How do I own myself??

- Respect Autonomy View** – (1) It is good to determine how you live your life in accordance with your beliefs about what is valuable (career, relationships, and your **death**).
- (2) It is wrong to interfere with you living your life in accordance with your beliefs about what is valuable, unless you are inflicting harm on others.

Already applies in many jurisdictions, in terms of an absolute right to refuse medical treatment, even if it results in the patient's death. So, if we ought to respect autonomy in those cases, then we should also respect autonomy in cases of PAS and euthanasia.

Objection: The worry is, this might permit too much. Consenting cannibals.

What restrictions should we have?

What about restricting the permission to terminal cases? (defined as a person expected to die within 12 months)

The worry is, if we ought to respect autonomy in spite of the sanctity of life, then it seems we should respect it, regardless of whether the person is terminally ill, or is suffering.

After all, as noted above, the sanctity of life does not change depending on that person's happiness. It has the same value regardless.

So, if autonomy trumps the sanctity of life in *some* cases, it should do so in *all* cases, whether the person suffers or not.

Lecture Bibliography

Gerald Dworkin 'Paternalism' in *Paternalism*. R. Sartorius, ed. University of Minnesota Press: 19-34. (1983)

Ronald Dworkin *Life's Dominion: An Argument About Abortion, Euthanasia, and Individual Freedom* Vintage Books (1994)

John Stuart Mill *On Liberty* Penguin Classics (1859)

Robert Nozick *Anarchy, State, and Utopia* Basic Books (1974)

Michael Sandel *Public Philosophy: Essays on Morality and Politics* Harvard University Press (2006)

J. David Velleman 'A Right of Self-Termination?' in *Ethics*, Vol. 109, No. 3, pp. 606- 628 (1999)

Steven Wall *Liberalism, Perfectionism and Restraint* Cambridge University Press (1998)