Should voluntary euthanasia be legalised?

Voluntary euthanasia does not infringe rights or the requirement to respect autonomy. Some people may insist, usually because of religious views, that it is wrong because life is sacred.

If it is not wrong, why should it not be legalised? Some possible reasons concern consequences of legalising it, and you will have to consider whether these outweigh the harm to and autonomy of patients.

Some possible bad consequences are:

(i) fears of patients going into hospital,
(ii) pressure on the elderly to volunteer,
(iii) even without pressure, guilt of the elderly who don't opt for it,
(iv) it may make it less likely that good terminal care would be provided
(v) there may be abuse of the law such that involuntary euthanasia occurs.

We need to consider also a possible good consequence of legalising euthanasia, which is that it would remove the burden of decision from doctors.

Further reading

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Ethics and animals

Humans kill other animals for meat, sport, furs and skins. They kill animals regarded as pests, animals which are injured or very ill, and animals which, it is claimed, need to be 'culled'. They cause pain and distress to animals in the process of meat production, through factory farming and methods of slaughter. They use animals in scientific

experiments for the benefit of humans, and they keep animals confined in zoos.

You need to consider to what extent the following two principles apply to animals:

It is wrong to cause pain and distress.

It is wrong to kill.

The welfare of animals is often discussed as an issue of 'animal rights'. Can we settle ethical questions about animals without referring to the concept of animal rights? Is it appropriate to talk about rights at all in relation to animals?

Is it wrong to cause pain and distress to animals?

If we accept as a basic moral principle that we should not cause avoidable harm, then we must accept that we should not cause avoidable harm to animals. The suffering of animals is just as much something to be avoided as is the suffering of humans. It is clear that pain and fear are harmful to animals, so we shouldn't be inflicting it.

What are the practical implications of accepting that we should not cause suffering to animals? Should we all be vegetarians if we know that animals are not well treated in the process of meat production? Should we campaign against factory farming, hunting and the use of animals in experiments? What about zoos? Do animals kept in captivity suffer?

Utilitarian view on animal suffering

If the aim is for the well-being of the greatest number, then this must be the greatest number of whatever is capable of experiencing happiness, pleasure, pain or distress. Sometimes a gain in the general happiness may outweigh suffering. The utilitarian can say that it's acceptable to inflict pain for the sake of an increase in the general happiness, even when the one who suffers pain is not going to share the general happiness. So it could be acceptable to utilitarians to experiment on animals if this suffering would be outweighed by a great increase in general happiness.

Strictly speaking, under utilitarianism, the suffering of a human being may be justified – yet we are very unlikely to find utilitarians advocating experimenting on humans for the general good (unless of course, they are volunteers, e.g. drug trials).

Why not? The rationale would be that it would lead to great unhappiness if people knew that such experiments took place. But, since animals couldn't have knowledge that animal experiments occurred, then it may be justifiable to do experiments which caused suffering to animals (only, of course, if there were no less harmful way of doing the research).

Is it wrong to kill animals?

It is often claimed that it is wrong to kill animals, because just as humans have rights, so do animals.

Humans could survive without killing animals, so if animals have a right to life, one cannot see what excuses we could have for killing them. What arguments could be used to claim that animals have a right to life?

Speciesism

In Exercises 6 and 7 you thought about the concept of 'speciesism', a term used by Peter Singer. Singer himself does not claim that animals have rights, but the idea of speciesism may be used by others to defend the idea of animal rights.

Suppose someone claims that the mere fact that all humans are members of our species, and all animals are not, implies that humans have greater worth or value. This would be 'speciesism' – and Singer calls it that because he thinks it is analogous to racism and sexism. Denying someone certain rights *just because* they are a member of a particular race, or just because they are male or female, is considered to be unjust. But denying rights to animals *just because* they are not humans would be exactly like this. And if racism and sexism are wrong, then speciesism must be wrong also.

In some places, Singer (*Animal Liberation* 1973) defines speciesism as 'a prejudice or attitude of bias towards the interests of members of one's own species and against those of other species'. If that is what speciesism is, then of course it is a bad thing, because it has been defined as a prejudice, and a prejudice is a belief or attitude which we hold for no good reason. But if speciesism is defined more neutrally as 'the belief that members of different species have different moral status or significance', then it will only be a bad thing if there are no morally significant differences between species, i.e. if the differing characteristics of species have no bearing at all on how we should treat them. So what we have to ask in relation to speciesism is, are any of the differences between species morally significant?

What does the idea of speciesism imply about whether it is wrong to kill animals? Singer thinks there should be 'equality of consideration' for animals as well as for humans. This does not depend on any claim that we are all equal (since, in many ways we are not), nor does it imply that everyone should have exactly the same rights. But it does mean that you can't deny animals rights just because they are animals.

Does this establish that animals have a right to life, or that if we shouldn't kill humans, then we shouldn't kill animals? Singer acknowledges that 'equality of consideration' doesn't imply exactly the same treatment, and exactly the same rights for all beings. So again, we have to ask, are there any differences between humans and animals in virtue of which humans possess a right to life whereas animals do not?

Consciousness

If this were the criterion of having rights, then surely some animals would have rights, since we are in little doubt that some animals experience pain, pleasure, emotions.

Self-consciousness

This criterion appeared in relation to our analysis of the concept of a person in Chapter 5. The reason for relying on self-consciousness rather than simply consciousness is the idea that the life of a being which can value its own life must have greater value. The criterion is: awareness of oneself as an entity existing over time, including awareness of one's past and one's future. Some animals may have this characteristic. Many probably do not.

Singer, despite his views on speciesism, *does* accept that the life of a self-conscious being has more worth than the life of a non-self-conscious being. So he would have to accept that the killing of animals which were not self-conscious was less bad, morally, than the killing of animals which were self-conscious. The dispute then becomes one, not about whether the characteristic of self-consciousness is morally relevant to the questions about rights to life, but about which animals have this characteristic.

One problem for anyone using this characteristic to exclude some animals from the right to life is that some humans may not have the characteristic either, e.g. those who are severely mentally handicapped. So if it means animals can't have rights, does it mean that some humans can't either?

One way to defend the idea that it doesn't is to say that humans who don't have the characteristic of self-consciousness are to be counted as persons because, simply by being human, they might have been persons, but by misfortune they are not – and that a misfortune shouldn't be the ground for excluding someone from full moral status.

Animals cannot be members of a moral community

This was Polly Toynbee's position in the extract in Exercise 6. The idea behind it is that morality is a social contract. This assumes that every rational being seeks to maximise its own interest, and so will accept a morality (which necessarily imposes some restrictions) only if this morality is of benefit to the individual. A rational being will see that it is rational to put oneself under commitments to other rational beings, who similarly agree to be bound by moral rules. In that way each person will do better than they would have done if there were no rules, because all others will be conceding rights to them. However, animals will not be able to understand the basis of a social contract, and will not be able to respect the rights of others, so it will scarcely be possible, and certainly not rational to enter into a social contract with animals. So if a social contract deriving from egoism is the source of rights then animals cannot have rights.

Sometimes a similar point is made without talking about morality being based on egoism. It might be said that having a right is conditional upon being able to respect the rights of others, i.e. that those who have rights also have duties to respect the rights of others. It is then claimed that animals can't have duties, because they would not be able to understand and operate with the concept of a duty, so they can't have rights either.

This point about animals not being able to operate with the concept of a duty is closely tied up with the idea of self-consciousness. In order to operate with the concept of a duty, you must be able to see yourself as someone who has obligations which you might be tempted not to fulfil.

A negative or a positive right?

If animals have a right to life, does it imply merely that we shouldn't kill them, or does it imply also that we should attempt to keep animals alive? If it were a positive right, it would have implications for medical treatment of animals, and for attempts to ensure that wild animals do not die.

Utilitarian view on killing animals

It would probably be bad for the general well-being if people's lives were not highly valued, because people can worry about their own futures. They make plans for the future, and want to believe that those plans will be realised. If they knew that life was not highly valued, this would make everyone feel insecure, so it wouldn't be a good thing.

But if animals can't worry about the future, then they could not know that animals' lives were not highly valued, and couldn't feel insecure in the same way. This is why utilitarians such as Singer concede that it *is* less serious to take the life of an animal than to take the life of a human being.

Remember that killing is not intrinsically wrong under utilitarianism, i.e. if it is wrong, that cannot simply be because it is a case of killing. Its rightness or wrongness must depend upon:

(i) the effects on others (making them directly unhappy because someone they care about has died, or making them insecure)
(ii) pleasure or happiness which would have been experienced by one who dies. This is the case with animals as well as humans.

The effects on other animals of the deaths of animals may not be as severe as the effects on other humans of the deaths of humans.

What about the second criterion – the happiness which would have been experienced by the one who dies?

Problems with using this as a criterion:

(i) Difficulties in making the calculation. Should we think of animals' pleasure or suffering being just the same as humans'? Does that depend on what species of animal it is?
(ii) To rely on this criterion is to concede that happiness which could have been experienced if someone had been alive is relevant to the question as to whether an action is wrong. But this is parallel to the happiness which would have been experienced by all the children we could have brought into the world, but haven't. So if unrealised happiness makes killing wrong, then it also makes failure to conceive wrong. But surely, failure to conceive cannot be wrong. So how can it be true that it is the fact of happiness which would otherwise have been experienced which makes killing wrong?

(iii) A related problem. If killing is wrong on the grounds that it deprives the world of a happy life, then should we say that it is acceptable to kill provided one replaces the life which is lost with another one which is equally happy?

On these two points, (the wrongness of non-conception, and the replaceability of animals/persons), Singer distinguishes between two versions of utilitarianism:

(i) *The prior existence version*

In making the moral decision, we take into account only those beings already in existence. In relation to killing, for example, we consider whether killing the person/animal will lead to an increase or a decrease in pleasure for those beings now in existence.

(ii) *The total version*

It is good to increase the total amount of pleasure in the world (and reduce the total amount of pain). It doesn't matter whether this is done by increasing the pleasure of existing beings or increasing the number of beings who exist.

It is the total version which leads to the problems in (b) and (c). If it is morally acceptable to think of animals as replaceable, then it would be morally acceptable to kill animals for meat, because you can replace one life with another. It might even be suggested that if we didn't raise and kill animals for meat, there would be fewer animals around, and therefore less pleasure in the world. However, the objection to that is that if we didn't raise animals for meat, we could grow more crops, and thus be able to feed more humans who could have happy lives.

What view does Singer favour? For self-conscious beings, the prior existence view – thus for self-conscious beings we must not regard them as replaceable. For non-self-conscious beings, the total view – thus we can regard them as replaceable. Singer thinks that many animals are self-conscious, but perhaps fish are not self-conscious.

Further reading

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Ethics and the environment

What is the basis for environmental ethics?

Anthropocentrism

We should protect the environment in so far as to do so would protect the interests of human beings. This may be a claim about the usefulness to humans of aspects of the physical world, and/or about the aesthetic value of nature – the pleasure which it gives to humans. It is a view which holds that animals, plants and the non-living physical world have no moral status, except indirectly because of their relationship with human beings.

Interests of sentient beings

We should not engage in activities which have adverse effects on sentient beings, present and future. 'Sentient' means having the capacity for experiencing pain and pleasure, having wants and desires which could be satisfied or thwarted. This includes animals as well as human beings.

Reverence for life

We should have respect for anything which is living, hence plants are included also. This view is associated with Albert Schweitzer, who believed that all forms of life are equally valuable.

Two problems with this view:

(i) Plants do not have wants and desires, therefore cannot be said to have interests. Singer says that talking about the interests of plants is 'merely metaphorical'.

(ii) Since we have to eat in order to live, and since our food comes from living things, then we have to exploit living things in order to survive. Does the idea of reverence for life imply that it is just as bad to pick and eat an apple as it is to kill a human being? Perhaps not, since eating the apple doesn't require killing the apple tree. So perhaps you *can* hold that all forms of life are equally valuable, and still believe that so long as we keep to a vegetarian diet, we are not doing anything wrong.

Even so, we might sometimes be faced with having to choose between the survival of two different forms of life, where the survival of both isn't possible, e.g. if a colony of rats which carry disease is threatening to wipe out a human

population, we might choose to save the human population by killing the rats. But if all forms of life are equally valuable, then we have as much reason to leave the rats alone and let the human beings die.

You may remember the passage by Nicholas Schoon in Exercise 4, in which he claimed that although every species is of equal value, nevertheless human beings have the right to destroy other species which cause serious suffering and death to people. Look back at his reasons for this claim, and judge whether they are good reasons for his conclusion.

Deep ecology and the land ethic

Everything is morally relevant. It is not just that which is human, conscious or alive that matters. Everything in the world has value in its own right. At first sight this might appear to be a claim that each individual thing in the world has intrinsic value, in common with the previous positions, but extending the list of individual things to include, for example, rocks, lakes, beaches, and so on. But the view is rather that the system as a whole has value, and deep ecologists may have less in common with people concerned about animal welfare than we would imagine. The view can be summarised in the following quotation from Aldo Leopold (1966): 'A thing is right when it tends to preserve the integrity, stability and beauty of the biotic community. It is wrong when it tends otherwise'. Leopold himself was in favour of hunting and killing wild animals, so his view was different from that of animal welfarists.

Differences between Leopold and animal welfarists such as Singer are as follows:

(i) A different conception of the nature of the world
Seeing the world as a unified system, an organic whole, NOT simply as a collection of objects, some of which are alive and some of which are conscious. The world is viewed as a system which has value in itself (intrinsic value).

(ii) A different basis for justifying actions:
Instead of asking 'what pain or pleasure will our actions cause or what interests will they satisfy or thwart?', we should ask 'what is the effect of our actions on the ecological system?'

(iii) Leads to different recommendations
There may be agreement on issues such as pollution, destruction of habitats for human convenience etc, since it may be true that such activities are both harmful to individuals and destructive of the integrity and stability of the ecosphere.

But what about issues arising from competition between species? Deep ecologists think we should intervene in the natural world when order and stability are threatened in some way. Some examples of current or recent disputes in which deep ecologists would make different recommendations from those who campaign for animal welfare:
(i) In recent years the Royal Society for the Protection of Birds has taken steps to control the numbers of ruddy duck, a species which was originally introduced to Britain from North America, and whose numbers threaten the survival of indigenous species by monopolising food supplies. The Society was criticised by animal welfarists.

(ii) For similar reasons, grey squirrels may be killed in order to safeguard red squirrels. Animal welfarists may be opposed to this.

(iii) Elephant culling – in Zimbabwe's Hwange National Park, it is proposed that, contrary to the wishes of many animal welfarists, many thousands of elephants be shot over the next few years, in order to protect the park habitat from the impact of the increasing elephant population.

Problems for applying the deep ecologists' view

(i) How do we judge that nature is in balance? What counts as 'integrity, stability and beauty of the biosphere'?
'Beauty' seems to be a characteristic which something could have only in relation to beings who regarded it as beautiful, and yet these characteristics are supposed to be intrinsic, independent of the value the biosphere has for humans.
How do we know when integrity and stability are achieved? Is it better if there are a million and one species in the world than if there are a million?

(ii) Why should the fact that there *is* a balance of nature tell us anything about what *ought* to be the case?
Is the fact that something is natural a good reason for preserving it?

Duties to future generations, human and animal

Suppose we reject the idea that nature has intrinsic value, and we base our ideas about how we should protect the environment on the value of the environment to sentient beings. Should we take account of future generations? What demands can future generations reasonably be said to impose on us?

Problems for a utilitarian position

Will there be more happiness if, for example, we leave non-renewable resources such as oil for future generations to use? The difficulties for utilitarianism are difficulties about establishing facts about, for example, which generation will get the most benefit from oil. Since we cannot be absolutely certain about the answer to that, perhaps it doesn't much matter which generation uses it.

In relation to pollution, we might have to sacrifice some of our pleasurable activities now in order to ensure greater happiness for others in the future. Remember that utilitarianism requires us to consider the welfare of not only those we know, but of the whole population of the world, and of all possible future generations.

Problems for rights theorists

It seems strange to talk about the rights of people, or animals, who don't yet exist, so perhaps an ethical approach based on rights is not appropriate in environmental ethics.

Despite these problems, both for utilitarianism and for rights theories, the idea of our duties to future generations does not seem totally absurd. If we believe that there will be people living on earth in 200 years time, it seems unfair that we should consider only our own comfort and welfare now.

Further reading

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Capital punishment

Justifications for punishment

What justification could there be for using punishment at all, whether it is capital punishment or any other kind?

Consequentialist theories justify everything in terms of consequences, so they justify punishment by its consequences. Non-consequentialist theories focus mainly on the idea of retribution – i.e. requiring someone to pay the appropriate penalty for his or her crime. Consequentialists focus either on the deterrent effect – the way in which punishing one person deters others