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Euthanasia –An Assisted Suicide? (From the Perspective of Peter Singer)

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Abstract

This paper criticizes Peter Singer's position on Euthanasia. Singer employs two versions of utilitarianism in order to deal with the issue of the morality of killing: preference utilitarianism for persons and classical utilitarianism for the sentient beings that are not persons (in Singer's sense). In this paper I have tried to show that Singer's oscillation between these two versions of utilitarianism has raised difficulties with regard to his arguments for the permissibility of non-voluntary euthanasia in case of handicapped children. However , all of his arguments favoring euthanasia though are not completely acceptable are quite understandable.

Keywords: Euthanasia, Utilitarianism, Singer, Suicide, Active Euthanasia.

Introduction

Since the last two decades an intense philosophical discussions on the problems of medical ethics have started. A pivotal part of the debate centers around the death and dying under modern conditions. Due to advances in surgery and increased possibilities of the life -sustaining treatment, the question as to what extent life saving measures are or are not compulsory has been an urgent one. In the context of such problems some philosophers have argued for the permissibility of active euthanasia.

The chief aim of this paper is to examine critically the philosophical position of one of the advocates of active euthanasia viz Peter Singer. Singer is a utilitarian. His methodological approach to the issues of applied ethics is too clear and simple: it amounts to a rather direct application of the principles of preference – utilitarianism according to which that course of action should be taken which maximizes the satisfaction of the interests of the person affected. A preference is what a person chooses after rational consideration as promoting her own interests.

Singer distinguishes among three forms of euthanasia : voluntary, non-voluntary and in voluntary. Voluntary euthanasia means fulfilling the explicitly and repeatedly uttered and rational wish of a person to be killed. In some cases it is hardly distinguishable from assistance to suicide. Non-voluntary euthanasia covers situations where the person concerned is not able to give consent to her being killed as she is in a state of mind where she cannot grasp the meaning of life or death situation. It is presupposed that she prefers to die if she could at all be asked or if death suits one of her best interests. Involuntary euthanasia applies to cases where the person concerned is able to give consent to her being killed but the consent is not given either because the person is not asked at all or the person decides to go on living.

Singer thinks voluntary euthanasia to be morally justified and he legitimizes his views in respect to certain conditions. (Singer :1979:140-146) This is a simple consequence of his position outlined above. If a person does not have desire to live that would be thwarted ; killing her does not involve any wrong – doing. Non – voluntary euthanasia Singer considers to be justified in some cases ; however, he rejects involuntary euthanasia to be morally non –permissible.

Certainly the issue of non-voluntary euthanasia is the most controversial one. Cases for which this issue is relevant include people in a permanent coma and persons reduced to an irreversible vegetative state. Singer discusses the issue of non-voluntary euthanasia mainly in respect to handicapped infants. I concentrate on this point, since it was Singer's position on non-voluntary euthanasia that initiated the sharp reactions in German-speaking countries.

Singer's criterion of a person plays an important role in applying his basic moral principles (by drawing a line between applying preference-utilitarianism and classical utilitarianism). However, it also generates a

substantial consequence in respect to the "right to life" of different human beings. KORREKTUR Besides the desire to live, Singer regards as relevant for the wrongness of killing a human being. (Singer :1979:131)

Since handicapped babies are not persons, the question whether they can or even should be killed has to be decided on classical utilitarian grounds. The main point is: Will their future life be "worth living" in the sense that there is a surplus of pleasure over pain? In the light of Singer's distinction between persons and non-persons this reasoning applies to babies in general, and not to just handicapped ones. Singer offers two reasons why it is not justified to kill newborns generally. First, having a baby is, under normal circumstances, a happy experience for the parents; second, a normal baby will usually have a life worth living. Singer considers the attitude of the parents to be crucial. Sometimes, as he points out, the effect the death of such a baby has on the parents would be rather a reason for killing it. But if the parents – as it is often the case – want their handicapped infant to live, then this counts against killing it. The situation is different when the attitude of the parents is indifferent or when the parents prefer the death of the baby and no one is willing to adopt the child. In his discussion of the issue of euthanasia of handicapped children, Singer presupposes that the consent of the parents for euthanasia is given.

Which cases does Singer have in mind? First of all, severe cases of *spina bifida*. The life of some of these babies would be so miserable, he argues, that killing them would be correct. Singer, however, raises the question of euthanasia also in respect to handicaps like Down's syndrome and hemophilia.

To interpret Singer's reasoning correctly, we have to fill in some gaps. Singer holds that the maximization of pleasure (minimization of pain) can be accomplished in two ways: either we increase the pleasure of the persons already existing (prior-existence view) or we increase the number of persons that will have a pleasurable life (total view). To increase the total sum of pleasure, it does not matter which option we choose. The converse holds for the minimization of pain: we can either reduce the amount of pain of the persons already alive or reduce the number of persons leading painful, miserable lives. (ibid:88-85)

Which alternative should be accepted? The difference in the consequences is striking: the total view, but not the prior-existence view, allows us to kill human beings in order to minimize pain. Singer tends to accept the total view; he thinks the prior-existence view faces considerable difficulties. For the moment, I want to remain with these sketchy remarks; Singer's justification of the total view will be analyzed in more detail later.

Let us go back to the cases of Down's syndrome and hemophilia. Would euthanasia be justified in those cases (the consent of the parents presupposed)? Singer concedes that neither the life of a child with Down's syndrome nor a hemophiliac child can be judged to be not worth living, though such a life would not be difficult. Hence the obvious conclusion seems to be that it is wrong to kill such a child (a conclusion following also from the prior-existence view). But Singer proceeds to discuss the issue in light of the ethical position he prefers, namely the total view. On the total view, where the de facto existence of a being is neglected, beings are replaceable if such replacement does not involve a reduction of the sum-total of pleasure; an even stronger conclusion follows: we have a quite compelling reason to replace beings if that entails an increase in the sum-total of happiness. Singer thus concludes that the issue of infants with minor handicaps should be decided with respect to the "next child," i.e., whether the mother would have another child in case the handicapped child would not live. In other words: due to the intense care a Down's syndrome child demands, a Down's syndrome child might prevent a mother, who wanted two (or more) children, from having a second child. If it is reasonable to expect the second child not to be handicapped – and thus having greater prospects for a happy life – it would be according to the utilitarian total view permissible and right to kill the handicapped infant.

In a way the idea that infants are replaceable (even under certain conditions) looks plainly absurd. We, including Singer, do not think that persons are replaceable, so why should we think so of infants? Once more: this strange conclusion is due to Singer's way of distinguishing between persons and non-persons that entails treating persons and non-persons morally in different ways. Persons are according to Singer not replaceable; however, infants are since they fall under the total-view version of classical utilitarianism. This raises two questions:

1. Is the distinction between preference-utilitarianism and classical utilitarianism sufficient to guarantee that persons are not replaceable?
2. Is the total view convincing?

Both, preference-utilitarianism as well as the total view, presuppose a general maximization principle: it is better to maximize the total benefit. The difference between the two kinds of utilitarianism is which specific interpretation of that general principle they endorse, namely:

1. It is better to satisfy more preferences than less;
2. It is better to maximize the sum total of pleasure.

But now the following question arises: If it is permissible to substitute the pleasures of one being by the pleasures of another (which means replacing the one being by the other), provided that this increases the sum-total of pleasures, why should it not be equally permissible to substitute the preferences of one being by the preferences of another (which means replacing one person by another) provided this increases the amount of preferences satisfied?

In other words: if pleasures can be weighed against one another, so can be preferences.

I think that Singer does not have a solution to this problem, as a look at his justification of why persons are not replaceable shows:

> Sentience suffices to place a being within the sphere of equal

> consideration of interests; but it does not mean that the being has a personal interest in continuing to live. For a non-self-conscious being, death is the cessation of experiences, in much the same way that birth is the beginning of experiences. Death cannot be contrary to an interest in continued life, any more than birth could be in accordance with an interest in commencing life. To this extent, with non-self-conscious life, birth and death cancel each other out; whereas with self-conscious beings the fact that, once self-conscious, one may desire to continue living means that death inflicts a loss for which the birth of another is insufficient compensation.
> (ibid:102-103)

Singer's position on Euthanasia

Singer wants to draw the distinction between the replaceability of persons and non-persons by arguing that death, in the case of persons, amounts to a loss; however, death is merely a "cessation of experience" when it comes to non-persons. That is implausible. The twofold interpretation of death – as "cessation of experience" and as a loss – applies to non-persons as well as to persons: when a person is dead, she simply does not have further experiences. Even if we grant Singer that non-persons (sentient beings) do not have a desire to live (which is a highly dubious assumption), it seems plausible to assume that they at least have a longing for pleasure in the sense of an absence of pain. (Think, e.g., of the strong reactions of babies if they do not feel comfortable.) Thus death in their case can equally be seen as a loss; death is thwarting their longing for pleasure. For non-persons (sentient beings) and persons death is a loss that cannot be compensated for by another being or person. (Or: if one thinks death can be compensated for in the one case, then one has to concede that it can be compensated for in the other too.)

Singer offers two arguments in favour of the total view:

1. On the prior-existence view we do not have an obligation to reproduce (i.e., to give rise to children expecting a pleasurable life). But this position cannot explain why parents should not beget a child when it is clear that, due to a genetic defect in the family, it would have a terrible life and die before its second birthday. For, if pleasure is not a reason for reproduction, pain cannot be a reason for refraining from it, either. On the total view, however, we should not generate such a life.
2. The idea of replaceability of handicapped infants is not so clearly unacceptable. Seen from the moral point of view, it is according to Singer not different from a practice which many people hold morally acceptable and which is widely used, namely abortion due to a handicap of the *fetus* diagnosed by *amniocenteses*. Undertaking abortion and trying for a new pregnancy with the prospect of a normal child amounts to replacing one *fetus* with another. Since for Singer *fetus* and infant share the same moral status (both are not persons and birth does not amount to a morally relevant criterion), infant-replaceability cannot be morally rejected when abortion due to medical indication is commonly accepted.

Are these arguments convincing? The problem raised by argument (a) poses a problem only for utilitarians; it is a consequence of assuming that equal weight should be given to the maximization of pleasure and to the minimization of pain. However, if we accept that negative duties are stronger than positive ones the avoidance of harm gets priority.

The second argument, (b), touches on the issue of abortion. The fact that the *foetus* is not a person (with a desire to live) plays a crucial role in Singer's justification of abortion. Due to the way Singer draws a distinction between the claims to life of non-persons and of persons questions of abortion and euthanasia are intertwined. I cannot go into the issue of abortion. It is worth noting, however, that there exist different justifications of the permissibility of abortion (in the first trimester of a pregnancy), which do not rely on an argument that fetus and infant share the same moral status. To hold that abortion is permissible does not commit one to the view that infants are interchangeable.

Thus it is not clear why Singer sees himself forced to accept the total view; the arguments *per se* do not seem that striking.

To sum up: I have tried to point out some problems in Singer's discussion of euthanasia in respect to handicapped infants. A first objection is that Singer too easily allows the killing of handicapped infants; the constraints he mentions – consent of the parents and expectation of a miserable life – are not sufficient. There are always circumstances imaginable in which the life of a child would be miserable and the consent of the parents is more or less the result of facing a difficult, maybe even hopeless situation. The prime moral obligation would be to change such social conditions and not to consider whether killing would be the best solution. To phrase it differently: Singer's considerations lead to a strange shift in moral priorities. Should not our primary task be to improve the life-conditions of children with Down's syndrome or hemophiliac children instead of estimating whether their being replaced by a healthy child might increase the sum total of benefit? A second criticism is that Singer has to concede the "replaceability of persons" if he holds to the "replaceability of infants".

Thus a change in Singer's starting premises seems inevitable. Whether this amounts to giving up his distinction between persons and non-persons or to giving up his utilitarianism I want to leave open.

Defenders of active euthanasia usually support their position by claiming that one cannot draw a clear line between killing and letting die. Hence they consider the widely-held position that some forms of passive euthanasia can be tolerated, but that active euthanasia is impermissible, to be

mistaken. They argue that there is no morally relevant criterion that would allow drawing a clear line between cases of killing and cases of letting die. James Rachel's, who, like Singer, considers active euthanasia to be justified, illustrates this with the following example:

> Smith has a six-year-old cousin. He will inherit a lot of money if the cousin dies. One evening Smith enters the bathroom and drowns the child. Jones also has a six-year-old cousin and will also inherit a lot of money if the cousin dies. Like Smith, Jones plans to kill the child. Just as he enters the bathroom he observes the child slip, hit his head and fall into the water. Jones just stands by, watching the child drown.(Rachel :1986:12)

The consequences in both cases are the same, the child ends up dead. The two men acted from the same motive: to gain money. Rachel's concludes: "If the difference between killing and letting die were itself a morally important matter, then we should say that Jones's behaviour was less reprehensible than Smith's."(ibid:113). But, to continue Rachel's argument, that would be an implausible conclusion. Hence we should give up maintaining a difference between killing and letting die. Rachel's regards the example outlined above as support for an "Equivalence Thesis" in respect to killing and letting die: if the one act is permissible, so is the other; if the one is morally bad, so is the other.

The common distinction between killing and letting die relies on the principle that negative duties (refraining from doing something) are stronger than positive duties.(ibid:113) The claim is that I have a stronger duty to refrain from killing someone than to save his or her life since the latter might amount to a supererogatory act. Let us look at an example where this seems to hold:

> Suppose I am standing on a bridge crossing a pond and watch the ducks. Suddenly a drunken man comes by and bothers me. Version 1: In a sudden attack of aggression I throw him down into the water where he drowns. Version 2: Due to his drunkenness he falls down himself and drowns.

Conclusion

One familiar way is to take into account to what extent certain principles are supported by rational considerations. But the idea that disputes can be eliminated completely by appeal to "rationality" has lost considerable ground in the last years because the concept of practical rationality itself has become so controversial. It amounts, for example, to a great difference whether a moral theory makes use of a maximizing conception of rationality or a universalizing one. Hence reference to rationality alone is not sufficient to decide complex moral issues.

An additional common method for deciding issues over ethical principles is to see whether their consequences are acceptable. Moral principles have to prove themselves also in light of the social interactions they allow or prescribe and in light of the social structures they generate. John Rawls's "reflective equilibrium" is probably the most prominent version of that procedure. In a way our preconception of morality-- best expressed in our "well-considered judgements"-- forms the "test-basis" for the plausibility of moral theories and their basic assumption via the acceptability of their conclusions.

It seems to me that if at least part of the protests against Singer are interpreted according to this model (i.e., certain consequences of his view clash with common moral judgments and convictions that are in a way supported by strong reasons), we have at least gained a basis for discussion beyond mutual accusations of promoting irrationalism and fundamentalism, on the one hand, and of being arrogant and insensitive, on the other hand; the different standpoints would then not confront each other in such an incompatible sort of way.

Philosophers like Singer and Rachels prefer to insist on the "rationality of argument" in finding convincing moral principles and tend to neglect the importance of "acceptability-considerations" though, as I have tried to show in this paper, they, too, cannot do without them. Other philosophers find it more plausible to keep to our well-considered judgments and "intuitions" and to give up a philosophical theory that clashes too severely with them.(Nagel:1979)

Singer's way is, of course, motivated by a reservation towards our common moral convictions: besides viewing them as a strange mixture of unreflected opinions and prejudices, he holds that appealing to them can form the basis of a conservatism simply blocking changes in social values and practices. Thus Singer obviously sees himself justified in snubbing usual moral convictions by a "reformatory impetus." He and other proponents of active euthanasia think that the legalization of voluntary and non-voluntary active euthanasia would lead to progress in existing medical practice.

One lesson the historical experiences in Austria and Germany teach us is at least that the standards by which we might evaluate the "progress" reached by a general acceptance of active euthanasia deserve very careful investigation, probably a more careful one than we find in Singer's writings. For the critics of Singer such progress might consist in a nightmare.

Whether we share their fears and agree with their assessment of Singer's views, we certainly should keep in mind a remark of Bernard Williams:

> What degree of what characteristic will count in a given context for being a person may very well turn out to be a function of the interests involved-other people's interests, in many cases. Certainly there is no slippery slope more perilous than that extended by a concept which is falsely supposed not to be slippery.(Williams:1985:137)

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