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## Life and Death<sup>\*</sup>

Ethics is, first and foremost, the systematic study of how the plurality of things we ought to value ought to be placed. In its more comprehensive forms, a moral theory includes: (1) an investigation of the power human beings have to choose what they ought to value; (2) an investigation of how the ends that ought to be valued, ought to be ranked; (3) a formulation of a rule or rules which may determine the desirability of actions or life plans; and (4) some inquiry into the extent to which compliance with these rules will be compelled or enforced.

A theory of life and death is only a small part of a comprehensive ethical theory, since life is one of the many goods and death one of the many evils. Nor would we always and necessarily wish to say that life is the primary material good, and death the primary and greatest material evil. Yet this seems close to the truth. For the judgment of what might be called ordinary commonsense morality is that life is some kind of primary material good. This judgment is based upon the argument or substantive intuition that, since life is causally necessary in order for a human being to achieve almost anything else of value (since for its possessor it can almost never be fully compensated or substituted for), intelligent human beings hold and ought to hold it to be a good—typically the primary material good.

To say that life is typically the primary material good is not, however, to say that it is an absolute good in the sense that it always trumps other goods. Expressed another way: great goods can, and often do, collide. If this is true, or at least well founded, then the moral urgency of protecting life in itself does not compel us always to protect life at the cost of other great goods. It is a corollary of such a view that, although we are free and have the power to place the protection of life first in the hierarchy of the good and to make it the dominant and overriding good—for example, free in principle and practice to always value life over other goods—it is far from being self-evident that this is the preferable solution. This, in part, explains why it is premature to talk about a definitive theory and why a theory adequate to its explanatory and protective job is going to be a more complex affair than we might have expected.

There are several requisites a reasonably adequate theory of life and death must fulfil.

[1] A theory must, for the sake of clarity, indicate what is meant by 'life' and 'death'. It must, at least at some point, remind us that the most basic biological definition of life is that it is the genetic capacity to initiate, build up, replicate, or destroy protoplasm, a capacity which permanently ends with death. Whatever else it may wish to add, a theory must be cognizant first of the fact that biological death is the ending of life in that brain function and sentience irreversibly cease, typically closing down normal meta-

\* Marvin Kohl, *Encyclopedia of Ethics*, Lawrence C. Becker, Ed., New York: Garland, 1992, 721-728.

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bolistic processes; and second that beliefs about personal immortality or reincarnation do not rest on the same epistemic grounds as empirical beliefs about biological matters.

If a particular theory does not hold death to be the absolute finish to our future and boundary to our possibilities, then it should explain why it is reasonable to believe that biological death is only an event through which significant forms of personal existence may pass. This explanation may combine epistemic and pragmatic considerations. The former, in the main, would be concerned with the extent to which we know beliefs about immortality or "life on the other side" are true if, indeed, they are true. Pragmatic considerations typically are concerned with the extent to which we know that certain beliefs are or may be necessary factors for happiness and contentment. They are often diverse and complex in nature. But there is at least one that deserves special attention. We are often told that belief in immortality is of the foremost psychotherapeutic and psychogenetic importance; that it not only helps make life meaningful, but in times when loved ones die or in times of chronic and terrible adversity, it provides needed, often vital, support. Critics reply as follows. Belief in immortality leads to a slippery and dangerous slope. It leads to gullibility and self-defeating forms of credibility. It suggests that, where necessary, we may deceive ourselves or others. The critic may also wish to remind us that there exists a negative correlation between beliefs about life after death and the extent to which people are willing to fight against the unnecessary occurrence of death. That is to say, other things being equal, those who do not hold biological death to be the final end are less willing to do battle against unnecessary suffering and unnecessary death. Mightn't it be better, the critic asks, to suspend the palliative belief and fight more aggressively against unwanted death? "Since the order of the world is shaped by death," Rieux remarks, "mightn't it be better for God if we refuse to believe in Him and struggle with all our might against death, without raising our eyes toward the heaven where He sits in silence?" (Camus)

Ideally, a theory of life and death also should distinguish between killing and death. It is rela-

tively clear and generally agreed that for  $x$  to kill  $y$  is for  $x$  to cause the death of  $y$ . What is not clear is exactly what does count or should count as a cause of death. One of the most perceptive analyses of this issue is that of Judith Jarvis Thomson's. Thomson suggests that 'kill' is like 'melt,' 'break,' 'blow up,' and so on in respect to certain temporal features; but confesses that she does not have any satisfactory account as to precisely what these features are, and, that to simply translate 'kill' into 'cause to die' will not do. According to Thomson:

If I coerce Smith into killing Jones, then I cause Jones's death, but I do not kill him: Smith kills him. I get him killed, of course, but getting a man killed is not killing him. (Compare also 'having a man killed'—as when you pay to have it done—and 'letting a man be killed'.) In fact it turns out to be astonishingly difficult to say just exactly what killing is. (Thompson, 1971)

It is also generally agreed that death is one of the greatest of evils and killing one of the greatest of moral wrongs when, indeed, it is a wrong. In consequence, there is general agreement that there is both a *prima facie* duty not to kill and a *prima facie* duty to prevent death. However, in a conflict situation, does the duty not to kill always provide the agent with a sufficient justification for violating the duty to prevent death? Or does the duty to prevent death sometimes provide the agent with a sufficient justification for killing?

[2] An adequate theory probably would have something to say about the contingency of death. It probably would remind us that, at the outset and for most of our lives, we do not know how much or how little time we have left. The contingency of death, the fact that it can occur any place or at any time, provides the root for most of the arguments against wasting the precious present and against being picayune.

However, a theory must explain or suggest why it is generally a bad thing to die and why it is generally wrong to kill. It must understand that *the badness of death resides in the goodness of what it prevents as well as the goodness of what*

*it ends*, and that *the goodness of death resides in the badness it prevents as well as in the badness of what it ends* (cf. Nozick). Whatever it may suggest about posthumous goods, it must hold and be capable of explaining why death of self and others is generally a tremendous loss.

Expressed in a different mode: intelligent human beings know that life is precious and that, except in certain special circumstances, it is a benefit to its possessor. They know that life is a necessary condition for other experienced goods. Correspondingly, intelligent people understand that death is usually an evil and, lacking contrary evidence, that the prevention of accidental and other forms of unnecessary death is a highly desirable state of affairs, if not a matter of actual moral obligation.

Insofar as one can establish such a thing, intelligent human beings understand that human life is worth protecting, worth preserving, and generally worth living to its end. They understand that one can be happy with a life that is far from ideal and that being abnormal, handicapped, disadvantaged, or disabled does not necessarily mean that one cannot lead a relatively full, busy, and contented life. Similarly, they seem to understand that a life which, on balance, just tips to the side of unhappiness is preferable to death and that even a life that is, on balance, unhappy is not necessarily an empty one. As long as this understanding exists, it places important prudential and moral constraints on theories which permit the practice of suicide and euthanasia.

[3] It is too strong, I believe, to say that a life and death theory requires an explicit theory of human nature. It is more plausible to maintain that a theory, to the extent it is complete, directly or indirectly has such a ground. "At any rate, what is clear is that an account of human nature is intrinsic to moral and political argument, and the need for an explicit account is the more urgent when moral and political argument becomes fiercer and gets more swiftly down to basics" (Ryan).

Let us, therefore, consider two salient issues: the role of human aggression and the justification of the fear of death.

*The Role of Aggression.* Every theory of life and death presupposes some beliefs about human aggression. These beliefs may range from a

denial of its innateness to a belief that aggression has been encoded through natural selection into the innate behavior repertory of the species because it confers great biological advantage upon those who conform to it with the greatest fidelity. Similarly, beliefs concerning the possibility of changing individuals by reforming social structure range from the belief that humans possess an intransigent fighting nature which is programmed to always keep itself in existence, to the belief that, since aggression is one of the most labile of the dispositions, we have it in our power to change ourselves and society radically. The former position is best represented by Hobbism or what I should prefer to call hard realism; the latter by Gandhian pacifism.

Hard realism maintains that man is innately aggressive and that, essentially because of this, force forms a realm of its own, with laws of its own, distinct and separate from the so-called laws of moral life. Its typical beliefs are that man in his natural state is in a state of constant war, that morality represents a government-like and necessary enforcement factor, and that war represents the abrogation of morality (cf. Walzer, 1977). It is admitted that man has a natural interest in peace. But when there is no power sufficient to guarantee peace—when we do not have effective government—anyone can, by brute force or by guile, do us any injury up to and including death. Our awareness of this lethal ability and our imagination provide us with the dominant motive to strike first and eliminate an enemy before the enemy can eliminate us. Knowing what we know about the human condition, it seems starkly irrational to forego a pre-emptive strike or to allow the survival of an enemy.

Like hard realism, soft realism maintains that life is the primary material good. But it quickly adds that nothing compels us to regard life in itself as valuable or as alone valuable. Its view of human nature differs in that it allows a larger and more crucial role for social structure. It does not maintain that man is, by nature, in a state of constant war. It only maintains that man is predisposed by his genes to become highly aggressive in certain situations. Like hard realism, soft realism maintains that force forms a realm of its own. It agrees that morality often does not have the power it requires and is, therefore, often

tragically ineffective. It differs from hard realism, however, in two ways. The soft realist admits that there is such a thing as morality, that men can be, and have been, taught the value of moral force, and that in many cases moral force is sufficient. What the soft realist denies is that morality or its essential like can work against certain resolute aggressors or against certain kinds of opportunists. Similarly, the soft realist does not maintain that violence or war is necessarily an abrogation of moral rules. What the soft realist does claim is that aggressive activities (like prolonged street wars, egregious political struggle, or prolonged armed conflict between nations) naturally erode moral principles; that when there is prolonged conflict the victim tends to become more and more like the original aggressor.

*Justifying the Fear of Death.* Human beings possess emotion and imagination, so that when they face death it is often a frightful or traumatic experience, not simply a ceasing to be. Therefore, what ought to be our emotional stance towards death and to what extent, if any, is it rational to fear this savage god?

We may grant the claim that the fear of death has, as Freud suggests, a natural inevitability and that there exist various kinds of fears of death. We may also grant that the fear of death is the supreme and dominant negative human emotion. According to Ernest Becker, "the idea of death, the fear of it haunts the human animal like nothing else; it is a mainspring of human activity—activity designed largely to avoid the fatality of death, to overcome it by denying in some way that [death] is the final destiny for man." Even if all this be admitted, the difficult question remains: Is the inculcation of fear a rational activity?

If the protection of life is profoundly important, and if it is true that one of the best ways of avoiding the injury of death is to have a healthy fear of it, then we may have the grounds for the needed, perhaps for the winning, argument. For example, we often teach children to fear death by teaching them to avoid drinking poisons or to avoid running into the street without looking. Obviously we need *not* teach them to be fearful; we could, if we wanted to, only teach them the negative consequences of their actions. Presuma-

bly we teach children to be fearful not because we like fear, or because fearful people are happier than their counterparts, or because those who fear death have an easier time when faced with their own imminent death, but because we believe it is generally the best way of protecting their lives.

It may be said that this approach has a fatal flaw: that, in any case, it cannot be shown that a healthy fear of death is one of the best ways of protecting life; and that even if this were true it would depend on our fearing what causes the loss of life and intelligently eliminating or avoiding these threats, the kind of intelligent reaction not normally associated with fear. This objection does have force. I think, however, that the weakness in the argument it signals may be significantly reduced if we can sustain the following distinctions. First of all, *it may be true that one of the best ways of preventing death is by having a healthy fear of it, even though we may never be able to know or show that this is true.* Second, if there is such a thing as healthy fear, and if we can teach and nurture, not merely a blind reactive avoidance of death but an intelligent reaction or (perhaps better) a general disposition to react, then we might very well have a way out of much of these difficulties.

To sum up: if death is a significant loss, if not an injury, because we no longer can pursue almost all major interests, and if it is reasonable to be concerned about great loss, then it seems reasonable to at least have serious trepidations about premature death. As to the higher levels of fear, it is difficult to say. But if great fear is ever justified, it is probably justified (and in this sense rational) if it is one of the best ways of generally preventing or postponing what is typically the greatest of all losses, namely death.

[4] A theory of life and death must be consistent. In its strict logical sense, a theory is consistent if the conjunction of its principles and propositions do not result in a contradiction. That is to say, there is general agreement that one should not baldly assert that "pleasure alone is good as an end or in itself" and "pleasure alone is *not* good as an end or in itself" or that "abortion is moral" and "abortion is never moral" where the terms are being used unequivocally.

[5] A theory must also have sufficient scope. It is clear, for example, that a theory about capital punishment or a discussion about abortion is not necessarily a theory about killing. It also seems clear that a theory about killing is not necessarily a theory about matters of life and death. What is not clear is why a theory should be limited in its scope to a theory of killing or, more narrowly, to a theory of homicide. It is, therefore, one thing to say that a theory must have sufficient scope and another to understand and be able to determine what constitutes that scope.

The present debate concerning the proper range of a theory of life and death appears to be between those who wish to limit the scope of their theory to questions of homicide—typically, questions of abortion, suicide, euthanasia, capital punishment, war, terrorism, and revolution—and those who are concerned about preventing unnecessary death and wish, therefore, to at least include the questions of hunger and famine, environmental destruction, health care policy, and the nature and limits of the rights of animals or sentient beings. What seems to be at issue here is whether a theory concerned about the morality of *the deliberate killing of human beings* is preferable to one which is concerned about the morality of *preventing unnecessary death*.

Bearing the foregoing distinction in mind, the following arguments may be suggested. In favor of the more restrictive view, it may be argued that—given: (1) the scarcity of time and resources; (2) the moral fact that only human beings have full moral standing; (3) the distinction between supererogatory value and matters of obligation; and (4) the distinction between allowing to die and deliberate killing—there is only an obligation to prevent the deliberate killing of human beings. Obviously a theory may urge that we have a strict obligation to prevent the deliberate killing of human beings yet consistently hold that, where and when it can be reasonably accomplished, the prevention of unnecessary death is a virtuous act and one of the, if not the, highest kind of moral charity.

In favor of a theory having broader scope it may be argued that, since all sentient beings have full moral standing, and since full moral standing requires the full protection of life, the lives of all sentient being are morally fully protected. Full

protection of life does not imply unlimited protection. But, where resources permit, it does imply that life be protected against much more than the threats of deliberate killing. Any correct theory must take into account the wrongness of certain acts of deliberate killing. If John attempts to wrongly kill Mary, and if Tom without unreasonable sacrifice can prevent him from doing so, then Tom has an obligation to act. But a correct theory must also take into account the wrongness or undesirability of certain events or states of affairs. For example, if thirteen to eighteen million people a year die of hunger-related causes, and if they can be helped without unreasonable sacrifice, then there is an obligation to act. Exactly what constitutes unreasonable sacrifice and how much help must be extended are questions a broader theory would address. However, it seems intuitively clear to advocates of this position that a theory which does not have this scope is jejune, or at least morally incomplete.

To say that a comprehensive theory must have sufficient scope is not to suggest that all matters of life and death are of equal practical importance. It seems fairly plain that if suffering and the number of lives lost count, then the problem of poverty and famine is of special importance. And if we add the danger of omnicide or quasi-omicide because we understand that the great weight should be given to avoiding the greatest losses, then the radical destruction of environment and the threat of nuclear war become the paramount moral issues of our time. Nuclear war may be the quicker and environmental destruction the slower way to life extinction. But the consequences of each represent a colossal and unprecedented horror.

[6] A moral theory, in its more adequate forms, includes a formulation of a rule or rules which may determine the desirability of actions or life plans. The notoriously difficult question is what rule or rules ought to be selected and upon what grounds?

At different times and among different people there have been varying conceptions of these rules. Some think it sufficient to say that one should not murder; others hold that this is simplistic in that it tends to leave open the question of what constitutes unethical killing and seems to avoid the harder issue of preventing undesirable

and unnecessary death. Hedonistic act utilitarians, like L.W. Sumner, hold a single general rule theory which maintains that an act is right (or ought to be done) just in case no other alternative open to the agent would produce a greater net balance of happiness over unhappiness, account being taken of all individuals affected, and where happiness is defined in terms of pleasure. Others would insist that this form of utilitarianism is not as successful as it purports to be because (1) it turns on a dubious distinction between private and public acts; (2) it does not successfully reply to Henson's criticism, namely, that it leads to bizarre and some counter-intuitive consequences; (3) life cannot be cashed out in purely hedonic terms; and (4) even if we admit that what really counts is some experience of happiness, Sumner's subjective analysis of pleasure is not a sufficient measure of that end.

If a theory that generates more determinate solutions to moral problems is preferable, *ceteris paribus*, to one that does not, then a leading, if not the prevailing, determinate rule is the "sanctity of innocent life" principle. This rule is typically interpreted to read that "one ought never deliberately kill an innocent human being." It is grounded, in a most powerful way, upon intuitions about retributive justice, namely, that it is unjust to harm the innocent and just to harm the guilty. It has reasonable scope and the ability to generate determinate solutions to moral problems. If by 'human being' is meant any member of the species *homo sapiens*, then abortion, suicide, and euthanasia are morally wrong in central cases because in these cases the individual is typically both human and, in at least one important sense of that term, innocent. Since terrorism typically involves killing the innocent, it is also wrong. Under certain prescribed conditions, capital punishment, war, and revolution become permissible.

One argument maintains that the sanctity of innocent life principle will not do and needs to be replaced (Kohl). Justice may require that we do not actively aid or cause the death of those terminally afflicted by accident or illness, no matter how horrible their situation might be; but considerations of kindness and mercy often move us in the opposite direction. The issue of abortion is even more complex. But arguments that a

human fetus has full moral standing are not completely convincing. Nor is it self-evident that not intentionally causing harm is the only morally important sense of the term innocent. Concerning capital punishment, critics typically argue that it is generally unnecessary and wrong to kill unarmed prisoners.

Though not a prevailing one, the pacifist view is at any rate widely accepted among advocates of nonviolence and among those who understand that a major purpose of a moral theory is to help bridge the gap between what is and what ought to be; between a world where undesirable death and killing are rampant and a world where there would be no (or considerably less) violence.

There are several varieties of belief which are rightly called pacifistic. This analysis will be limited to a study of Gandhian pacifism; specifically, the source of the rule that one should almost never kill a sentient being.

Gandhi's theory may be said to have two hearts: the religious and the pragmatic. At the heart of the pragmatic argument is the claim that nonviolence works not only against those who are sufficiently moral but also, in some important sense, against resolute and brutal aggressors. At the heart of the religious position is the Hindu conception of a world in which individuals are separated from the whole, or from God. Souls are incarnated or reincarnated in accordance with their *karma*, or predestining deeds, of a previous existence; and the form of the incarnation will be directly dependent upon the nature of those actions. "Ethically, this becomes translated into a command which directs us to act in that way which will cause the least possible rift or disturbance to this soul-substance" (Sibley) or, into the nonreligious command to cause the least possible alienation.

It is at this point that the conception of violence and nonviolence enters the picture. Violence, for Gandhi, is the creation of a disturbance in the structure of soul-substance. "It is any act which tends to accentuate alienation or the separateness of one soul from another and from God . . ." (Sibley). Nonviolence, on the other hand, is a movement towards unity of soul and purity. When explicitly expressed, it requires that we ought to abstain from the use of physical force against all animals, including humans; that

we ought never kill except when love or the regard for soul-substance commands, as in emergency cases involving imminent death and irremediable suffering.

Objections to pacifism include the following: (1) to achieve the least possible disturbance to soul-substance (or rift in the distance between ourselves and others) is a moral good, but neither the only good nor the highest; (2) the case for maintaining that violence is always an extrinsic evil is far from convincing, especially in situations where its use is the only way of protecting the lives of the innocent; (3) nonviolence works neither against resolute and brutal aggressors nor against moral opportunists and is, therefore, most defective where most needed; (4) the pacifist rule and the correlate dream of perpetual peace must be limited by practical reason if evidence overwhelmingly indicates that the penalty of being too ardent, in this case of insisting that nonviolent methods are always preferable, results in the nightmare of encouraging unnecessary death or rank injustice.

Here, we need a word or two of caution. It must not be supposed that a moral rule must be discarded if it is open to plausible objections. The quest should be, not for a perfect rule, but for the best of competing claims. To believe otherwise is to fail to understand the (perhaps) necessary limits of moral rules.

[7] A theory of life and death must contain or imply ideals which can be used to determine or guide the choice of more specific moral rules. It may also contain what is variously called a rudimentary virtue or ideal taken as a first condition of moral worth or excellence. In other words a moral theory may, but need not necessarily, accept one ideal or end as being focally ultimate. These ends may include perfection or excellence of human nature, happiness, justice, nonviolence, or the variety of feelings and dispositions covered by the term love.

Ideals are neither facts nor certainties (Perry). They are resolves to substantiate frail goods and to bring into existence or protect other cherished goods. Without them, a moral theory is without vision. Without them, a theory tends to aim at what is already believed. Admittedly, intelligence and the democratic spirit require that we know what a society believes. But it also requires

understanding what a society *ought* to believe in order to make it and the world a progressively better place in which to live.

Empirically the situation concerning ideals stands about like this: Though painfully vague in its present form, there is one ideal which dominates most vigorous discussions of life and death. It is not the pacifist rule but a variant form of the pacifist ideal. It is the bold resolve to end, or greatly diminish, killing and unnecessary death by nurturing love, conceived as the sum total of kindly emotions and actions. The end-in-view is a world at peace or at least a world much closer to nonviolent harmony; the necessary means is the cultivation of unselfish feelings and active benevolence towards all sentient beings. Such an exalted morality would take the ideal of benevolence or rational love as its focus. It would cultivate unselfish feelings and "derive its power in the superior natures from sympathy and benevolence and the passion for ideal excellence ..." (Mill, 108). It would nurture and extend the scope of kindly impulses. It would nurture the caring emotions because it understands that, while life and knowledge are the respective primary material and methodological goods, love is the primary emotional good. *See also:* Abortion; Death; Euthanasia; Good, Theories of the; Homocide; Infanticide; Life, Meaning of; Life, Right to; Medical Ethics; Suicide.

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## Literature and Ethics

"Let us observe," says Plato's Socrates, "that there is a quarrel of long standing between philosophy and poetry" (*Republic* 607D). In more recent times, this quarrel seems to have produced a divorce, as philosophy and literature, in the modern university, have come to constitute distinct disciplines, often with very little cooperation or exchange. And yet a sustained investigation of the relationships between philosophical discourse and literary form—especially in the area of ethics—opens up questions of great interest and importance for both fields.

Such an investigation can find many different starting points. For it might begin by studying the literary forms of works usually admitted to be works of philosophy: for example, the use of the dialogue form by Plato, Cicero, Berkeley, Hume, and others; of epic poetry by Parmenides, Empedocles, and Lucretius; of the aphorism by Heraclitus and Nietzsche; of autobiography by Augustine, Rousseau, and Kierkegaard; of the philosophical epistle by Plato, Epicurus, and Seneca; of the meditation by Marcus Aurelius, various Christian thinkers, and Descartes. Or it might begin by asking about the relationship between the more stylistically conventional philosophical