

UNDERSTANDING THE CASE FOR BENEFICENT EUTHANASIA*

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WHEN I first became interested in the problem of euthanasia, I was most impressed by the polarization of views and by the fact that few disputants believed that there was middle ground for agreement. Almost all critics of euthanasia consider it to be morally outrageous, while advocates urge just the opposite. According to the critics it is almost self-evident that euthanasia is morally wrong, and therefore unjustifiable homicide. To the advocates it seems to be equally obvious that a moral man is obligated to avoid, and help reduce, needless misery, and that noninvoluntary euthanasia ought therefore to be legalized. The disagreement is further aggravated by vicious name-calling. Opponents allegedly are cruel and heartless, advocates are heinous and barbaric murderers. Given this atmosphere, it is little wonder that underlying issues remain obscure and that disagreement is so rampant.

Understanding depends on, and is proportionate to, the degree to which certain answers are known. In the case of euthanasia the most relevant questions seem to be: Are there powerful underlying sociological forces which explain the deep-rooted resistance? Does the term "euthanasia," in itself, often generate misunderstanding and needless disagreement? Is it true that all killing produces a brutal and tyrannous state of mind, and that euthanasia must therefore be the first step on a slippery descent into legalized mass murder? Are acts of beneficent euthanasia unjust? Finally, what is kindness or beneficence, and to what extent are we obligated to act kindly?

The primary purpose of this essay is to explore these questions and locate the true sources of disagreement. The second objective is more ambitious. I am inclined to believe, and hope to show, that a much better case can be made for than against euthanasia, and that in certain situations the moral man is obligated to kill.

It would be unrealistic to suggest that within the brief compass of this paper we can do more than touch upon problems of theological belief and language, and the arguments of justice and kindness. Yet the problems and arguments exist. And philosophers should begin to worry more seriously about ethical theories which refuse to, or cannot, adequately face up to the question of whether killing is ever justified, and if so under what circumstances. For Camus was right in crying out that "we shall be capable of nothing until we know whether we have the right to kill our fellow-men, or the right to let them be killed."^[1]

I

Before explicating what is meant by "beneficent euthanasia," I wish to say a few words about the role of theology. Since theology and ethics are logically independent,^[2] there is

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no need within the context of moral arguments to reply to theological objections. I will, however, venture to suggest that our *attitude* toward euthanasia in general—perhaps more so than toward any other moral issue—is profoundly effected by the existence of theological ideas, whether these ideas be openly accepted or not. The first of these ideas is the belief that only God has absolute dominion over human life. The second is that death is a punishment, and—except for extreme torture—the worst form. The third, and perhaps most interesting, is the belief that deliberately to kill an innocent human being is to place one's own immortal soul in the gravest jeopardy.

Lest what I am saying be misunderstood, I am not suggesting that these beliefs be rejected merely because they are theological. What I am suggesting is (1) that since theological belief alone cannot entail moral conclusions, there is need for independent moral discernment; (2) that religious tenets play a profoundly important, though not necessarily a noticeable, sociological role in the case of euthanasia; and (3) that although philosophers are often quick to distinguish between theological aversion and moral condemnation, there is no easy way to distinguish between prejudices or valueless instincts and real judgments of value, especially when the former have been given great weight by tradition and the cumulative force of authority.

Let us now turn to the question of what is meant by the word "euthanasia." Etymologically, it means *eu*, good + *thanasia*, death. I would conjecture that, given its original use, "death" meant "induced death," and "good" meant "good for its recipient." But over years of use, the meaning of the term has so loosened that it is now correctly used to refer to almost any death or means of death, which from one or more perspectives may be viewed as being of a good or better kind. In this sense a loving parent who painlessly kills a hopelessly comatose child, a nurse who upon request administers an overdose of narcotics to a terminally ill patient, or a Nazi physician who injects a fatal dose of phenol to a non-consenting prisoner are all practicing euthanasia.

What is needed is not a change in definition, nor reductionism,[3] but a more adequate characterization of the broad sense of this term. I suggest that we provide one which, while preserving the scope of contemporary usage, more clearly explicates the notion of a "good" death, and does so without begging important moral questions. It seems clear, for example, that the word should not be defined as "mercy murder" or its like, since this by definition entails that the act must be unethical. By the same token it should not be defined as "the act or practice of morally ending the life of an incurable sufferer," since this also begs the moral question. What, then, might be done? We may, I suggest, define "euthanasia" as "the painless inducement of a quick death." This characterization adds a needed element of clarity, preserves the modern paradigmatic use of the term, and leaves open the possibility of distinguishing moral and immoral acts of euthanasia.

Since I am urging that there is a *prima facie* obligation to consent to acting kindly, the next question is, what is meant by kind or beneficent euthanasia? There are various senses of the word "kind." One of the most important is the sense in which we say that an act is kind if it (a) is intended to be helpful; (b) is done so that, if there be any expectation of receiving remuneration (or the like), the individual would nonetheless act even if it became apparent that there was little chance of his expectation being realized; and (c) results in beneficial treatment for the intended recipient.[4] The Boy or Girl Scout helping an elderly man or woman cross the street, or the proverbial Good Samaritan, are paradigm cases of kindness.

This means that the necessary, and perhaps sufficient, conditions for beneficent euthanasia

are that the act must involve a painless inducement to a quick death; that the act must result in beneficial treatment for the intended recipient; and that, aside from the desire to help the recipient, no other considerations are relevant [a combination of conditions (a) and (b)]. There are also paradigms of beneficent euthanasia. On the surface they seem unusually complex. The first occurs when we know (i) that the patient is suffering from an irremediable condition such as disseminated carcinoma metastasis; (ii) that the patient has excruciating pain; (iii) that as a result of his condition it is beyond a reasonable medical doubt that the patient has to die; (iv) that the patient when told of his condition voluntarily favors some means of "easy death;" and (v) that aside from the desire to help the patient no other conditions are relevant. By contrast, the second case is much more revealing. This occurs when we know (i) that a child is born without limbs, sight, hearing, or a functioning cerebral cortex; (ii) although unable to move a muscle, he suffers no pain; (iii) that as long as he is fed and otherwise cared for, death is not imminent; and (iv) that aside from the desire to help the patient, no other conditions are relevant. The striking thing about these situations is the extent to which they differ. Putting aside their common features (something being seriously and irremediably wrong, and the motivation being essentially the wish to help), the only other "feature" they share is that the induced death probably would be viewed by most men as an act of kindness. The importance of this observation can hardly be overestimated, for if true it means that considerations of free choice, the imminence of death, and/or the existence of pain are not always relevant, at least not to judgments of kindness.

II

The initial argument on behalf of beneficent euthanasia is that, since it is kind treatment, and since society and its members each have a *prima facie* (though not equal) obligation to treat members kindly, it follows that beneficent euthanasia is a *prima facie* obligation. This seems straightforward, and so obviously correct that most advocates would be content to let the matter end there. Critics, however, believe the argument to be irrelevant and/or fallacious.

By far the most popular objection is the "wedge" or "slippery slope" argument, which tells us that "once the principle of the sanctity of human life is abandoned, or the propaganda accepted that to uphold it is old-fashioned, prejudiced or superstitious, the way is open to the raising of—and the satisfaction of—a demand for so-called euthanasia for the severely crippled, the aged, and ultimately for all who are a burden on community services and the public purse."^[5] Again, one of the most effectively formulated arguments in the literature is that:

It is true that the "wedge" objection can always be advanced, the horrors can always be paraded. But it is less true that on some occasions the objection is much more valid than it is on others. One reason why the "parade of horrors" cannot be too lightly discussed in the particular instance is that Miss Voluntary Euthanasia is not likely to be going it alone for very long. Many of her admirers . . . would be neither surprised nor distressed to see her joined by Miss Euthanatize the Congenital Idiots and Miss Euthanatize the Permanently Insane and Miss Euthanatize the Senile Dementia. And these lasses—whether or not they themselves constitute a "parade of horrors"—certainly they make excellent majorettes for such a parade. . .

Another reason why the "parade of horrors" argument cannot be dismissed in this particular instance, it seems to me, is that the parade *has* taken place in our time and the order of procession has been headed by killing the "incurables" and the "useless" . . . The apparent innocuousness of Germany's "small beginnings" is perhaps best shown by the fact that German Jews were at first excluded from the programme. For it was originally conceived that "the blessings of euthanasia should be granted only to [true] Germans."^[6]

The merit of this argument is that Kamisar is not merely saying that a slide *can* occur, but is suggesting rather strongly that it *must* occur. The question is, why the necessity?

The first explanation, which is suggested by the use of sexual metaphors, is that there is something terribly seductive about the nature of killing, especially when it is given legal sanction. The second, and Kamisar's analysis withstanding, is that the practice of euthanasia was not the result of a slide, but was rather the direct consequent of the Nazi's political ideology—an ideology which rested upon the principle that if proper political authorities believed killing could serve the greater good of a true Germany, then those in question not only were expendable but ought to have been sacrificed for the greater good.

Of the two explanations, the first may be ruled out. There is simply no evidence that killing *per se* is contagious, and overwhelming evidence to show that it is not. It is true that people who believe that it is right to kill Gypsies, Jews, or anyone else, provided their death may profit the State, will probably continue to kill if they continue to have the power to do so. But this is not evidence of the seductiveness of killing. Rather it is evidence that when men have almost unlimited power, their actions will be consistent with their beliefs, and when their beliefs entail needless cruelty, so will their actions.

Attractive as this view is, I cannot resist the feeling that Kamisar's argument, and most of the analogies with the Nazi experience, gain an air of plausibility from other sources.

Let us begin with the question of killing. I certainly have suggested, and do maintain, that if one has to kill, then euthanasia (the painless inducement of a quick death) is the kindest way. This is based upon the common sense understanding that if death must come, it had best be swift and painless. But this is *not* to say that to use the kindest way of killing is synonymous with being kind. The act of putting "incurables" and the "useless" painlessly and quickly "to sleep," for the sole purpose of being relieved of the burden of providing adequate care, may be the kindest way of killing, but is by no stretch of the imagination a kind act. Similarly, injecting phenol into the veins of prisoners for the purposes of economic and speedy killing is obviously not a kind act. No doubt there are cases where the line between a kind aspect and the act as a whole is difficult to draw. It may also be conceded that in those special cases, as when concentration camp prisoners were undergoing the brutal tortures of so-called medical experimentation, their being killed was, indeed, often a blessing. But even if all this be admitted, great care should be taken not to confuse using the kindest way of killing with being kind—and, more important, not to mistakenly believe that the Nazi practitioners of euthanasia were acting kindly when indeed most of their actions were paradigms of cruelty.

What worries me most about these "wedge" arguments is that they seem to be based upon the assumptions, first, that all theories of euthanasia ultimately rest upon a principle of utility, and second, that all theories of utility are the same as those held by the Nazis. This latter assumption is comparatively simple, and might no doubt be laid to rest by pointing to the diversity of utilitarian positions. But it is not this problem which I wish to discuss. What I wish to consider is why so many opponents of euthanasia believe the basic theory behind euthanasia is the same as that held by the Nazis.

Euthanasia has been advocated by most of its champions chiefly as a means of reducing human misery, and more particularly as a way of maximizing kind or loving treatment. To these men and women, it has seemed, accordingly, to have little to do with fiscal matters or economic consequences. Some of its advocates, however, have written as if the question of fiscal utility were of prime importance. They argue that there is a need to save the young from the great cost of caring for those who are irremediably ill and to save the general public

from staggering and unnecessary medical expense, adding that euthanasia legislation "might save the country a few billion dollars a year." I do not know whether such writers would want to say that this is the sole justification, or whether it has merely become fashionable to reduce all ethical problems to a matter of economics but, for whatever reasons, this approach generates fear and, to a degree, warrants the parade of Nazi horrors.

It is vital, but not enough, to distinguish between principles of utility and beneficence or to say that for most advocates the primary goal is that of reducing misery and maximizing kind or loving treatment. We must admit, however reluctantly, that there are less desirable and immoral forms of euthanasia. More important, all men ought to stand firm in opposition to such practices. For of all forms of moral hypocrisy, the most repugnant is to act cruelly under the guise of kindness. This is the first thing that should be done.

The second is to distinguish between the kindest way of doing *X* and the kindest way of treating a human being as a human being. For the objective is not merely death with dignity, but that of living and dying with dignity. In this respect critics are quite right. The long-range objective, the goal, is not merely the kind treatment of the injured or the sick, but the kind treatment of all members of society in all their endeavors. The moral rule (which we dub the principle of beneficence) is that in each problematic situation, society owes to each man the maximum amount of help that is consistent with the principles of justice and the realities of human existence.

This means that if there is a "slide," the result will be that of minimizing suffering and maximizing kindly treatment. Or, to put it otherwise: Essentially, we are being told that we must not try to make society into a kinder place because our generation has experienced the Nazi horror. Although the Nazis were neither kind nor merciful, kindness must slip into cruelty, merciful killing must somehow slide into ethnic and political savagery. Why not take the opposite tack? Why not say that, because we view the Nazi experience with such dread, we will make sure Miss Euthanasia will never again parade? Why not say that, because the thought of Nazi atrocities fills us with moral loathing, we will never again retreat into cruelty—that, rather than be indifferent, we shall establish safeguards and encourage men to act and only act out of kindness and justice?

III

At this juncture the question of justice might most profitably be raised; for some may consent to most of what has been said, yet deny that beneficent euthanasia is just and therefore moral.

One of the most interesting objections is based upon, what I should like to call, the Libertarian-Property (hereafter referred to as L-P) view of justice. According to this view, a human being possesses a right to those things that properly belong to him by nature, by birth, by gift, or by contract, and we can take morally only what each freely chooses to give. Or, stated as a substantive principle: "From each according to his choice to each according to what properly belongs to him." The major allegation is that whatever its source, human life is the property neither of the individual nor of the state, and therefore all homicide is intrinsically unjust.

This, I believe, explains why there is not only opposition to involuntary but also to voluntary euthanasia. At first sight to say "each according to choice" seems to suggest that a man does not treat another unjustly when he accedes to that individual's considered request. But then quickly to add "to each according to what properly belongs to him" with a further proviso that "a human being's life does not properly belong to him."

certainly closes the door on voluntary euthanasia. For the combination entails that it is never perfectly just to take either one's own life or the life of another human being.

The L-P proposal consists of two parts: (1) that goods or services should be supplied on the basis of natural or acquired property; (2) that all responsible human beings should be free to choose what they want to contribute. These two proposals are not necessarily inseparable, nor does either entail the rejection of euthanasia *per se*, although both are generally so interpreted. As regards the first, and leaving aside the exciting question of whether this is an adequate principle of distributive justice,^[7] the conclusions drawn are at best dubious.

Let us admit that we can, and perhaps in some situations should, conceive of life as something which belongs to an individual by nature. This metaphorical use of "belong" has drawbacks, but I suspect that no serious harm follows from it. The question is, if a human being's life belongs to him, then what are the grounds for saying that it does not *properly* belong to him?

It is sheer nonsense to pretend that vestigial religious tenets are not at work here. According to Deuteronomy (32:39), God will kill and God will make to live. Many religious believers therefore conclude that it belongs to God alone to pronounce the sentence of life or death. Paradoxically, many men who do not believe in God nevertheless believe that all human life properly belongs to Him. But if this be the purported justification, then it clearly rests on more than a property view of justice. As such it falls easy prey to our objections to a purely theological ethic.

It would, however, be an undue simplification to suppose that a theory of divine ownership is the sole source of this belief. There is a nontheological variant of what is really much the same doctrine. It consists in saying that, since every man is part of the community, both his body and his life belong to that community. Here the authority is no longer God's Will, but Community Will. The danger, of course, is that Community Will is often interpreted as being synonymous with God's Will, and then the argument slips back and suffers from the same defects as the theological one.

But such a slip is not necessary. The claim would be that behind Community Will is the authority of general consent—that the rights to life and death are not only freely, but permanently transferred to the community. Admittedly, we now have a more interesting argument; but it is difficult to see how it can be squared with the L-P point of view. First, it is clear that man is not "part" of a community in the sense that his body and life are "part" of his person. Second (according to a property view of distributive justice), if one naturally possesses and owns anything, it is surely one's body and life. Third, even if one introduces the notion of social contract or of tacit consent, the L-P advocate would be opposed to the idea of completely transferring basic rights, especially the right to life and death; and finally, he would insist (and I think correctly) that the permanent transfer of these rights is a blatant and outrageous denial of the principles of liberty.

As regards the second proposal, it has the advantage of allowing human beings to maintain their sense of dignity through the general exercise of free choice. Other things being equal, this seems to mean that if a responsible individual chooses (or chooses not) to give up his life, then he ought to be free to do so. This part of the proposal also suggests that a person is free to choose only if he is physically and mentally able to choose. This can be interpreted to mean that when a person is not free in this sense (as, for example, in the case of the comatose child) society may appoint a responsible individual, or when necessary, the state, to act on his behalf. If so, this indicates that voluntary and some forms of nonvoluntary

(I did not say involuntary) euthanasia are consistent with the Libertarian aspect of the proposal.

The fundamental value of liberty is that it diminishes the risk of injustice and gives men the sense of dignity they need. It is not always easy to know when a person is not free to choose, nor should the transfer of this obligation be taken lightly. However, when fanatical insistence on consent only brings with it continued or increased misery, and when it is clear that neither justice nor dignity is being served, then we must choose and act on behalf of the interests of the individual. It may be concluded, therefore, that this part of the L-P proposal is consistent with the principle of beneficence, and that all men concerned about human welfare ought to subscribe to it.

There are other objections which are commonly raised against euthanasia.[8] One of these, and probably the most formidable is that beneficent euthanasia is the killing of an innocent human being, and as such is unjust. The argument, of course, has to be properly qualified. Evidently it is permissible to painlessly and quickly kill convicted murderers or their like, and therefore there seems to be little objection to the use of beneficent euthanasia in the case of capital crimes. But, aside from such exceptions, the general force of the argument is that euthanasia is unjust.

Unlike the abortion controversy, both parties to this dispute agree there is no problem concerning the question of innocence. Almost all the intended patients or recipients are viewed as being innocent and, it is doubtless important to add, innocent in all the morally significant senses of that term. There is another cardinal area of agreement. At least on the surface, both advocates and opponents agree that, generally speaking, one ought not to kill innocent human beings. Disagreement immediately arises, however, when opponents add that the killing of the innocent is *always* unjust.

An analysis of what underlies this disagreement is difficult, and requires considerable tact. The most difficult aspect is that of the differing attitudes towards death. Most children in growing up discover that plants and animals die. Some are told that death is a state or an event whereby an organism is permanently released from the constraints of metabolic functioning—or, more simply, that death is a sleep from which plants and animals do not wake. But most are told, or presumably hear, that death occurs when life is taken away. To make matters worse, such children (especially if they receive certain kinds of orthodox religious education), are likely to believe that death is essentially a punishment. And all this is usually reinforced by the child's growing up in an atmosphere where the ideas of blood revenge and retaliatory killing are prevalent.

It is true that a child often witnesses, or knows about, the merciful killing of an animal. Moreover, the killing of the animal is not construed as a form of punishment. But apparently such experiences make little or no impact.

Someone may say that this is interesting by way of explanation, but it is not much of an argument. This is correct, but only to a limited extent. For what I have been urging is that the generalization, "it is always unjust to kill the innocent," is hastily drawn, and that the major reason for this overstatement is the widespread belief that killing is always a punishment for its recipient. Or, to cast down a more formidable gauntlet, the opponent of euthanasia has to be able to show why beneficent euthanasia is not a legitimate exception to his law-like injunction.

As regards a more positive argument, the most decisive is based upon a need-reduction theory of value. It recognizes that justice requires that we treat every case which is essentially similar to X in manner Y. Or, negatively stated, "An act of distributing is at least *prima*

facie unjust if it involves treating differently, or discriminating between, individuals whose cases are similar in all important respects." [9] Thus if we have the right to a "good" death, then we have as much right to such treatment as anyone else in essentially similar circumstances. This formal principle, however, does not take us very far, since it fails to specify what basic things are to be distributed. Probably no substantive principle can solve all such problems. Nonetheless, it is important to have one which both represents the "right to die with dignity" wing of the euthanasia movement, and best approximates the egalitarian idea. The principle reads: "To each according to basic human needs." [10] This means that the just society makes the same proportionate contribution to the welfare of each, in an effort to make all as nearly equally well off as possible. [11]

Applying these general considerations to the case at hand, we find that it is necessary, or at any rate more consonant with general intent, to add certain factual claims. One is that all human beings have the basic need for dignity or self-respect. The other is that where killing is restricted to cases of noninvoluntary beneficent euthanasia, it is not a punishment, but a matter of meeting a basic need. Let us consider the two paradigm cases. In spite of all that has been said, one could say that these killings are punishments. But this is like observing two black swans, and then insisting that they must be white because one has been taught to believe that this must be true. This is not to suggest that one cannot have punishment with dignity. It is, however, to maintain that in situations like the paradigm cases, there is evidence neither of intent to punish nor actual punishment, and considerable evidence of treatment with kindness and dignity.

It is time to draw together the various aspects of the case for beneficent euthanasia. An act is an act of beneficent euthanasia if, and perhaps only if, it (1) results in the painless inducement of a quick death; (2) results (i.e. the act as a whole) in beneficial treatment for the intended recipient; (3) was intended to be helpful; and (4) was done so that, if there was any expectation of receiving remuneration (or the like), the individual would have still acted in that manner, even if it had become apparent that there was little or no chance of his expectation being realized.

This characterization and the principle of beneficence provide the conceptual and moral foundations for the major argument. The argument is that beneficent euthanasia is kind treatment, and since society has a *prima facie* obligation to treat its members kindly, it follows that beneficent euthanasia is a *prima facie* obligation. Of the two other important considerations, the first is that proponents of this theory are not advocating, and are strongly opposed to, any theory that solely or ultimately rests upon a principle of economic utility; the second, that if there be any danger of a slide, it is the "danger" of encouraging men to act kindly.

In addition to the argument from kindness, there is an argument from justice. It has two prongs. The first is that, where an individual is not constrained but physically and mentally is free to choose, his consent is necessary. This is an essential safeguard, for we know that one of the best defenses against injustice is that of informed consent. The second is that justice further requires that where possible we are to give to each according to basic needs, and since human beings have a basic need to live and die with dignity, it is just that we treat them accordingly.

IV

I come now to the most exciting, and if valid, most telling objection. Here we are told that the argument from kindness is fallacious. According to this view, euthanasia is not

merely kind treatment but the kindest, and therefore there is no moral obligation to extend the kindest possible treatment. While we may be obligated to help a patient—to provide adequate medical care, to make him physically and psychologically comfortable, and so forth—we are in no way obligated to kill.

I do not think it can be questioned that this sentiment is widely held. Many who are made uncomfortable by the plight or suffering of others would, nonetheless, deny that there is any obligation to do all that can be done to help, especially if the help entails killing. It is not altogether easy to decide what is the root cause of this sentiment. But I suspect that interwoven with a general aversion to killing are two closely related but independent claims. The first is that we are simply mistaken as to what is the proper moral injunction. The correct statement is not that society ought to act kindly, but that it ought not act cruelly. The second is that the principle of beneficence is unrealistic, since it blithely ignores the problem of the scarcity of goods and services, thereby expecting too much from both the individual and society. Let us consider first the question of cruelty.

Both sides to the dispute agree that cruelty ought to be avoided. But they disagree over (i) what constitutes cruelty and (ii) whether or not avoidance of cruelty is morally sufficient. As to (i): In a narrow sense of the term, an act is cruel if it deliberately causes unnecessary pain or harm. In its broadest sense, an act or event is cruel if it deliberately causes or allows needless pain or harm. For reasons too complex to enter into here, opponents of euthanasia tend to employ the narrow sense. They recognize the misery of patients such as those represented by our paradigm cases, but would view neither the inflictions nor the reluctance to permanently relieve the sufferers of their plight as acts of cruelty. As a consequence of this position, they are more prone to tolerate and excuse human misery. As to (ii): The trouble with the injunction is that it expresses a taboo morality. It tells us what not to do, but not what to do. Admittedly, a society that avoids cruelty is better than one that does not. But men who accept and so limit their benevolent actions must essentially close their eyes to natural disaster, disease, and accident. Unlike the Good Samaritan, they walk past the injured or the sick with a clear conscience. While they do not deliberately harm, they do not necessarily help. I do not doubt that such a society is possible, but what is difficult to understand is why one would associate it with the good life.

Let us take an illustration somewhat removed from the problem of euthanasia: the question of child abuse. The rate of reported incidents of physical abuse for the United States was 8.4 per 100,000 children for 1967 and 9.3 for 1968.[12] These figures say nothing about psychological damage, or of how neglect affects the mortality and morbidity rate of children. Now the man who opposes cruelty condemns the ill-treatment and victimization of children, but he does not favor long-range preventative help. For example, he is not disposed towards reducing poverty, even though its elimination is likely to reduce this sort of phenomena. Nor is he disposed towards programs like Head Start, even though the nonviolent manner of socialization which is an essential feature of such programs has a positive and strong effect upon child-rearing attitudes and practices. In short, he is not inclined to do what needs to be done in order to *prevent* such abuse. Yet, I do not wish to give the impression that a principle of beneficence would be sufficient. What I am advocating is that it is a necessary condition, that there must be the desire or felt obligation to extend both short and long-range help.

We now turn to the claim that the principle of beneficence is unrealistic. Here we are told that, although there is a principle of kindness at work, the goods and services available for distribution are of a limited nature, and therefore that a normal society or individual

cannot be kind without limit. Moreover, since there is a scarcity, and since society expects its members to have a primary obligation to care for the things they procreate or own, the primary obligation is to take care of one's own children and property.

This argument certainly has a good deal of plausibility. It is true to say that, given what most human beings *want*, the supply is both limited and insufficient. But it is not true, given an affluent society like our own, that the supply of what human beings *need* is insufficient, though it is limited, as undoubtedly most things are. Moreover, when we turn to the problem of dying well, the scarcity argument breaks down. For kind killing neither exhausts nor threatens to exhaust our resources. Indeed, if a society is too niggardly to allow its members to live with dignity, then allowing or helping them to die with dignity should strike even the most economic-minded of individuals as being a great bargain.

The question as to the degree of kindness morality in general required is so much more difficult that I shall be content to offer a few more clues.

One may lay it down broadly that no man is morally required *always* to act in the kindest possible manner. Only saints can maintain themselves in this exceptional position, and I do not think we wish a moral theory suitable only for saints. Yet it does not seem right to say that one ought *never* act in the kindest manner, for there are times when we ought to do so even though it is at great sacrifice or effort. Insofar as we are convinced of the rightness of this, we are loath to settle for mere benevolence.

The principle of beneficence states that in each problematic situation, society owes to each man the maximum of help that is consistent with the principles of justice and the realities of human existence. This formulation leaves much to be desired. Yet it has the merit of shifting from the notion of individual to that of collective responsibility. It recognizes that moral problems arise in situations out of an awareness that something is the matter. It admits that moral solutions are limited by powerful empirical constraints. It enjoins us to consider the kindly treatment of one individual as equally important with the equal kindness of any other, and that our kindness ought to be distributed so as to make the same proportionate contribution to the welfare of each, in an effort to make all as nearly equally well off as possible. Most important, it reminds us that all human beings at one time or another need—and are entitled to—the assistance of others, and where it is both necessary and reasonable to help, it is our obligation to do so.

REFERENCES

1. Albert Camus, *The Rebel*, p. 12. Alfred A. Knopf, New York, 1954.
2. For supporting arguments, see: A. J. Ayer, in *Religion and the Intellectuals: A Symposium*, pp. 31–32. Partisan Review, New York: 1950; Kai Nielsen, Some remarks on the independence of morality from religion. *Mind* 70, 175, 1961; and God and the good: does morality need religion? *Theology Today*, 21, 47, 1964.
3. It would hardly be of value to suggest that we return to the "tighter" meaning of the original term. Reductionism may have its logical merits, but it is not linguistically feasible. For it is almost impossible to erase, or completely substitute for, conventions currently in wide use. Therefore, what I propose to do is to retain the broader meaning, and add qualifiers when necessary.
4. For discussion of alternative views and the difficulties of an earlier formulation, see: Marvin Kohl, *The Morality of Killing: Euthanasia, Abortion and Transplants* pp. 86–93, 101–103. Peter Owen, London, (to be published).
5. Jonathan Gould *et al.* The ethics of euthanasia, in *Your Death Warrant? The Implications of Euthanasia*, p. 88 (Edited by Jonathan Gould and Lord Craginyle) Chapman, London, 1971.
6. Yale Kamisar, Euthanasia legislation: some non-religious objections, in *Euthanasia and the Right to Death*, pp. 115–116. (Edited by A. B. Downing) Humanities Press, New York, 1970.
7. Suffice it here to say that, unless all members of a community have equal chance and opportunity to acquire property, the proposal comes down to nothing more than a clandestine form of inequality.

8. The most thorough and convincing presentation of the Catholic case against euthanasia is that by Joseph V. Sullivan, *The Morality of Mercy Killing*, esp., pp. 26-62. The Newman Press, Maryland, 1950. For a listing of additional objections as well as some excellent rebuttals, see: Joseph Fletcher, *Morals and Medicine*, pp. 190-207. Beacon Press, Boston, 1954.
9. William K. Frankena, *Some Beliefs About Justice*, p. 4. The Lindley Lecture, University of Kansas, 1966.
10. The question of what the just society requires of its members is much more difficult. Suffice it here to say that the beliefs of advocates of beneficent euthanasia range from that of the Libertarian (From each according to choice to each according to his wants) to that of the traditional Socialist (From each according to his ability to each according to his need).
11. I am indebted to Frankena (*op. cit.*, p. 14) for this formulation.
12. David G. Gil, *Violence Against Children*, pp. 98-99. Harvard University Press, Cambridge, Massachusetts, 1970.