

## 12. Moral Responsibilities toward Human Life

### A. The Distinction between Acts and Results

If the ethical theory which we outlined in chapter eleven is to be of help in resolving the moral perplexities which people feel with respect to the questions treated in this book, we first must clarify how the basic principle of morality and the various modes of responsibility can be brought to bear upon human action. Questions such as the following must be answered.

Are particular human acts the principal entities which are to be shaped by moral norms? Or should morality focus rather upon intentions and motives, or perhaps upon states of character? Whether or not the focus ought to be on particular acts, how are intentions and motives related to what one does?

It might be supposed that everyone knows exactly what is meant by the phrase "what one does." But further questions make clear that the exact reference of "what one does" is far from clear. Does "what one does" include all the effects of one's behavior? Does it include only those effects which one foresees? Or does it include only part of the effects which one foresees?

No matter how these questions are answered, there are still further questions about omissions. Are one's omissions part of what one does, even though one who omits seems rather not to be doing something than to be doing anything? If omissions are not part of what one does, why is one morally responsible for omissions as well as for actions?

Questions like these could be multiplied indefinitely. But we have listed enough of them to make our point: An account of human action is needed as a basis for any discussion of moral responsibilities toward human life.

For several reasons we begin our account with a consideration of choice.

First, it is plain from common experience that people seek moral guidance when they are faced with two or more alternatives, each appealing or interest-

ing in its own way, and a choice among possibilities seems to be necessary. The conscientious person wonders, "What is the right thing to do?" Such wonder does not arise if there are no practical alternatives, if no choice seems to be called for.

Second, what one does by choice is in the clearest and fullest sense done voluntarily. What is done by choice is voluntary not only in the sense that it is willingly done but also in the sense that it is willingly undertaken, although it might not have been done. This is so because when a person chooses to do a certain act, he or she can choose either to do it or not to do it. Only what is voluntary—what is done voluntarily and its consequences—can fall within one's moral responsibility; no one is morally responsible for what really cannot be helped. Moral norms shape one's moral responsibilities. Hence, moral norms certainly must bear upon choices, although they also will shape in various ways whatever else falls within one's responsibility to the extent that it is voluntarily accepted or omitted.

Third, one's choices are the vital link between actions, intentions, and states of character. This point requires explanation in a little detail.

Choices clearly are principles of one's actions, since one chooses precisely to do one thing or another or perhaps not to act or to delay acting. If there is nothing one can do at all about a certain situation, one has no choice in the matter. Actions considered possible and interesting by individuals are deliberated about very much as motions which members put forward are debated by a deliberative body. The adoption of a proposal for action is a choice. The action executes the choice, very much as an executive carries out what a legislative body has decided to do.

Choices depend upon motives or intentions. Motives are the goods embodied in alternatives which make them seem interesting, which make them living options with practical appeal. If there were no motive for doing something, even if it were possible, one would never consider it. Once one adopts a certain proposal by choice, the motive which made it interesting has the status of the good one intends.

Choices also are closely related to states of character. Clearly, if a person has an established character of a certain sort, further choices will likely be in line with this character. Character itself is of the order of potentiality; it does not present itself for direct observation but appears only in one's choices and actions. But by these fruits character shows itself and is known.

Even more important, one's choices form one's character. The moral significance of human acts, as we explained in chapter eleven, is not simply in their measurable consequences. A person who sincerely tries to do what is right is a good person, although such a person might be mistaken or might fail to accomplish a good purpose through accident, the interference of another, or simple incapacity to bring about the good which was intended. In morality

good will—if it is genuine and persistent—is infinitely more important than good results. The reason is that choice is self-determination. In choosing to adopt one or another course of action one not only sets oneself into motion for the measurable time the action takes and one not only commits oneself to the use of a certain amount of energy and possessions. One also, and first of all, makes oneself be a certain sort of person, a person who would do that kind of thing.

If one chooses to allow a defective infant to die of hunger and thirst rather than to carry out a simple operation which would save its life, one does something much more significant and permanent to oneself than appears as one signs the order to withhold fluids and nourishment or pushes the crib over to a far corner of the nursery. One makes oneself a certain sort of person. One takes a certain stance toward human life and other goods. One establishes an important facet of character which might appear in numerous later choices and actions, when one's choice in this first instance will cause one to see human life as a limited, instrumental good which must give way to other goods now regarded as significantly personal in a way that mere life is not regarded as personal.

The importance of choices in determining oneself can be hidden for two different reasons.

On the one hand, those who already have determined themselves by choice and who act in mere consistency with character formed in this way are said to be "choosing" on later occasions, even when the determination of which alternative will be adopted is a foregone conclusion. On this basis character might appear to be the pivotal factor. But those aspects of character which arise apart from one's own choice, from nature and nurture, heredity and environment, are not considered by anyone to make a person morally responsible for what follows from them, unless at least one could have chosen to reform oneself and failed to do so.

On the other hand, people often choose to do certain acts and even carry out certain choices without being altogether clearheaded and wholehearted about what they are doing. In cases of this sort people sometimes change their minds and regret—perhaps repent of—their choice and do not confirm themselves in being the person their choice implies they are. Such confirmation requires the integration of every facet of the personality with the choice.

Nevertheless, choices are pivotal in the formation of character. Any choice, if it really involves some free self-determination which settles one's stance toward human goods, is a fundamental option provided that one persists in the choice and integrates one's whole self with it. The great saints and heroes of every culture have recognized this fact very clearly when they refused firmly to compromise on matters which seemed to others of very little practical—consequentialist—importance. A Socrates or a Thomas More

knows that when he chooses, he holds his soul, his very self, in his own hands, and that if he does not choose rightly, his self will be lost like water trickling between fingers not held tightly enough together.

After our lengthy discussion of ethical theory in chapter eleven, it might appear a simple enough matter to determine the moral quality of choices. Those choices by which one promotes a human good (or some such goods) and in which one respects all the human goods will be morally right. Other choices will be morally wrong. But it is more difficult than at first appears to determine the moral quality of a choice. The difficulty begins to come to light when one asks precisely what a choice is.

For the most part choices are not mere mental acts, mere volitional allegiances to human goods. To make a choice is something more than to be a person of good will—or of bad will. By one's choices one determines oneself by committing one's potentialities for doing things, for carrying out individual instances of certain possible patterns of human behavior. In other words, one chooses to act or to refrain from acting in certain definite ways. Also, one chooses a concrete act, an individual doing at a certain place and time. Thus one's chosen act must be distinguished from other events and processes which occur or go on at approximately the same place and time. Hence, we must ask: Precisely what is it that one chooses to do when one chooses to act?

As we have explained in chapter eleven, section C, one makes a choice only when there are two or more incompatible possible courses of action between which one is hesitating. These alternatives come under consideration only because each of them is interesting or appealing, and none of them is irresistible. If there were no appealing or interesting alternatives, one would not hesitate and deliberate; one would do nothing (if there were no motive for acting) or would spontaneously act without hesitation (if there were a motive for doing only one thing). If any possibility were irresistibly attractive, one would not hesitate; when it came to mind one would respond to the cogency of the irresistible appeal. Thus there would be no occasion for choice were it not for the multiplicity of interesting possibilities, their incompatibility, and their common resistibility. One who deliberates is sensitive to multiple, non-compelling appeals.

What is it which appeals? It is something promised by the possible course of action—something embodied in it which makes it seem worthwhile or valuable. In other words, one who is deliberating sees—or, at least, seems to see—something in each course of action under consideration. What is seen is either an aspect in which the action will be suited to the agent and fulfilling in itself or some way in which it will lead to an ulterior goal.

In other words, one finds possible courses of action interesting when they either offer the possibility of participating in basic human goods (which are ends) or hold out promise of leading to such a participation and thus appear

as means to ends. In either case reflection promotes a possibility for choice, proposes it for the good it promises directly or indirectly. As we explained in chapter eleven, section C, choice is possible and necessary because the promised goods are diverse in kind and incommensurable. Whichever choice one makes, one makes it for the sake of the good one hopes to realize by the execution of the choice.

This clarification of what is involved in choosing enables us to state more clearly precisely what people are committing themselves to when they choose to do something. If one always chooses for the sake of the good one hopes to realize, it follows that one chooses to carry out a certain performance insofar as the performance is a way of realizing the hoped-for good. This good might be in the state of affairs which is the performance itself, or it might be in some ulterior act. Thus one in choosing is committing oneself to bringing about the state of affairs only insofar as it either embodies or is a necessary condition for ulteriorly realizing the good in which one is interested.

The good in which one is interested is much more limited than the entire state of affairs which one actually causes. For example, if two boys play a game of catch, the good in which they are interested is the playing of the game itself. Their play might unexpectedly call their parents' attention to the fact that they have leisure and thus lead to their being given some chores to do. Not thought of, this possible consequence is no part of that to which they are committed. Perhaps they have been told not to play catch, and they foresee that they will be caught and punished for having been disobedient. This consequence of playing catch, although understood to be part of the state of affairs their behavior will bring about, is not precisely what they are committed to.

It might be thought that the foreseen consequence lies outside the precise boundaries of their choice only because it is something which follows by parental fiat rather than by natural consequence from what they are doing. But this would be a mistake. If the boys are thoughtful, they also realize that in playing they are wearing out their ball and their gloves. Sometime in the future new equipment will have to be purchased. Even if they consider this natural consequence of using their equipment, it is no part of that to which they commit themselves when they decide to play. They are interested in the good of play, not in the wear and tear on equipment which is inseparable from this good.

Similarly, if a girl accepts jobs baby-sitting in order to earn money, not because she particularly likes to take care of children, she commits herself to the work just to the extent that she must in order to obtain the money she wants. Her commitment does not extend to the unforeseen effect that she will be away from home while the rest of her family enjoys a midnight snack. Her missing out on the treat is a consequence of her choice but no part of her

action. But even if she knows that her family will enjoy a midnight snack and that she will miss out on it if she is busy elsewhere, she commits herself by choice to what is required to earn money, not to forgoing other satisfactions she might enjoy if she did not accept the work.

In general, if a person chooses to do something because the very action is a way of participating in a human good, this person brings about a very extensive state of affairs but only does that by which the good is participated in. And if a person chooses to do something as a means to an ulterior end, this person also brings about many consequences but only does that which is instrumental to the desired end. Deliberation concerns proposals for action. The proposals are shaped by hoped for goods. Action is expected to realize potential goods directly or indirectly. Thus, to choose to do something is to adopt a proposal by which one commits oneself to trying to realize a state of affairs just insofar as this state of affairs will embody a hoped for good.

If "what one does" is defined narrowly by what one chooses, what one in fact brings about is always much wider than what one does. One brings about an indeterminate and indeterminable sequence of processes and events, many of them unforeseeable, some which only could be guessed at, and comparatively few which could be predicted with any degree of confidence. Not even everything which can be predicted with confidence is included in the proposal one adopts, since much of what one foresees is incidental and perhaps unwanted in relation to what one does. One is only committed to a small part of what one brings about in acting—namely, to the carrying out of the proposal one has adopted and to what is necessarily included in this. The entirety of what one brings about cannot define what one is doing, since the whole sequence of processes and events considered together lacks the character of something worthwhile or useful, and without this character one cannot wish to bring into reality the possibility one envisions in deliberation.

If human acts are defined by what one does in the sense we have explained, then it is possible to distinguish a person's acts from the consequences of these acts. A person's acts, what he or she does, consist precisely in the execution of proposals the person has adopted. The consequences of a person's acts include all the processes and events which the person in any way causes in acting, apart from the acts themselves.

Thus the boy's act is playing catch; the consequences include being punished for disobedience, wearing out their equipment, making thumping noises, frightening birds from the path of the ball, displacing a certain amount of air, and so on and on. The girl's act is taking care of the children in the manner necessary to earn her fee; the consequences include missing out on treats at home, having to change the baby's diaper, wearing the carpet slightly when she walks the infant, learning by practical experience how to care for babies, and so on and on.

Someone is likely to object that in making the distinction between human acts and their consequences as we do, we are drawing a morally irrelevant line and perhaps distracting attention from a morally more relevant line. Precisely what one wishes to accomplish can be distinguished from all that one in fact causes, but—the objector will insist—one voluntarily brings about more than what one wishes to accomplish. If they realize that they may be punished, the boys not only voluntarily play catch but also voluntarily disobey and run the risk of punishment; if she realizes she may miss out on a treat at home, the girl not only voluntarily baby sits and earns income but also voluntarily forgoes the treat she might enjoy at home. Since at least the foreseen consequences of one's acts—at a very minimum those foreseen with high probability or practical certainty—are voluntarily brought about, one cannot consider oneself wholly without responsibility for them.

This objection is based upon an undeniable truth. One does voluntarily bring about the foreseen consequences of one's acts. Although they are not part of one's proposal, such consequences are within one's awareness as one deliberates and chooses. One might not want them, but one does accept them. Thus in executing one's proposal one also causes consequences which have been willingly accepted. To this extent the objection makes a sound point. But the objection also depends for its force upon a false assumption—namely, that what is included in the proposal one has adopted and what is outside the proposal and merely accepted are both voluntary in the same way. Thus the objection concludes that responsibility for acts and for their consequences arises in the very same way.

We grant that persons are not wholly without responsibility for the consequences of their acts, even if these consequences are unwanted. But we hold that certain basic truths about human choice and about morality in making choices require that differences in the voluntariness of acts and their consequences be recognized and borne in mind, and that these differences will mark out different grounds of responsibility for what one does and for the rest of what one brings about. As it will become clear, we are not saying that one's responsibility for what one merely accepts is necessarily any less grave than is one's responsibility for what one really wishes to accomplish. But there is an important distinction between the two, which we shall now try to clarify.

As we have explained, the practical reasoning and existential attitude of a person involved in deliberation and choice relate in different ways to a proposal and to other aspects of what one might cause. What is involved in a proposal is considered good; one identifies with it. Other aspects of what one causes might be matters of complete indifference or even factors in spite of which one acts. In any case, one does not identify oneself with all that one causes but only with what one considers good, either as intrinsically worthwhile or as useful for attaining what is worthwhile in itself.

This difference in practical reasoning and in attitude does have some moral significance. As we explained in chapter eleven, section F, morality is primarily in the relationship between a person's choices and basic human goods. A choice is upright if it is in harmony with the entire set of basic human goods; it is immoral if it responds to some of these goods at the expense of another or others. Moreover, one in choosing does constitute oneself, maintaining openness to more abundant flourishing or stunting oneself.

Thus the proposals which moral agents adopt and undertake to carry out do determine in a primary and very special way the moral quality of their activity. The agent is committed to the proposal and must accept its content not only as somehow good but as self-defining and—if the proposal is an immoral one—as self-limiting in an unnecessary way.

As we argued in chapter eleven, section C, the consequentialist is mistaken in thinking that the morality of acts can be determined by weighing off the benefits and harms they will bring about. For the consequentialist the distinction we are making between acts and consequences would be irrelevant. But since consequentialism is unworkable, we also saw that a sound teleological ethical theory gives sense to the dictum that evil may not be done that good might follow from it—the end does not justify the means. We are now supplying a clarification of action which allows the necessary distinction between the end and the means.

One who lives hygienically (means) for the sake of health (end) might avoid contact with a patient under his or her care (bad means) for the same end. One who gives opiates (means) to relieve pain (end) might instead kill the patient (which we will argue shortly to be a bad means) to relieve pain. One who takes good care of patients (means) to earn a living (end) might perform unnecessary surgery (bad means) for the same end. In cases in which a bad means is chosen, one who chooses it is committed to it and identified with it, not insofar as it is bad, but insofar as it is a useful good. To make such a commitment the violation of a human good must be rationalized and the person who is willing to violate it stunted in responsiveness to what in itself is humanly appealing.

States of affairs which are not included in one's proposal but are merely foreseen to follow from one's causality are not willed in the same way that means are willed. One does not directly define one's moral character by reference to those effects which one causes apart from one's proposals. One's will is not set upon the realization of such effects. Since one accepts such states of affairs, one does have a moral responsibility in respect to them, but this responsibility is quite different from that which one has for what one wishes to accomplish.

This difference in the origin of moral responsibility makes possible some differences in moral evaluation. When one undertakes to execute one's

adopted proposal, precisely what one is doing is an act which either respects all the basic human goods or does not respect them. If it does not, then nothing can make the act good, although many things can make it more or less evil. When one merely foresees certain effects of one's effort to execute one's adopted proposal—effects which themselves are no part of this proposal—one does not in the same way determine oneself in relation to all the basic human goods.

One accepts the effects which one foresees, and so one must consider how these effects might bear upon various basic human goods. In some cases one might have a most grave moral responsibility not to accept certain effects, and a person who truly loves all the basic human goods would not accept them. But in no case can one who is accepting effects do evil that good might follow from it. Accepting effects of one's action simply is not the same thing as trying to reach an end by executing a proposed course of action as a means to that end.

Thus, for example, if Jane Doe is a surgeon who does unnecessary surgery to earn large fees, she adopts a proposal which involves mutilating another person. This appears to her to be a useful good; she rationalizes what she is doing by the good purpose to which she will put her earnings. By contrast, if John Roe is an experimenter who foresees that his experiment might have side effects which would seriously harm persons subjected to it, he need not adopt a proposal involving this harm. No matter what additional considerations are introduced, Doe's acts cannot be justified; precisely what she does is incompatible with the basic human good of life and health. Roe's act cannot be so directly appraised; its moral quality depends upon what the basic human goods require by way of other modes of responsibility.

On the one hand, if there is no compelling need for the risk, if the subjects do not give informed consent, or if other conditions are not met, then perhaps Roe's accepting of the risk of harm expresses an attitude just as careless about human goods as do Doe's activities. Here Roe's action might be seen wrong by the fact that it violates the golden rule; he would not want others to treat him as he treats his experimental subjects. Or the experiment might violate reasonable regulations of experimental procedures and thus contravene the experimenter's communally defined duties.

On the other hand, if there is an urgent need to carry out the experiments, if the subjects give their informed consent, if Roe proceeds as he would if the subjects were persons for whom he cared very deeply, if he is careful to abide by all reasonable regulations which define an experimenter's duties, then perhaps his accepting of the risk of harm to the experimental subjects is morally blameless and even commendable. Harm to the subjects is no part of Roe's proposal, only an accepted effect which he causes. Hence, in the strict sense the harm, even if foreseen, is not included in his action, in what he

does. The morality of accepting this harm, therefore, depends upon the conformity of this accepting with other modes of responsibility which mediate Roe's stance toward basic human goods and this accepting. It simply is not possible that his proposal to learn by experiment can be directly against the good of life and health, for possible harm to these goods is no part of this proposal.

In sum, one is primarily responsible for one's choices. What one does, most properly, is what precisely executes the proposals one adopts in choosing. What one does constitutes oneself and shapes one's character directly. One is secondarily responsible for the effects one causes in carrying out one's actions. These effects are consequences of one's acts, not part of them. If these effects are foreseen, they are voluntary in the sense that they are accepted. But voluntarily accepted effects of one's behavior must be distinguished from chosen means to one's ends. Means are considered useful goods; they are included in one's proposals; one identifies with them. A means which is incompatible with any of the basic human goods cannot be adopted clearheadedly without immorality. Effects which are only accepted are in themselves neither compatible nor incompatible with the basic goods.

Yet in many cases effects have a bearing of great importance upon these goods. Although in some cases one might without immorality accept effects which significantly inhibit or damage some human good, this possibility is limited by various forms of responsibility. If one really is as concerned with all of these goods as one ought to be, one will not be partial to some people in accepting harmful effects. Nor will one permit effects it is one's duty to prevent. Hence, although one is not responsible for the effects one accepts in exactly the same way one is responsible for one's actions, responsibility for the former can be just as grave as responsibility for the latter.

### **B. Actions and Performances Distinguished**

We have clearly distinguished what one does in a strict sense—one's action as an execution of a proposal adopted by choice—from the effects one causes other than one's action. Without disturbing this distinction, we now wish to distinguish in people's behavior certain patterns which usually would be considered actions of a particular kind, but which are not so on our account.

What we have in mind are performances which are shaped consciously and purposefully, so that they outwardly appear to be executions of proposals directed toward some obviously relevant goods. But in fact these performances do not execute adopted proposals directed toward these goods. In some cases they execute no proposal at all but follow spontaneously without deliberation and choice from an irresistible impulse which arises and draws a

person into behavior or performance which in one sense is an action or a deed but is not an action (what one does) in the strict sense we have defined. In other cases these performances do execute a proposal, but not the one which appears to be executed; the actor adopted some antecedent proposal which now seems to require the performance, and no alternative to following through comes to mind.

Examples will help to clarify these points. Imagine a wife arriving home to find her husband in bed with another woman. Deeply enraged, the wife conceives the idea of killing this rival. Normally alternatives would come to mind. But let us assume that the wife has had a few drinks and is not thinking very quickly. Let us also assume that she has a gun handy. Perhaps no alternatives come to mind; the desire to kill this interloper is compelling, the motive of venting rage irresistible. The wife gets her gun and does the deadly deed.

By our strict definition the wife in this instance does no act of killing; what one does is limited by what one brings about *in executing proposals adopted by choice*. But there is no proposal to kill, no choice to kill, and so no act of killing. The proposal might have been to have drinks, to keep a gun in the house. The pattern of behavior which seems an act of killing is only an effect which the wife brings about. The morality of her deed depends on the extent to which it was voluntarily involved in what was done or accepted or in some other way within the wife's responsibility.

Next let us imagine a young man who is a normally patriotic and responsible citizen of a country not worse than most. The young man has been brought up with the belief that killing the innocent is wrong, but killing in warfare can be right. The nation is brutally attacked by a thoroughly malicious enemy—or so the young man is told and sincerely believes. All of those he considers upright encourage the young man to answer the call of duty and to fight for his country. The young man does not think of refusing to serve. In training he is taught to do a soldier's job, which is explained to him in terms of killing enemy soldiers as efficiently as possible. Again the young man does not think of alternatives to doing the job. And so he goes forth to do deadly deeds.

But he has not adopted a proposal to kill. He did not choose to kill for the simple reason that although he is executing some proposal and the execution involves causing death, the young man never considered any alternative to this pattern of behavior. What proposal is he executing? It is hard to say: perhaps the commitment to be a good citizen; perhaps even the commitment to be a good person, an obedient son of his church, or something of the sort. In making these commitments he implicitly accepted the duty of a citizen to fight for his country and to kill the enemy. But he did not think of this implication when he made his commitments, and he did not think of any alternative to doing what seemed his duty when it came to killing. The pattern of behavior of the young man in battle involves deadly deeds but no acts of

killing. But he is doing something—for example, his duty as a citizen. The morality of the deadly deeds is affected by the fact that the young man has not voluntarily taken or accepted a stance incompatible with a sincere and unrestricted love of all of the basic human goods including life.

Performances of the kinds we are exemplifying do not break down the distinction between acts in the strict sense and effects one causes other than acts.

Some of these performances which look like acts are merely effects, but they are effects of a motivating conscious purpose, and in this respect they not only outwardly look like acts but also are partly similar in psychological genesis to the acts they resemble. This is the case with the deadly deed of the enraged wife.

Other of these performances do execute a proposal; they are acts. But they do not execute the proposal they might seem to execute, for that proposal was never an explicit object of choice, considered in comparison with live alternative possibilities and adopted by self-determining commitment. This is the case with the deadly deeds of the upright young man doing his duty. Whatever he is, the young man is not a killer, although he voluntarily does deadly deeds, and the deaths he causes are within his intention—for example, to do his duty as a citizen, to be an obedient son of his church, or whatever.

Nevertheless, instances of the sort exemplified by the enraged wife and the dutiful youth do demand that when conventional categories of actions are subjected to close moral scrutiny, instances usually grouped together be segregated into three types, not two. First, there will be instances which are actions in the strict sense; what is done executes a proposal adopted by choice deliberately shaped in view of the end assumed. Second, there will be instances which are not actions in the strict sense, but which are deeds analogous to actions of that kind in the way in which either the enraged wife's or the dutiful youth's deadly deeds are analogous to acts of killing. Third, there will be instances which are neither acts in the strict sense nor deeds analogous to such acts, but effects of other acts. In this third case the actor brings about a result in terms of which his or her performance is described, even though this result is not an execution of a proposal adopted by choice or even the carrying out of a consciously projected design which never was chosen by the actor.

### **C. The Morality of Killing: General Considerations**

Having clarified these points, we are now in a position to begin to apply the normative theory articulated in chapter eleven to the kinds of killing with which we have been concerned in this book.

In chapters three through ten our concerns with killing were jurisprudential. Now our concern is ethical. The two accounts do not jibe in all respects. This lack of complete agreement between law and morality will be discussed in chapter thirteen.

In considering the morality of killing we deal first with cases in which something is done to bring about death. Omissions will be considered after some further clarifications concerning them. Also, we save for later consideration the question of cooperation by one person in the deadly deeds of another.

From the normative theory articulated in chapter eleven it follows that many performances which would ordinarily be described as "killing a human individual" ("homicide") are immoral.

In the strict sense one kills a person when, having considered bringing about a person's death as something one could do, one commits oneself to doing it by adopting this proposal instead of some alternative and by undertaking to execute it. By definition killing in the strict sense is an action contrary to the good of life. The adoption of a proposal to bring about someone's death is incompatible with respect for this good. Thus every act which is an act of killing in the strict sense is immoral. No additional circumstance or condition can remove this immorality.

This definition and moral characterization of killing in the strict sense make no distinction between intent to kill, attempt to kill, and the consummation of the undertaking by successful execution. These distinctions, which are legally significant, are morally irrelevant. If one commits oneself to realizing a certain state of affairs, by the commitment one constitutes oneself as a certain type of person. If one commits oneself to killing a person; one constitutes oneself a murderer. This remains true even if one is prevented from attempting to execute one's purpose—for example, if someone else kills the intended victim first. Even more obviously it remains true if one attempts to execute one's purpose but fails—for example, if one shoots to kill but misses the intended victim.

Although everything which is an act of killing in the strict sense is immoral, not every deadly deed is an act of killing in this sense. As we have explained, some deadly deeds carry out a consciously projected design, but the performance is not the execution of a proposal adopted by the actor's choice to bring about the death of a human individual. The examples of the enraged wife and the dutiful soldier belong here. In what follows we call this type of performance a "deadly deed" to distinguish it from a killing in the strict sense.

Finally, there are other cases of causing death, such as some killing in self-defense, which are neither killing in the strict sense nor deadly deeds as here defined. The proposal adopted or the consciously projected design car-

ried out by persons defending themselves might not extend beyond incapacitating the attacker, but this can result in the attacker's death if the only available and adequate means to incapacitate the attacker also will result in mortal wounds.

Deadly deeds and death-causing behavior which are not killing in the strict sense might or might not be immoral. The fact that killing in the strict sense always is immoral does not mean that other acts which result in someone's death are morally acceptable or less immoral than killing in the strict sense. What is distinctive about deadly deeds and death-causing behavior is that their morality is not settled by the kinds of acts they are, whereas the morality of killing in the strict sense is settled by the kind of act it is.

Of course, ordinary language, which heavily relies upon observable behavior in classifying acts, does not embody the distinctions we have made. Thus, to evaluate the morality of various classes of acts which result in death, we begin from the ordinary conceptions of these acts which are described by ordinary language and then apply our analysis to the morally significant distinctions in the subject matter.

It is worth noticing that our approach here would be quite impossible in the law, where actions must be determined by factors about which evidence is possible. But morality is not primarily a matter of making judgments about actions, still less a matter of one person judging the actions of another. Rather, morality is a matter of shaping one's own life toward its fullness. Hence, distinctions which individuals can respect or ignore in the hidden depths of their own consciences can be extremely important to morality, although totally unrealistic as instruments of social control, and so wholly irrelevant to the law.

In chapter seven we considered cases of killing in self-defense, in war, as capital punishment, and in cases of necessity to maximize the likelihood of survival by some persons when two or more are in common peril. Under the latter we considered the possibility of a nondiscriminatory statute permitting abortion when the life of the mother is imperiled by continuing pregnancy. We shall first take up the other cases, and then abortion.

#### **D. Killing in Self-Defense**

A self-defensive act which causes death can be killing in the strict sense. A merchant, for example, might decide to discourage robberies by arming himself with a shotgun and planning to blast at point-blank range the next person or group who attempt to rob his business. His idea is that the word will go around among potential robbers who will be deterred by his readiness to kill. Here the proposal clearly is to kill as a means to preventing future robberies.

Such self-defensive killing is immoral, since the proposal includes as an integral part the bringing about of the death of the next persons who attempt robbery.

A self-defensive performance which causes death can be a deadly deed which is not a morally significant act in itself at all. A mother, for example, might be driven to distraction by her husband's abuse of herself and her children, conceive and carry out the project of poisoning him, yet proceed in such a state of mind that she thinks of no alternative (perhaps having tried many alternatives unsuccessfully in the past), and is moved to act by an irresistible impulse to put an end to her own misery and anguish for her children.

Closely related to self-defense is killing by police officers and prison guards in the line of duty. Like the dutiful young soldier, a police officer or guard might accept this employment without considering that it might imply a demand to cause death. Once in the job the officer or guard might be told that under certain circumstances it is proper to shoot to kill. Without considering alternatives—the contingencies which will require the execution of the policy might seem remote and unreal at the time of training—the officer or guard might accept and carry out this requirement as part of the job. A deadly deed at some point is called for, and the call of duty is obediently answered. Here the conscious project is to bring about death, yet there is not an act of killing in the strict sense, for the officer or guard never considers the proposal to kill and adopts it by a deliberate choice.

It is not at all easy to evaluate the morality of what such a person does. The policy of shooting to kill perhaps involves some ambiguity; it might be imagined to be authorizing something not much different from state-authorized capital punishment or a morally acceptable act of self-defense. One is tempted to say that dutiful guards or officers should make their own conscientious, personal evaluation of the official policy, should make it an alternative to be chosen or rejected, should not obey so docilely.

That is what is generally thought of Nazi functionaries who put people to death in the concentration camps. Perhaps there is a moral defect in someone who does not think of alternatives to killing whenever killing human individuals is required as part of a job. It is hard to imagine anyone considering the interests of others impartially, not merely regarding them as objects to be dealt with, who would not ask, "Is this the right thing to do? Ought I to shoot to kill according to the policy?"

In addition to the moral responsibility of an individual who follows such a policy there is a question about the morality of the act of formulating and adopting a policy of shoot to kill. Perhaps there is a lack of clarity in the thinking of those who make the policy. But there is less room for confusion here than in the minds of individuals who accept it without thinking. If the

point is that killing some individuals is a necessary means to limiting the damage they and others will or might do if they are permitted to live (and others not deterred by their example), then the proposal is to bring about death. The making of the policy is immoral. Yet lack of clear understanding, an erroneous opinion that the state has a right to contravene morality, and a sincere desire to promote the public good can combine to mitigate this immorality.

A final set of cases of self-defensive acts which cause death are those, already mentioned by way of example, in which the proposal adopted is simply to defend oneself or others, and the death of the attacker is an accepted effect of the method of self-defense which alone is available and adequate to stop the damage expected from the attack.

Here the act is not killing in the strict sense. Yet it can be immoral. If the attack can probably be evaded by retreat but the defender prefers to repel it with force, then the defender seems to care too little for the attacker's life. If the attack does not threaten death or serious harm, then the defender hardly seems to consider matters impartially if deadly force is used to repel the attack rather than the attacker permitted to cause the harm.

Indeed, in some cases one who is attacked might act immorally by violating a special duty if the evil the attacker threatens is not suffered patiently. Some Christians believe they have a duty to offer no resistance to evil threatened to themselves but may justifiably act only in defense of others. Such persons have a duty to fulfill which precludes self-defensive acts, especially those which might cause death, which could be licit for others.

It was in connection with self-defensive acts which cause death that Thomas Aquinas developed the famous analysis which evolved into the classical doctrine of double effect. In our present treatment we do not talk about "double effect," although the distinctions we have articulated in the present chapter express our own interpretation of the relationship between the moral agent and various states of affairs resulting from the agent's behavior, and we believe our interpretation to be an accurate account of the same thing Aquinas was talking about. We have dealt with the doctrine of double effect elsewhere and will not elaborate here on this subject.<sup>1</sup>

### **E. Killing in War and Capital Punishment**

Turning from self-defensive acts, we next consider killing with public authorization in war and as capital punishment.

Much killing in war clearly has been killing in the strict sense. If the individual soldier perhaps sometimes does deadly deeds without killing in the strict sense—since soldiers might not by choice adopt a proposal to bring about death rather than some alternative proposal—still the soldier very often

does realize that there is an alternative to doing deadly deeds, considers the alternative, and for various reasons, such as fear of punishment, rejects it. Moreover, those who plan and lead wars often clearly consider various proposals and deliberately adopt the destruction of enemy personnel as a means to victory. The body counts of the Vietnam war were by no means unique.

Nuclear deterrent strategy, to which the United States remains committed, rests in significant part on the set purpose to retaliate against enemy population centers in the event the United States is attacked. This willingness to retaliate, of course, is conditioned upon the other side attacking, and it is hoped that the deterrent will prevent this occurrence. But the event on which the will to attack is conditioned is not within the power of the United States, and so this condition is a limit, not upon the will to kill, but only upon the execution of the proposal already adopted by the deterrent strategy.

According to the ethics we have proposed and argued for, killing in the strict sense is morally indefensible. Warfare involves much such killing and in particular the nuclear deterrent involves it. Therefore, warfare as it has ordinarily been carried on is immoral. The nuclear deterrent strategy of the United States, a present and continuing national act, is immoral.

Consequentialists are likely to object that moral condemnation of killing in the strict sense in war and in nuclear deterrence is unrealistic. They will argue that the deterrent is justified because it is necessary; if it were given up, the Soviet Union probably would dominate the world, with consequent loss of liberty and other human values for millions of people.

Like all consequentialist arguments, this one attempts to compare incommensurable goods. Millions of human lives are put at risk by the continuation of the balance of terror. A huge part of the world's wealth is expended in maintaining and developing weapons systems which it is hoped will never be used. What is more important, America's willingness to kill millions with H-bombs to protect freedom has been followed by the willingness to kill millions by abortion in the name of liberty. We do not believe that this relationship is a mere coincidence.

Moreover, one need be no marxist nor in any way naive about the vicious consequentialism which marxist leaders use in rationalizing their own brutal methods in pursuit of their utopian purposes to notice that the capitalist world has been and continues to be corrupted by tremendous injustices. These injustices provide marxism with the real reason for its appeal; these injustices, as much as the blessings of liberty, are protected by the military power of the United States and other Western nations, and in particular by the nuclear deterrent.

How can one make up a balance sheet to prove the consequentialist thesis that the evils the maintenance of the deterrent prevents are greater than the evils it involves and helps to maintain?

A nonconsequentialist might point out that traditional Judaic-Christian ethics, which certainly is not consequentialist, on the whole justified war under certain conditions, including killing in the strict sense within the context of war. We admit that war seems to be justified in the Old Testament, and that Christian theologians have argued that it can be justified, although we note that the New Testament does not seem to endorse the justification of war and that a minority position throughout the Christian tradition has been pacifist.

It is not our business here to enter into exegetical and theological arguments. But Christian theologians could consistently have treated war as many of them treated divorce, which was accepted as an institution in the Old Testament but not in the New. Today, Jewish and Christian moralists could conveniently treat publicly authorized killing in the strict sense as they now treat slavery, which was taken for granted in the Old Testament, never clearly condemned in the New, and accepted with many misgivings almost to the present. But slavery now is universally condemned by religious moralists as contrary to the fundamental conceptions of human dignity and equality which are rooted in the Judaic-Christian tradition itself. War could be condemned in the same way.

Apart from the weight of the religious tradition the most forceful nonconsequentialist argument in defense of the justification of war, we think, is one which grants a special moral status to political society. Killing in war is different, according to this view, because it is authorized by law and is necessary not for selfish reasons but for the protection of the common good of society as a whole.<sup>2</sup>

The trouble with this approach is precisely that it treats the political society as if it had a special moral status. If the state were a kind of organism having a life and flourishing of its own, then this assumption might be correct. Individuals would have to be subordinate to the survival and well-being of political society, as parts of one's body are subordinate to one's whole self.

But the organic theory of the state seems to be at odds with the facts. While human persons cannot flourish apart from community, their community can take many forms, of which political society is only one. All of these various forms of community are rooted in the basic human goods and find their justification in their contribution to the flourishing of these goods in persons. Hence the common good is not superior to the goods of individuals but is one aspect of their well-being.

Of course, in their official capacity leaders of a political society can do many things which it would be wrong for individuals to do as private citizens. But this distinction between public and private capacities is merely a matter of the roles and duties of officials, all of which derive from a common commitment to basic human goods, and so none of which can authorize the

violation of these goods, which are the principles of political societies no less than of other associations and individual lives.

For one who has been brought up within a particular society, who has been formed in character largely by the demand of the duties of the role of a member of the society, the requirements of moral goodness and of citizenship might appear to be the same, or the former might seem to be wholly defined by the latter. But if one considers the variety and perversity of political societies other than one's own, then it is clear that one who is merely a dutiful citizen of an imperfect polity falls far short of the full moral possibility of humankind. While persons in community can pursue human goods in many ways in which individuals by themselves could not pursue them, no person as a public official or dutiful member of society can be justified in doing what he or she as a person maintaining respect for all the basic human goods would not do.

While we reject every effort to justify killing in the strict sense, we do not embrace as an ethical requirement the demand of total pacifism. Apart from killing in the strict sense there are other acts which might involve a legitimate proposal, as self-defense sometimes does, which can be adopted by the leaders of a community and its soldiers. Such a legitimate proposal could be to impede the unjust use of force by the minimally adequate, available means, even though this means would have as an accepted effect the death of some of those applying or supporting this unjust use of force.

If any warlike acts can be justified in this fashion, they would be essentially defensive acts. The fact that an attacking force might not kill if its unjust objectives could be attained without killing would make the defensive characterization of resistance no less genuine. Those using force unjustly can be resisted by force; meeting resistance, they begin to threaten lives—those resisting are in peril. The defenders who have not generated the conflict and who cannot retreat without conceding the goods they legitimately defend are then justified in using the necessary force to incapacitate the attackers, even though this force is likely to cause fatalities.

But on this account acts of war can be justified only if they are effective against means of force actually being unjustly used or being prepared for unjust use. To demand unconditional surrender would be unjust. To seek by force to overcome evil which is not itself using force also would be unjust. To attack noncombatants—those who are not involved in the unjust use of force—would be killing in the strict sense. The use of terror, torture, and reprisals also would be immoral, for the effect of these techniques would be attained only by means of their destructiveness of human life, which therefore would have to be part of the proposal to adopt them.

A soldier on a battlefield could use weapons available to him with the intent to incapacitate enemies, cause them to surrender, or capture them, even

though these weapons might have the effect of killing. But killing would have to be avoided, not sought, whenever possible. A military camp, a supply depot, or a factory producing munitions could be attacked—for instance, with aerial bombardment. But an enemy city as such could not be attacked.

If the problem of nuclear deterrence is considered from this point of view, one can imagine that the United States might design a deterrent which threatened only the military capability of potential enemies. If the proposal whose threatened execution constituted the deterrent included, not the killing of people or the useless destruction of property, but only the destruction of military capacity being or about to be unjustly used—in the process of which deaths and other damage might incidentally be caused—then the threat could be justifiable. (It is a question of fact, beyond the bounds of our present concern, whether such a limited deterrent would be effective and technically feasible.)

The problem with the deterrent strategy as it exists is, not that it deters the unjust use of force by readiness to oppose it, but that the proposal adopted in establishing this policy includes the killing of people as a means to deter potential enemies. Morally this killing already is done, although the hope is never to execute the adopted proposal; ironically, if the proposal ever is executed, this will be because the threat has failed and the actual bringing about of deaths will be pointless.

Capital punishment under modern conditions clearly executes a proposal to kill someone as a means of punishment. However punishment is conceived—whether as a restoration of the balance of justice or as deterrent—the death penalty cannot be carried out without killing in the strict sense. Hence this form of punishment is immoral.

Much of the argument about warfare might be repeated at this point. One factor peculiar to the moral argument about capital punishment is worthy of special mention, however. Many critics of the practice attack it on bases which assume that punishment as such is morally indefensible, that justice does not require that those who voluntarily violate the rights of others and the peace of society pay the price of losing some of their own privileges.

We are not making any such assumption. No doubt, some who are dealt with as criminals bear little or no moral responsibility for their misdeeds and should be treated with the compassion due their helplessness. But some freely choose to violate the rights of others and social order, and they should pay for such violations. Our point with respect to capital punishment simply is that taking the life of a criminal is not an appropriate way of exacting payment due, since those who take the life must themselves voluntarily violate a basic human good. Capital punishment is a bad means to a good end: just punishment.

It will be objected that in chapter seven we did not wholly exclude the

possibility of capital punishment as just. It is, at the least, very different from nonvoluntary euthanasia, especially if capital punishment is understood as punishment according to a retributive theory and not according to some consequentialist theory as deterrence or the most effective social method of control of deviant behavior.

We admit that the criminal can reasonably be considered to surrender rights against other members of society as such. A murderer can even be reasonably regarded as surrendering with respect to the society whose law the murder offends the right to equal protection of the law of homicide. Thus, if a murderer is subjected to the death penalty, there might be no unfairness involved in this treatment.

But even if certain criminals have no social right not to be killed and other members of society have no social duty to refrain from killing them, still their lives keep the inherent dignity of the basic human good which they are. Thus killing in the strict sense is excluded as immoral even when it is not unfair, as might be the case when death is inflicted as a penalty, and a grave penalty is truly deserved.

One can imagine a more primitive situation than modern society in which the possible ways of controlling persistent troublemakers are very limited. In such a situation social self-defense might seem to require the certain and permanent incapacitation of the worst offenders for the sake of the safety and peace of others. Whether such troublemakers were morally guilty or insane would be irrelevant, just as the subjective disposition of an individual against whom one might defend one's children is irrelevant. Perhaps no other means of permanent and secure incapacitation would be available than a means which also would cause the death of the offenders.

In such circumstances death might be caused by a society without an act of killing in the strict sense. But a rationale along these lines hardly can be developed in modern society. Still, perhaps some such rationale partly explains the historical origins of practices which have persisted and evolved into socially sanctioned killing in the strict sense, which can never be morally justified.

#### **F. Abortion: Usually Killing in the Strict Sense**

We turn now to cases of necessity in which one or more members of a group of persons in common peril are killed in order to maximize the average probability of survival of some members of the group. From a moral point of view such cases must be judged in the first instance on the basis of whether the killing is such in the strict sense or not.

To kill one member of a party in order to cannibalize him or her clearly

involves the adoption of a proposal to bring about the victim's death. This is killing in the strict sense; it cannot be justified.

But to adopt a proposal to lighten a sinking lifeboat by tossing overboard some of the passengers only brings about death as an effect of the act; it is foreseen but not included in the proposal. A sign of this is that if the passengers forcibly ejected managed to find other means of surviving, this would in no way thwart the purpose of throwing them overboard. Still, if this is not killing in the strict sense, it can be immoral because of unfairness. This is the point of the argument that passengers have a right to secure passage to which the dutiful sailors must yield and that everyone has a right to fair processes of selection if some must be dealt with in a way likely to cause death.

Other imaginary cases of killing in a situation of necessity can be dealt with similarly. But most interesting is the problem of the morality of abortion. This matter having been dealt with at length elsewhere, however, we offer here only a summary treatment.<sup>3</sup>

A fundamental issue to be disposed of at the outset is the question whether the unborn are morally to be considered persons whose lives are instances of that human life which is a basic human good and principle of morality. No amount of criticism of countertheories, which are erected upon speculative metaphysical premises, can demonstrate that these theories are false. It is not logically impossible that at some state of development the unborn are not persons, that their lives are not univocally called "human lives."

However, as a matter of biological fact human life does not begin; it is continuously transmitted. At conception a new human individual emerges; sometimes this new individual subsequently divides into two or more (identical twins). Our argument against dualism in chapter eleven, section H, removes most of the grounds which are proposed for imagining that such incipient human individuals are not persons. There is a *prima facie* basis for thinking that they are, and this basis cannot be overturned by any contrary speculation. Hence, for moral purposes the unborn ought to be considered persons, their lives instances of the good of human life which is inviolable, from conception onward.<sup>4</sup> To be willing to kill what for all one knows or ever can know is a person is to be willing to kill a human person. Speculations to the contrary are not logically absurd but they are morally irrelevant.

In a great many cases the proposal to have or to do an abortion includes the bringing about of the death of the unborn, and thus abortion is in such cases killing in the strict sense, which cannot be moral. This is clearly so when abortion is promoted as a method of population control or of family limitation, when abortion is justified by arguing that it is cheaper and perhaps safer to eliminate unwanted babies early in pregnancy than to permit them to be born alive, perhaps then to become welfare recipients.<sup>5</sup>

Through 1963 the Planned Parenthood Federation of America issued a pam-

phlet, *Plan Your Children for Health and Happiness*, which included an explanation of the difference between contraception and abortion: "An abortion requires an operation. It kills the life of a baby after it has begun." The 1964 revision omitted this explanation. As even proponents of abortion and other killing on consequentialist grounds have admitted, ludicrous semantic gymnastics have been employed in recent years to rationalize abortion as something other than what it is:

The process of eroding the old ethic and substituting the new has already begun. It may be seen most clearly in changing attitudes toward human abortion. In defiance of the long held Western ethic of intrinsic and equal value for every human life regardless of its stage, condition, or status, abortion is becoming accepted by society as moral, right, and even necessary. It is worth noting that this shift in public attitude has affected the churches, the laws, and public policy rather than the reverse. Since the old ethic has not yet been fully displaced it has been necessary to separate the idea of abortion from the idea of killing, which continues to be socially abhorrent. The result has been a curious avoidance of the scientific fact, which everyone really knows, that human life begins at conception and is continuous whether intra- or extra-uterine until death. The very considerable semantic gymnastics which are required to rationalize abortion as anything but taking a human life would be ludicrous if they were not often put forth under socially impeccable auspices. It is suggested that this schizophrenic sort of subterfuge is necessary because while a new ethic is being accepted the old one has not yet been rejected.<sup>6</sup>

In other words, the need for rationalization demands that abortion not be recognized as what it generally is: killing in the strict sense.

In the 1973 *Abortion Cases* the United States Supreme Court proceeded on the assumption of fact that there was strong public support for the view that human life does not begin until birth. But public opinion sampling in 1975 showed that only 8 percent of women and 12 percent of men believe this, while the majority of people continue to consider the fetus a human life or human person even at conception or very early in the gestational period.<sup>7</sup> Moreover, anyone familiar with the medical literature on abortion techniques knows that an important consideration in choice of timing and technique is to avoid the unwanted outcome of a live-born and viable infant. The best technique is one which guarantees the death of the unborn as well as other desiderata. This makes clear that typically abortion is killing in the strict sense: It executes the immoral proposal, adopted by choice in preference to other possibilities considered deliberately, to kill human individuals whose lives are judged undesirable.

It is important to notice, however, that while those who advocate and perform abortions to exterminate the unwanted can hardly be clear of an act

of killing in the strict sense, some women who undergo abortions very likely either are not morally responsible or are not responsible in the same way for the killing of their unborn children. It is quite possible that many women, especially those who are young and unsophisticated, are more or less completely deceived by propaganda into thinking that they are only accepting another form of contraception when they are in fact accepting some form of abortion.

It also is possible that some women, again especially those who are young and unsophisticated, accept abortion without adopting the proposal by their own choice, because they act under emotional strain and the pressure of other people, such as parents, social workers, physicians, religious counselors, and so on. While there might be elements of self-deception in some such cases and while the situation might have been shaped by previous wrongful acts for which such a woman had some moral responsibility, she would not be morally responsible for killing in the strict sense. In a society in which killing becomes accepted and even made a duty in order to solve various problems those who shape opinions, attitudes, and institutions bear responsibility for killings which less sophisticated members of society immediately effect, but effect rather as half-conscious instruments than as fully responsible principals.

In some cases the termination of pregnancy is brought about by the removal of a nonviable unborn child without the adoption of a proposal which is or includes the bringing about of the death of the child, but rather in the carrying out of a proposal which does include the removal of the child from the mother. In such cases an act of abortion in the strict sense is done, but such an act of abortion is not an act of killing in the strict sense. The causing of death is not part of the abortifacient act but is a consequence of it.

Cases which have been considered indirect abortion by those applying a traditional double-effect analysis are instances in which the death of the unborn is caused as a consequence of an act without being included in the proposal carried out in the act. For example, if a cancerous pregnant uterus is removed to stop the disease, the death of the unborn is foreseen and accepted as an effect of the operation but is not chosen as a means or part of a means to any desired end. A sign of this is the fact that in case the same operation were indicated for a nonpregnant woman, it might be done with the same purpose and carried out in the same way.

Traditional double-effect analysis, however, tended to identify direct abortion with a subclass of killing in the strict sense. Thus, a tubal pregnancy, it was argued, might be removed because of the pathology of the tube itself; an embryotomy could not be justified because the operation physically directly attacked the baby.<sup>8</sup>

Our analysis would classify the removal of a tubal pregnancy from its inappropriate site of development in the tube as an act of removal, which

could be chosen for the sake of preventing otherwise inevitable damage to the mother by the continuing development of the fetus with almost no hope of its survival. The death of the growing child who is removed in such a case would be foreseen and accepted but would not need to be included in the proposal adopted, and thus killing in the strict sense need not be done. We think that embryotomy can be analyzed similarly.<sup>9</sup>

In criticizing a previous statement of our approach Paul Ramsey argued that it would not *justify* certain instances of removing a fetus which seem, intuitively, to be little different from the cases which it can be used to justify. The cases Ramsey mentions are ones in which surgery is needed to remove a displaced, diseased appendix or a damaged aorta in a pregnant woman, and the only feasible approach to the site of the problem is through the pregnant uterus, with the inevitable death of the unborn child prior to the subsequent act of surgical repair of the primary problem.<sup>10</sup>

In reply we point out first that whether the removal of the fetus is justified in such cases is one question; whether its removal is killing in the strict sense is another. On our analysis the proposal to remove the unborn baby from its natural site, the site required for its survival, need not include the proposal to kill the baby or to bring about its death, even though its death is foreseen as an inevitable consequence of its removal. Removal here has a different purpose: access to the site for needed surgery. The fact that the removal of the fetus is a distinct act from the subsequent surgery does not mean that this distinct act, precisely as an act which is a means to an end, is an act of killing. In the cases Ramsey suggests, the death of the child can be voluntary in the limited sense only that it is accepted as a foreseen effect.

We also point out in reply to Ramsey that our analysis does not include a thesis which he mistakenly thought to be part of the earlier analysis: abortifacient acts which are not acts of killing in the strict sense are automatically ethically justified. The earlier analysis included this discussion of abortion in cases in which a woman conceives as a result of rape:

But what about the rare case in which a woman is raped and conceives a child of her attacker? She has not had a choice; the child has come to be through no act of hers. Moreover, it is not clear that her precise concern is to kill the child. She simply does not wish to bear it. If the artificial uterus were available, she might be happy to have the baby removed and placed in such a device, later to be born and cared for as any infant that becomes a social charge. Now, clearly, one could not object if that were done. May the death of the child that is in fact brought about by aborting it actually be unintended [that is, outside the proposal] in this case? I believe that the answer must be yes.

But this answer does not mean that abortion in such a case would be ethically right. I fail to see what basic human good is achieved if the

developing baby is aborted. The victim of rape has been violated and has a good reason to resent it. Yet the unborn infant is not the attacker. It is hers as much as his. She does not wish to bear it—an understandable emotional reaction. But really at stake is only such trouble, risk and inconvenience as is attendant on any pregnancy. To kill the baby for the sake of such goods reveals an attitude toward human life that is not in keeping with its inherently immeasurable dignity. One of the simpler modes of obligation is violated—that which requires us to do good to another when we can and there is no serious reason not to do it.<sup>11</sup>

Ramsey judged that an analysis admitting a distinction between removal of the fetus and killing in the strict sense allowed almost all abortions to become cases of removal. He also thought that the argument against removal in the second paragraph amounted to no more than an appeal to a duty of charity.<sup>12</sup>

We do not deny that in an argument before an imaginary moral tribunal a great many abortions might be rationalized as removal of the unborn and denied to be killing in the strict sense. But ethics is not a matter of judgments before moral tribunals, real or imaginary. It is a question of shaping one's own life, and in responding to this question rationalization gets one nowhere but deep into the quicksand of false conscience. In actual fact, as we have pointed out, many abortions are carried out precisely by way of executing proposals to get rid of unwanted children. Even those having and doing such abortions must admit that the proposal they execute to get rid of a child amounts to a proposal to kill it. These are in fact killings in the strict sense for all those concerned who by choice adopt a proposal to kill the unwanted as a solution to the problems their survival would entail.

The second paragraph of the passage quoted above should have warned Ramsey that even in cases in which abortion is not killing in the strict sense the justification of abortion is a further and distinct question. The mode of obligation cited is what we would regard, not as a matter of charity, but as a form of responsibility even more elemental than the duties which belong to persons because of their roles in established relationships, defined by the accepted institutions of society. From the latter derive the system of rights and duties which articulate the requirements of justice, but there is much more to morality than justice, and many moral responsibilities which do not pertain to justice are more fundamental and stricter than those which do.

Still, in some cases in which abortion might be considered as a proposal which would not include or amount to the bringing about of the death of the unborn child, duties would preclude the moral justifiability of adopting the proposal. A woman who willingly engages in sexual intercourse, knowing that she might become pregnant, certainly implicitly accepts the role of mother, and a primary duty of this role is to care for and protect one's children. It is

true that like other duties arising from a role, this duty only binds under the condition that one is not prevented by some other obligation from fulfilling it. A woman, especially if she is already a mother, has an obligation to preserve her own life, and this obligation might reasonably seem to her to require that she consent to the removal of a cancerous uterus or surgery to repair a damaged aorta, even though such procedures would make it impossible to fulfill her motherly duty to her unborn child. But in the absence of some compelling obstacle to fulfilling a parental duty an unborn child has a moral right to the care, support, and defense of both parents who have willingly taken part in initiating its life.

Similarly, even if the proposal of abortion is not a proposal to kill the unborn, the golden rule or principle of universalizability would preclude in most instances moral justification for abortion. No one would wish others to prefer their comfort and convenience to one's own life, but most who propose abortion consider the interests of the unborn with just such a partial and biased perspective. Likewise, in any sincere moral reflection considerations of the health of the mother, when life is not truly threatened, could not be accepted as a warrant for a removal of the fetus which is foreseen to cause its inevitable death.

The narrowness of the class of cases in which the proposal to abort (justifiable or not) is not equivalent to a proposal to kill the unborn can be made clearest perhaps by imagining the situation which would obtain if an artificial uterus, capable of sustaining an infant's life at any time after conception, were widely and cheaply available. The uterus would be used in cases of removal of the unborn when the intent was not to kill the child. It would not be used when the point of the abortion was to exterminate the unwanted as a solution to the problem they present.

Of the approximately one million abortions carried out in the United States each year, how many would be placed in the artificial uterus? Very few, for the unwanted baby would not be cared for in this manner. Such care would frustrate the whole point of aborting unwanted babies: to get rid of them so that they shall not live to make their claim upon their parents and upon society at large.

### **G. Suicide and Causing One's Own Death**

We turn now to the consideration of cases in which one brings about one's own death. Even in ordinary language some ethically significant distinctions are made in speaking of this, for one does not call "suicide" all cases in which someone causes his or her own death. Most people who consider suicide immoral do not class martyrs and heroes as suicides, since "suicide"

suggests an act of killing oneself.<sup>13</sup> Yet not all who commit suicide do a moral act of killing in the strict sense.

In cases in which suicide is an act of killing in the strict sense the proposal to kill oneself is among the proposals one considers in deliberation, and this proposal is adopted by choice as preferable to alternatives. For example, a person who for some reason is suffering greatly might think: "I wish I no longer had to suffer as I am suffering. If I were dead, my suffering would be at an end. But I am not likely to die soon. I could kill myself. But I fear death and what might follow after it. I could put up with my misery and perhaps find some other way out." One thinking in this way is deliberating. In saying "I could kill myself" suicide is proposed. If this proposal is adopted, one's moral act is killing in the strict sense. As in other instances this act is incompatible with the basic good of human life, and it cannot morally be justified, regardless of what else might be the case.

One can propose to kill oneself without saying to oneself "I could kill myself." One might say something which one would accept as equivalent in meaning: "I could destroy myself," "I could rub myself out," or something of the sort. Again, one might say something which one would admit amounts to "I could kill myself" although not equivalent in meaning to it, such as "I could shoot myself," when what one has in mind is shooting oneself in the head and thereby causing death, not merely shooting oneself to cause a wound.

From such suicidal acts which clearly are cases of killing oneself in the strict sense we distinguish deadly deeds people do upon themselves which are not cases of killing in the strict sense. Some of these suicidal deeds are not moral acts at all; others are acts which execute some choice other than a proposal to kill oneself.

A person who is suffering severe psychological stress, even though not mentally ill, can reach a point at which deliberation and choice become impossible. Perhaps the thought of suicide has come back again and again, and the proposal has been rejected as often as it has returned. But at some point the possibility of a deadly deed against oneself can become obsessive. Without one's own choice every alternative is blocked from consciousness. Only one thought remains: "I will kill myself." A person in this state of mind is not necessarily insane. Moreover, the performance which follows carries out a conscious project. But it is not a moral act of killing in the strict sense, because the project is not a proposal adopted by choice. It is an obsessive thought whose appeal draws the individual into its execution without a personal commitment.

Someone with intimate knowledge of suicidal thinking is likely to point out that we are oversimplifying the complexity of such thinking. We agree, but our purpose is not to supply a phenomenology of suicide.<sup>14</sup> Perhaps uncon-

scious determinants play as large a role as conscious ones in the genesis of the deadly deed against oneself. Moreover, even when one is conscious of what one is doing, the proposal can involve a certain ambiguity. One who thinks "I could take the pills" might not be certain whether the pills will be deadly or not, and might not be clear whether the proposal amounts to "I could kill myself if the pills are deadly" or only to "I could make everyone see how much I am suffering." We are not excluding any of this complexity and ambiguity by the distinctions we are making. Rather, we are suggesting how complex and ambiguous cases must be understood by reference to clearer cases in which either a suicidal proposal is adopted or a deadly deed against oneself clearly carried out without any commitment.

While the suicidal commitment which is killing oneself in the strict sense cannot be morally justified, the deadly deed against oneself without commitment cannot be morally blameworthy in itself, for it is not a morally significant act at all. If there is any responsibility for it on the individual's part at all, this responsibility is for earlier acts or failings, in which for instance, available help was voluntarily refused when it could and ought to have been accepted. But this responsibility is far from being identical with that for a suicidal commitment, and in the case of a deadly deed against oneself probably is minimal, since most people do take care of themselves if they can.

As for the more complex and confused states of mind from which suicidal behavior usually emerges, no one can begin to judge the moral quality of another and hardly can begin to judge oneself. A person who is upright certainly will not lightly play with thoughts of suicide and will not easily adopt any ambiguous proposal which could imply that one's own death be brought about. One who has come to disrespect human life in other instances, however, might easily do so.

The impossibility of judging, it should be noticed, is double-edged. People who have killed themselves ought not to be condemned and despised. But people who are contemplating killing themselves ought not to be reassured that such a deed would carry no grave moral responsibility. The innocence of the latter can be ascertained no more than the guilt of the former.

Some deadly deeds against oneself execute choices which are not suicidal choices. One might believe that some fundamental commitment one previously made demands that one here and now kill oneself; perhaps one has so perfectly integrated this commitment that one proceeds with no further deliberation and choice to do what seems necessary and inevitable. For example, a person who believes in God might believe that God is here and now commanding suicide. Given sufficiently blind faith, such an individual might not think of disobeying. Similarly, those in certain cultures where ritual self-destruction is expected in certain situations perhaps carry out the ritual without considering breaking with received customs.

In cases such as these the morally relevant choice and the locus of responsibility is not in respect to the self-destructive deed, about which there was no choice at all, but in respect to the acceptance of the religion or culture which demands such deeds. And even this acceptance might have been voluntary not by being the content of a proposal adopted by choice but only by being uncritically accepted by a person who could and should have examined more carefully the cultural forms which were handed down.

In addition to properly suicidal acts and to deadly deeds against oneself which are not acts of killing in the strict sense, there are still other cases in which individuals contribute to the causation of their own deaths by acts which are morally significant but which in no way execute proposals which are properly suicidal. Typical martyrs lay down their lives. The death could be avoided if the martyr were willing to do something believed wrong or to leave unfulfilled some duty which is accepted as compelling. But the martyr refuses to avoid death by compromise or evasion of duty. Such persons do only what they believe to be morally required; the consequent loss of their own lives is willingly accepted by martyrs, neither sought nor chosen as a means to anything.

The martyr reasons somewhat as follows: "I would like to please everyone and to stay alive. But they are demanding of me that I do what I believe to be wrong or that I omit doing what I believe to be my sacred mission. They threaten me with death if I do not meet their demands. But if I were to comply with their threat, I would be doing evil in order that the good of saving my life might follow from it. This I may not do. Therefore, I must stand as long as I can in accord with my conscience, even though they are likely to kill me or torture me into submission."

Someone who does not understand the martyr's reasoning is likely to consider the martyr a suicide. But martyrs who reason thus do not propose to bring about their own deaths. The martyr bears witness to a profound commitment, first of all before the persecutors themselves. The latter can and in the martyr's view should accept this testimony and approve the rightness of the commitment. The martyr's refusal to give in does not bring about the persecutor's act of killing; the martyr only fails to win over the persecutor and to forestall the deadly deed.

Not all who cause their own deaths as a demonstration of commitment are typical martyrs. A war protestor might propose: "I wish to make clear the horror of war. I could douse myself with gasoline and set myself afire." Someone entertaining this proposal might admit that it is suicidal. If so, the execution of the proposal, adopted by choice, would be an act of killing in the strict sense. But if the suicidal character of this proposal were not admitted, the clearheadedness of deliberation might be questioned. The very point of the proposal seems to be that the horror of this manner of dying will emphati-

cally communicate the horror of the war being protested. If this is so, the proposal is to kill oneself in the service of peace, and the adoption of this means cannot be consistent with respect for the good of human life. Of course, it is quite possible for an upright person to be terribly confused.

Certain nonsuicidal acts which bring about an individual's own death would be held to be morally wrong by most people. For example, a daredevil might accept very high risks of death carrying out performances which do not involve great skill or other excellent qualities. He might do this in order to create a sensation by pandering to morbid curiosity and hoping to acquire great wealth with little effort.

While not proposing to kill himself, while indeed hoping to survive to enjoy the wealth, the daredevil seems clearly to have an immoral attitude toward the good of human life. If he brings about his death, he is not a suicide, but he bears a grave moral responsibility because of his disregard for the goodness of his own life.

In what ways might acts which are not suicidal but are self-destructive in results be immoral?

In the first place, such acts remove an individual from human community and in doing so are likely to leave behind some unfulfilled responsibilities. The shock of anyone's death always creates a certain burden and hardship for others, especially when the death comes about violently and seems avoidable. Moreover, the example of disrespect for life affects other people who are tempted to destroy themselves or to kill others. Bringing about one's own death, in other words, serves as a bad example.

In the second place, those who unnecessarily cause their own deaths are taking an irreversible step into darkness. A nonbeliever will not accept concerns about an afterlife. But nonbelief cannot eliminate Hamlet's perhaps: "perhaps to dream." It is presumptuous to suppose that one knows that there can be nothing to fear after death.

In the third place, even if there is no offense against others in bringing about one's death unnecessarily and even if the act is not the execution of a suicidal proposal, still such an act seems to undermine morality in a radical way. In bringing about one's death one removes oneself from the range of the primal demand: to serve human goods, to do what one can, to communicate human meaning to every aspect of life and the world. Perhaps this point is what Wittgenstein—himself tormented by a temptation to commit suicide—meant when he wrote that if suicide is allowed, everything is allowed, and he added, "This throws light on the nature of ethics, for suicide is, so to speak, the elementary sin."<sup>15</sup>

Of course, we hold that suicide which is killing in the strict sense is necessarily immoral simply because it violates the basic good of human life. One who deliberately chooses to end his or her own life constitutes by this com-

mitment a self-murderous self. But considerations which tell against even nonsuicidal acts which bring about a person's own death also argue against the moral justifiability of suicidal acts, which execute a proposal to destroy one's own life.

#### **H. Active Euthanasia: Voluntary and Nonvoluntary**

Considering matters from a moral point of view and from the side of the one whose life is to be ended, voluntary euthanasia is not significantly different from other cases of suicide. The proposal is to bring about death as a means to ending suffering. This proposal, if adopted and executed, is an instance of killing in the strict sense. It can never be morally justified.

Of course, a person who is in severe pain and who seeks death to escape it is likely to have mitigated responsibility or even to be drawn into acceptance without a deliberate choice, just as is the case with others whose suffering drives them to a deadly deed against themselves.

However, if an individual plans to seek euthanasia and arranges for it well in advance of the time of suffering, then the possibility that the demand for death is not an expression of deliberate choice is greatly lessened. The conditions which from the point of view of proponents of euthanasia are optimum for making a decision about the matter are precisely the conditions in which the decision is likely to be a morally unjustifiable act of killing in the strict sense.

Considering voluntary euthanasia from the point of view of the person who would carry out the killing, matters seem no better from a moral viewpoint. The performance can hardly fail to be an execution of a deliberate choice; the one carrying out the killing can hardly be driven to it, nor can anyone in the present culture accept the duty unquestioningly.

Of course, when a family member kills a relative under the present legal conditions, there is considerable likelihood that pressures of emotion are an important factor, and there is a possibility that no act of killing is done. But we are now thinking of the moral responsibility of someone who would carry out requested euthanasia if the practice were legalized, through acting by deliberate choice and perhaps in a professional capacity.

It might be objected that not everyone believes that human life itself is a basic good. Perhaps this belief is sincere. In such a case individuals seeking euthanasia and those providing this service would be doing nothing immoral by deliberate choice, for they would be acting upon a sincere belief, even if this belief is mistaken. After all, people are responsible, not for what they actually do, but for what they sincerely believe they are doing. How can one consider immoral the acts of those who seek or provide beneficent euthanasia in acting upon the conviction that human life is merely an instrumental good?

Our first response to this objection is that we are concerned here, not to judge anyone, but only to clarify sound guidelines for morally responsible deliberation and choice. We have argued in chapter eleven, section H, against the instrumentalist view of human life. If it is false, then those who shape their lives on this false assumption at the least are seriously mistaken about a matter of basic human concern. This mistake can hardly fail to lead to serious consequences for their attitudes and behavior toward other persons in many instances in which life is at stake.

But a further response to this objection is needed. The insight that human life is a basic good of persons is not a matter of empirical fact; it is a principle of practical reasoning. This principle underlies large areas of everyone's rational behavior. It is not easy to be mistaken about the inherent goodness of life, its inviolability, its worthiness of respect in every instance without exception. Somewhere there must be moral responsibility for a bias which hides and distorts so fundamental a truth.

This responsibility might be in an individual's own previous immoral choices. The opinion that life is not a basic good which deserves respect might be an effect of personal rationalization. Then again there is a tendency for this false opinion to attain the status of a climate of opinion by the formation of a social or cultural bias against human life. Here those who form opinion, shape the law, provide what ought to be scholarly reflection upon morality, and so on are the morally responsible agents of the moral blindness of others.

Nonvoluntary euthanasia also clearly proposes death as a treatment of choice. The act hardly can fail to be killing in the strict sense. And in addition to the violation of the good of life, the rights of those to be killed also will be violated—for example, by denial to them of equal protection of the laws. Nonvoluntary euthanasia would violate both life and justice.

On our analysis abortion is a subclass of nonvoluntary euthanasia. It is especially complicated, since in the case of abortion there are instances in which the child's death results from some act which is not itself the execution of a proposal that the child should die. In cases in which the retarded, the insane, the senile, or others would be terminated by nonvoluntary euthanasia it is difficult to think of circumstances in which their deaths would be caused otherwise than by the carrying out of the proposal that they should die, on the rationalization that their lives are not worth living and that they will be better off dead.

It will be objected that some who carried out nonvoluntary euthanasia—or who now promote it—might be motivated by genuine sympathy for others. We do not deny this possibility, although we suspect that the movement for euthanasia would have little political power were it not also motivated by the desire to get rid of the burden of unwanted people.

The important point is that sympathy, like other emotions, can lead to grossly immoral acts. Not all immorality is explicit egoism and self-indulgence. By sympathy one is identified with another psychologically, just as by patriotism one is identified with one's country, by racism with one's race, and so on. These emotions are morally neutral in themselves. They do permit one, however, to act immorally while to seem not to act out of self-interest. Sympathy together with a fanatical attachment to the good of avoiding pain and suffering can lead to grossly immoral violations of the good of life and rights of others in the ultimate form of paternalism: the killing of people for their own good.

Like all forms of paternalism, beneficent euthanasia would involve the arrogant presumption that one can determine on the basis of one's own scheme of values what is best for others who might well not share that scheme. And like all forms of paternalism which become institutionalized, beneficent euthanasia could easily become a mask for intentional injustices toward those whose lives were "kindly" extinguished—extinguished in the interests of others or society at large.

### **I. Omissions, Killing, and Letting Die**

The preceding treatment has been concerned with instances in which people bring about death by an outward performance. We now turn to a consideration of cases in which individuals refuse treatment for themselves or others, or withhold treatment, or fail or neglect to give it. To apply the moral theory which we articulated in chapter eleven to such cases we must first say something about omissions.

If people act when they carry out a proposal which they have adopted by choice, certain cases of outward nonperformance must count as human actions. One can adopt a proposal and carry it out by deliberately not causing or preventing something which one could cause or prevent. One's choice not to cause or prevent something can be a way of realizing a state of affairs one considers somehow desirable. For example, one might adopt the proposal to protest against a government policy permitting the use of public funds for abortion by not paying certain taxes. In this case one aims to realize a desired state of affairs by means of nonconformance with the demands of the law. The nonconformance need involve no outward performance at all.

Omissions of this type—those in which one undertakes to realize a proposed state of affairs by not causing or preventing something—are very important for understanding the morality of withholding treatment from dying patients, refusing treatment proposed for oneself, and in general letting people die.

On the analysis of this sort of omission which we just now stated it clearly is possible to kill in the strict sense by deliberately letting someone die. If one adopts the proposal to bring about a person's death and realizes this proposal by not behaving as one otherwise would behave, then one is committed to the state of affairs which includes the person's death. This commitment, although carried out by a nonperformance, is morally speaking an act of killing. It involves the adoption and execution of a proposal contrary to the basic good of human life. Thus, any case in which one chooses the proposal that a person die and on this basis allows the person to die is necessarily immoral.

For example, if a child is born suffering from various defects and if the physicians and parents decide that the child, the family, and society will all be better off if the burdens entailed by the child's continued life are forestalled by its death, and if they therefore adopt the proposal not to perform a simple operation, which otherwise would be done, so that the child will die, then the parents and physicians morally speaking kill the child—"kill" in the strict sense clarified at the beginning of this chapter. The fact that there is no blood spilled, no poison injected, that the death certificate can honestly show that the child has died from complications arising from its defective condition—none of this is morally relevant. The moral act is no different from any other moral act of murder.

The same thing will be true in every instance in which a judgment is made that someone—whether oneself or another—would be better off dead, the proposal to bring about death by not causing or preventing something is considered and adopted, and this proposal is executed by outward nonperformance of behavior which one otherwise might have attempted.

Moreover, it must be noticed that hastening death is bringing about death; no one lives forever, and so all killing merely hastens death. The essential factor from a moral point of view is, not whether a person killed already is dying, but whether one's performance or omission executes a proposal that one bring about the state of affairs which includes the person's being dead when one thinks that otherwise they might be alive.

It is worth noting that one's adopting a proposal to bring about a person's death does not require that one regard the person's death as desirable in itself, or that one will be pleased when it occurs. One might regret that a patient is suffering from a painful and mortal disease; one might wish that a retarded, insane, or senile person were normal and vigorously healthy. One might feel deep compassion for the person to be killed; one might be very reluctant to kill the person; one might feel very sad when the person dies. Nevertheless, if one adopts a proposal to hasten death—for example, by injecting an overdose of opiates—one does an act of killing in the strict sense. The commitment contrary to the good of life is made, although it is made in a

situation in which alternatives lack much of their ordinary appeal, and although it is made with great sadness and executed with great regret.

This point is not too difficult to grasp in cases of action which involves an outward performance. But the same thing is just as true when the proposed method of killing is by not causing or preventing something. The murderous quality of an omission can more easily be overlooked or rationalized, however, due to confusion between the adoption of the proposal and the emotional situation and wishes which accompany the adoption of the proposal.

One killing by omission in a case of this sort both wants and does not want dead the person who is to be killed. The wanting is the voluntary adoption of the proposal that the person be dead; this is what is morally determinative. The not-wanting is in the wishes that things might be otherwise, the feelings of sadness and so forth with which the chosen means to the desired good—for example, release from suffering—are brought about.<sup>16</sup>

The preceding analysis clarifies a point which has been made by James Rachels. He maintains that since most people agree that it is morally permissible to allow someone to die under certain circumstances, it is “patently cruel” to refuse to kill such a person painlessly when the process of dying would be painful.<sup>17</sup>

If the letting die is the execution of a proposal that the person die, then Rachels is right in thinking that it is morally worse to let a person die painfully than to kill the person painlessly. Cruelty does add to the malice of murder. But it does not follow that killing people painlessly is permissible—that there is a right to die quickly. On the supposition that the performance and the nonperformance both would be ways of executing a murderous proposal, both would have the immoral character of murder. However, as we shall make clear shortly, not every case of refusing or withholding potentially life-prolonging treatment is an action shaped by a proposal to bring about someone’s death.

Michael Tooley and others also have criticized those who hold that there is a significant moral difference between killing a person and letting the person die.<sup>18</sup> Their criticism is that if one considers a case of killing and a case of letting die between which there is no difference except that in the one the death is brought about by a performance which causes it while in the other it is brought about by not causing or preventing something, then there is no moral difference between the two cases.

We agree. Both actions are killing in the strict sense; neither can ever be moral. However, not every instance in which someone deliberately lets another die is an action shaped by the proposal that the person whose death is accepted should die or die sooner than would otherwise be the case. We turn now to the consideration of such deliberate omissions which, considered from a moral point of view, are not acts of killing.

## J. Nontreatment and Refusal of Treatment

The fundamental point about these omissions is that one can omit to do some good or prevent some evil without adopting any proposal which either is opposed to the good or embraces (as means) the evil whose occurrence one accepts. This possibility is most obviously instantiated when one must forgo doing a certain good or preventing a certain evil because one has a duty, incompatible with doing the good or preventing the evil, to do some other good or prevent some other evil.

For example, in an emergency situation in which many people are seriously injured and the medical resources—including time and personnel—are limited, those making decisions must choose to treat some and put off the treatment of others, perhaps with fatal consequences to those not treated first. The nontreatment of those who are not treated is deliberate; even their deaths might be foreseen as an inevitable consequence and knowingly accepted when the decision to treat others is made. Yet plainly the nontreatment of those who are not treated need involve no proposal that these people should die or die more quickly than they otherwise would. Provided there is no partiality or other breach of faith with those not treated, the execution of a proposal to save others does not embrace the death of those who die, and no immorality is done.

In the preceding example there is a certain lack of choice, in that the situation itself prohibits one from treating everyone. There are other situations in which someone forgoes doing something good because of the opportunity to do something else which also is good but incompatible with the adoption and execution of the first proposal. This situation arises whenever there is a choice between alternatives, any of which can be adopted without moral fault. It can arise in a specific case in which one and only one alternative would involve acting to save a person's life.

For example, physicians can refuse to accept additional patients, even though they know that their refusal will lead to a patient's earlier death, without proposing that the patient die. Physicians might simply be choosing to limit their practice at a level which permits them to take reasonable care of their children's personal needs, of their own health, their religious duties, and other legitimate concerns.

Obviously there are limits. Physicians who refuse occasionally to interrupt their recreation to tend to a severe medical emergency might not be in violation of medical ethics or any specific duty, but any person with a proper level of dedication will be generous with time and talents in the service of others, and all who are fair-minded will do to others as they would wish others to do to them and to their own loved ones. In other words, the golden rule sets a very important moral limit beyond which an upright person will not go in

omitting to serve the needs of others. To violate this limit is just as immoral—and can show just as vicious a disposition—as to violate the good of life by killing in the strict sense.

There is another type of reason for forgoing doing good which involves no disrespect for the good which would be realized by the action. One might notice that doing the action good in itself will in fact bring about many undesirable consequences. And one might choose not to adopt the proposal to do the good in order to avoid accepting these various bad consequences. This situation is exemplified in a very important way in many instances in which potentially life-prolonging treatment is refused, withheld, or withdrawn—even in the case of a patient who is not dying—because of the expected disadvantages of accepting, carrying out, or continuing treatment.

In chapter nine we have articulated grounds on which someone might reasonably consider treatment undesirable: if the treatment is experimental or risky, if it would be painful or otherwise experienced negatively, if it would interfere with activities or experiences the patient might otherwise enjoy, if it would conflict with some moral or religious principle to which the patient adheres, if it would be psychologically repugnant to the patient, or if the financial or other impact of the treatment upon other persons would constitute a compelling reason to refuse treatment.

The moral legitimacy of refusing treatment in some cases on some such grounds certainly was part of what Pius XII was indicating by his famous distinction between ordinary and extraordinary means of treatment. The Pope defined “extraordinary means” as ones which involve a “great burden,” and he allowed that one could morally forgo the use of extraordinary means.<sup>19</sup>

The conception of extraordinary means clearly is abused, however, when the proposal is to bring about death by the omission of treatment, and the difficulties of the treatment are pointed to by way of rationalizing the murderous act. If it is decided that a person would be better off dead and that treatment which would be given to another will be withheld because of the poor quality of the life to be preserved, then the focus in decision is not upon the means and its disadvantageous consequences. Rather, what is feared is that the means would be effective, that life would be preserved, and that the life itself and its consequences would be a burden.

Moreover, even when treatment is refused, withheld, or withdrawn because of an objection to the means—and without the adopting of a proposal to bring about death—there still can be a serious moral failing.

A person who refuses lifesaving or life-prolonging treatment, not on a suicidal proposal but because of great repugnance for the treatment itself, might have an obligation to maintain life longer in order to fulfill duties toward others.

For example, someone on dialysis might wish to give up the treatment because of the difficulties it involves, and some persons in this situation could

discontinue treatment and accept death without moral fault. But a parent with children in need of continued care, a professional person with grave responsibilities, and many other persons who can prolong their lives at considerable sacrifice to themselves are morally bound to do so, even by this extraordinary means, because they have accepted duties which others are entitled to have fulfilled, and persons who love the goods as one ought will faithfully fulfill duties toward others at considerable cost to themselves.

Similarly, if one refuses, withholds, or withdraws lifesaving or life-prolonging treatment for another because of the grave burdens entailed by such treatment, the burdens must be grave indeed. This is especially clear in cases in which the patient is not dying—for example, cases of defective infants. One must be quite sure, at the least, that with no suicidal proposal one would in the patient's place not wish the treatment. Otherwise, one accepts moral responsibility for a very grave wrong toward the patient.

As with actions involving a positive performance, so with omissions there can be cases in which the omission results from a project which embraces the bringing about of death and yet there is no moral act of killing because the project is not a proposal adopted by choice. For example, someone undergoing treatment and suffering greatly might so hate and fear continued treatment and continued life that he or she could no longer accept or cooperate with the treatment—"could no longer" in the sense that a psychological impossibility blocked the way and rendered null the will to live.

In such a case, just as in the case of any obsessive-compulsive suicide, there can be no moral guilt for an omission about which there is no possibility of choice. Because of the inherent difficulty in doing anything, in fact, it is rather more likely that persons come to a point where they can no longer "pull themselves together" to make the effort needed to live or "endure the unendurable." If there is any moral responsibility in such cases, it is for earlier acts or omissions in which, perhaps, patients failed to care adequately for themselves or in some other way created a situation in which death was embraced too soon.

Again, people can omit treatment as part of a project to cause death without becoming morally guilty of killing in the strict sense because the project is not the proposal upon which they act. Consider, for instance, the situation of nurses who are trained—perhaps too strictly—to follow the orders of physicians. If parents and physicians conspire in the killing of a defective infant by starving it to death, and if the physicians order that neither food nor fluids are to be given the infant, a nurse might not think of disobeying. In such cases nurses do not make themselves parties to the conspiracy. Their fault, if fault it is, is in their too uncritical acceptance of the domination of their own proper sphere of activity by physicians, even when physicians no longer act in the interest of the patient and in the service of life.

Even after considering the preceding cases, we have not finished with the complex subject of omissions. So far we have discussed only deliberate omissions and omissions in which there is nonperformance as a way of carrying out some project, even if the project is not a proposal adopted by choice. It also is possible to omit something without adopting any proposal, without even thinking about what one is failing to cause or prevent. Not everything that one does not do is an omission. But people sometimes fail to do things which they could and should do and fail without even attending to the matter.

In most cases involving medical treatment where life is at stake this type of omission is only of indirect interest. The importance of life-and-death issues make it almost impossible that they not become proposals in deliberation, accepted or rejected in choice—except for cases in which one understands what is omitted but cannot choose, such as we have discussed already.

There is one thoroughly immoral way in which people can come to omit without further thought grave obligations such as those to preserve life. This is by adopting and rationalizing an immoral policy and then applying it mechanically until it becomes so habitual that cases are handled without any new reflection. For example, a hospital and its staff might adopt a policy of killing certain types of patient by omission, and this policy could become so much a part of the institution's routine that no one any longer thought about it.

In a case like this not only is the adoption of the policy immoral but the ability to act upon it without pangs of conscience is a sign of so deep and fully integrated an immoral commitment that those involved have made themselves moral monsters, deprived of normal human sensitivity. To persons like this the shocked objections of others are merely an amusing or annoying expression of silly and irrelevant compulsions and inhibitions.

There are some ways, however, in which persons can fail by nondeliberate omissions to do what they ought toward themselves and others. These omissions can occur without any such policy in the background as we have just discussed.

For example, a person might notice symptoms which could be signs of the beginning of a serious illness and yet irresponsibly fail to think about them, not deliberate about seeking an examination and diagnosis, and so never make any choice or have in mind any project bearing upon the matter. Similarly, parents or others having charge of noncompetent persons can ignore their symptoms or notice them and yet never get around to doing anything about them. This can happen without any consideration being given to doing something and so without any choice not to do what a reasonable person would nevertheless easily perceive to be called for.

Neglect of this sort, although it involves no deliberation and choice, is morally blameworthy. A person who cared enough and who was dutiful enough would notice, would deliberate, and would do what could and should

be done. The voluntariness in this case is in the weak care and concern for life and health, the weak sense of responsibility for one's own well-being and the well-being of those in one's care.

Failings such as these might seem far removed from cases in which life-and-death decisions are consciously made. Yet such failings can prevent people from receiving the medical treatment they need and should have. And in some instances omissions of this same sort can have an important effect upon a developing situation. For instance, busy hospital administrators might hear rumors or have other reason to suspect that defective children are being killed by neglect in their hospital. The problem would be a difficult one to handle, and there are many other things to do, such as working on the budget. So the administrators can ignore what is going on, never discuss it, never think about it, and so never even decide to tolerate it.

Yet administrators could and should do something in cases such as this, for the problem is within their area of responsibility. If they loved human life as they should, if they were less attached to their own status as successful administrators, perhaps they would look into the matter. But the thoughtless omission goes on and perhaps is taken by the hospital staff and others to be tacit consent, toleration, and cooperation in what is being done.

In summary, omissions are less obvious than actions which involve an overt performance. But morally speaking, they present all of the same significant possibilities as other acts and a few of their own. One can kill in the strict sense by omission. One also can bring about death without proposing it by a moral act of omission, which itself can be unjustifiable because it violates some mode of responsibility other than that one may not act directly contrary to basic human goods.

At the same time, however, one also can bring about death by omission based upon a proposal to avoid other evils or to do other goods, not by way of or involving the death itself, when the choice of this proposal is morally upright. One can also bring about death by omission without personal deliberation of and choice of any proposal including this result, yet as part of a project which involves it, as in the case of the obedient nurse. One can also become so perverted that one omits without thinking to do what one ought to serve life. And one can also omit without thinking because of an imperfection of character and commitment like that of the inattentive parent and busy hospital administrator.

Attempts to determine the moral quality of all these various sorts of omission at the concrete level are even more difficult than are attempts to determine the moral quality of actions. But, once more, the point of ethical analysis is not to pass judgments, not even to pass judgment upon oneself. The significance of the analysis of the preceding cases is its use as a kind of checklist for reviewing one's responsibilities. One who wishes to do what is

right not only must be careful to avoid behavior which expresses morally unacceptable proposals, but also must be attentive to avoid immoral proposals to be executed by outward inaction, to avoid failures to fulfill responsibilities, to avoid the inattention which permits one to ignore what one ought to consider.

For many psychological reasons omissions probably are not given the moral weight they deserve. What does not appear in experience—a murder with no blood spilled, with no deadly deed done—seems somehow less real and so less serious. Also, so far as the censure of other people is concerned, omissions are easy to get away with. But one's primary duty is to promote basic human goods, to work to protect life and make it flourish. And this primary duty is as much betrayed—perhaps, indeed, more often betrayed—by omissions as by actions executed by an outward performance.

### **K. The Morality of Helping: General Considerations**

Up to this point we have considered a variety of kinds of actions and their moral quality insofar as they bear upon the good of human life. But we have almost entirely been concerned with actions in which those acting have been principals—that is, have been free to shape their action according to their own purposes.

Another set of concrete problems arises when one begins to consider the moral responsibilities of individuals who are acting in a way subordinate to the purposes and actions of another. Agents or helpers are not entirely free to shape their own actions according to their own purposes, yet their moral responsibility for what they themselves do cannot be dodged by assuming that it is nothing distinct from the moral responsibility of those they serve or help.

In traditional moral thought this topic has been treated under the title of "cooperation." But since persons who cooperate very often simply are two or more principals working together, we prefer the word "helping," which more accurately expresses the relationships in which we are interested.

Perplexities about helping have become more prevalent since abortion was legalized. Such perplexities will become still more prevalent if practices such as starving defective children become more generalized. And legalized voluntary euthanasia would create tremendous new perplexities about helping, since one could be confident that some who chose death would be morally upright themselves in making this choice, although from our point of view they would be seriously confused.

How is a moral counselor or guide to proceed when talking with persons contemplating volunteering for euthanasia? How are persons in institutions in

the service of life and health to proceed as their institutions allow—or even establish as policy—various forms of killing and letting die?

Many nurses, for instance, already find themselves in considerable moral perplexity because of the legalization of abortion. Most nurses are deeply dedicated to the goods of human life and health, and they have been trained to serve patients in respect to these goods. To do the good work for which they have been trained nurses generally must work in close association with physicians, often in hospitals and other health-care institutions. But physicians in many cases are beginning to accept killing in the strict sense as part of their daily practice; hospitals in many cases provide facilities for abortions which cannot be morally justified. What are nurses to do if they work with such physicians and in such institutions?

In a broader social context many persons whose moral commitments are sound, who fully respect the good of human life, recognize that society is becoming more and more ready to accept violations of this good, and even to institutionalize such violations by establishing public policies which undertake to solve social problems by killing. This situation raises a great many difficulties.

If government itself adopts killing as a solution to problems, such as the problem of welfare dependency, what is the patriotic citizen who also is a friend of life to do? Most of those whose moral commitments are profoundly in defense of innocent life—for example, most opponents of legalized abortion—also are deeply patriotic. One reason they are so intent upon making abortion illegal once more, and preventing the legalization of other forms of immoral killing, is that they wish to save society from the corruption into which it is falling, to recall government to its own commitments to justice for all, not least for the weak and helpless.

Being patriotic, such friends of life feel a strong obligation to obey the laws and to support duly constituted authorities. But they see their very patriotism lending color of legitimacy to public policies which cannot be morally justified. Must friends of life become enemies of the state when the state makes itself an enemy of life? Or can friends of life somehow continue to support a government which more and more sanctions unjust attacks upon life, which more and more violates the liberty to stand aloof of large numbers of patriotic citizens?

The fact that many citizens are forced into a moral dilemma because of government involvement in killing—for example, by the public funding of abortions which are not necessary to save the mother's life—ought to make legislators, public administrators, and judges take notice. Even if they themselves sincerely believe there is nothing wrong in killing the unborn in order to reduce the burden of welfare dependency, public officials should have second thoughts about the wisdom of using this method. It is alienating large numbers of citizens who have strongly supported law and governmental authority.

Government never can count upon a commitment from its immoral subjects; when it alienates many of its upright subjects and compels all citizens to accept policies and methods which many deplore and abhor, any government is carelessly relinquishing legitimacy, as if its moral capital were nothing more than counterfeit money. But a government without legitimacy is no government; it is a structure of force without authority. When the highest court of a nation exercises raw judicial power, it perhaps can bring about the results its members consider socially desirable, but it cannot make upright people accept its decrees as law—that is, as expressions of the requirements of justice, which as such are to be respected and deserve to be obeyed and cooperated with.

The moral dilemma which is posed for citizens by the corruption of public authority is not the only one which members of the society face because of the alienating implications of social acceptance of activities which violate the good of life. Many community organizations which have done so much good and which upright people have continued to support through many other difficulties are losing support from those who abhor abortion because they directly or indirectly involve themselves in such killing.

If a voluntary association devotes most of its funds and efforts to uses which are morally praiseworthy but lends some small amount of aid to immoral activities against life, can one support such an association? For example, many people contribute to a United Way Appeal out of a sense of moral obligation. If the fund is allocated in such a way that contributions will assist Planned Parenthood, which is operating an abortion clinic, can one continue to contribute without helping the abortionists kill the innocent?

These difficult questions about the moral responsibilities of agents and helpers have received very little attention from moral philosophers. Sometimes it is assumed that the morality of the act of one helping is simply the same as the morality of the act which is helped, regardless of the differences in judgments and responsibilities of the principal and the helper.

Sometimes questions about the morality of helping are brushed aside as symptoms of scrupulosity. For example, it might be urged that when a certain result is going to be achieved no matter what one does, then one need not be perplexed about helping. Such perplexity, it might be suggested, will arise only if one is excessively concerned about one's own moral purity, afraid to dirty one's hands in carrying out unpleasant but necessary tasks which will be done anyway. And perhaps, it might be urged, if one does not help, someone else with less skill and moral sensitivity will help, with even worse results.

The account of human action which we have proposed in section A and the moral theory we argued for in chapter eleven show that responses like this to the moral dilemmas of helping are at least inadequate and at worst altogether wrong. One who is worried about responsibilities in helping what is immoral

is not concerned merely about moral purity—keeping clean hands. Nor can concerns about responsibility be dismissed by pointing out that the results will be the same or worse if one does not help.

One who is concerned about helping what is immoral is concerned with the kind of person one makes oneself in helping. And one who is concerned about this cannot be satisfied with consequentialist considerations. Those who only helped the Nazi leadership carry out the final solution nevertheless made themselves murderers; their guilt could not be evaded because had they refused to serve, others would have done so, perhaps even with greater cruelty. Morality is less concerned with results than with good will; a person of truly good will is careful about helping, because a large and important part of any morally responsible person's life is given over to helping, to service, of one form or another.

What we have already said in this chapter provides the necessary basis for answering the questions which arise because of the moral dilemmas of helping. Here we are not going to reargue the normative conclusions we have already reached about various forms of killing and letting die. So if analysis indicates in any case that helping amounts to doing any of the things we have concluded to be immoral, then the helping will be immoral. The account of action in terms of the execution of proposals adopted by choice will be applied to some cases of helping to clarify exactly what one who helps is doing.

But the account of responsibility we have given is not limited to responsibility for what one in the strictest sense does. One also has responsibility for what one brings about. In many ways, as we shall explain, this latter responsibility becomes extremely important when instances of helping are under consideration.

There are two ways in which a person who is helping another or others adopts a proposal which is inherently immoral.

First, sometimes an individual considers the action he or she is about to do to be an immoral one. Such an individual might require help to do the action and decide to do it with help, despite its immorality. One who helps might out of friendship or some other motive consider the proposal precisely to help the person acting immorally to do the action as the principal understands it. No matter what the moral quality of the helping act might be from any other point of view, the adoption of such a proposal would be immoral.

Cases of this sort are not especially common, perhaps, and so it is important to consider some examples which will make clear what can be involved.

Let us imagine a Jehovah's Witness who believes that accepting blood transfusions is wrong. A friend who is not a Witness might think that it would be desirable if this person could be encouraged to accept the transfusion which might be indicated, precisely because this act of disloyalty to convic-

tion would lead the Witness to become a convert to another world view considered by the friend correct—for example, to humanistic agnosticism or Roman Catholicism. Helping a Witness to do an act considered by him or her wrong, however, cannot be justified by ulterior good consequences. Moreover, the friend is not free of blame because in his or her own sincere belief the faith of the Jehovah's Witness is altogether erroneous in this matter, and there would be no fault apart from this erroneous faith if the transfusions were accepted.

This sort of case must be distinguished from one in which one helps persons who are doing something they consider wrong, but without adopting the proposal to help the principals do the act as they understand it. For instance, if a physician or nurse who is not a Witness helps a patient who is one by administering blood on the proposal to save the patient's life, although with the knowledge that the patient consented contrary to his or her own conscience, the physician or nurse could be acting in a morally upright manner.

Yet the conscience of the patient—even if it is sincere and the patient's choice is in accord with it—is not sufficient to justify the action of helping. For one who is helping can adopt an inherently immoral proposal in another way. For example, if a patient sincerely believes that suicide is morally right and wishes help in committing suicide, a physician or nurse could not adopt the proposal to bring about the patient's death as a means of helping the patient. Here, killing in the strict sense is the physician's or nurse's act. The fact that this act is intended to serve the good purpose of helping another do what he or she believes right does not make adoption of the means morally acceptable.

Even if one who is helping another adopts no inherently immoral proposal, there still are other modes of responsibility which must be satisfied by helpers if their acts are to be morally blameless. If *A* helps *B* to do something to *C* although *A* would not wish *D* to help *E* to do the same sort of thing to *A* or to *F* (for whom *A* cares deeply), then the golden rule is violated by *A*'s act of helping. The act will be immoral even though *A* adopts no proposal which is inherently incompatible with moral rectitude.

For example, if nurses help physicians to administer treatment to a patient but would not want any other nurse to help any other physician to administer similar treatment to themselves or their loved ones if they were in similar circumstances, then the nurses act immorally, even though they adopt no immoral proposal, such as a proposal to kill in the strict sense or a proposal to help the physicians act immorally for some ulterior end, such as winning their approval and confidence.

Moreover, those who help cannot evade the fact that they have responsibilities other than those to the persons directly helped. For instance, if nurses have duties to physicians in charge of a case, they also have direct duties to

patients under their care. Nurses cannot evade the latter duties by referring their acts to the former. Thus, a nurse cannot allow patients to die of hunger and thirst on the excuse that the physician in charge has ordered "No food and no fluids." Supplying such needs of patients falls within the proper duties of a nurse, and so nurses cannot abdicate their responsibilities to their patients out of deference to the authority of physicians without violating grave moral responsibilities which they assumed in becoming the nurses for these patients.

Further, if helping might otherwise be justified, there are times when it ought to be avoided because some other duty should take precedence. For instance, a person asked to do something which would help an act of killing in the strict sense might have a duty to refuse to do what is asked as a way of bearing witness to the good of human life and the evil of the act against it, even though, as we shall see, it might be possible to help without adopting the proposal to kill and without violating the golden rule, professional duty, or some other mode of responsibility.

For instance, nurses might have a duty to refuse to prepare patients scheduled for abortions, not because they could not do such preparations without executing any immoral proposal, failing in their duty, or otherwise acting wrongly, but because they have a very strong obligation, as persons dedicated to life and as professional colleagues of others involved, to set an example of how others should act, to express their moral convictions, to give testimony to the truth about abortion, and so on.

The fact that one is only helping to execute a certain proposal and that what one outwardly effects only contributes a necessary condition to the causing of the result by another sometimes tends to conceal the fact that one can hardly be doing what one does without adopting the proposal—for example, to kill someone.

Thus, if a patient would prefer to be dead and asks a physician to help by administering a lethal drug, it is clear enough that the physician cannot do what is requested without adopting the proposal to bring about the patient's death. So no one is likely to miss the fact that there is killing in the strict sense here and that a morally upright physician cannot comply. However, if a patient with a similar proposal asks for help by being provided with a prescription of sleeping pills, which in other circumstances might legitimately be provided, the physician who knows what the patient intends can hardly grant the request for the prescription without adopting the proposal that the drug be used to bring about the patient's death. The sufficient condition of death lies outside the physician's control, but the provision of the requested prescription is a necessary condition for which a physician bears special responsibility.

In fulfilling this condition physicians would do all that is in their power to

bring about death in this case; the fact that other conditions must be fulfilled is no more relevant here than that other physical conditions must be fulfilled if most proposals to kill are to succeed. A hit man for the Mafia is no less a murderer morally speaking if his gun does not fire. Similarly, physicians who provide the means which they know are to be used immorally as a way of helping others to bring about the purpose the physicians would be morally forbidden to bring about by direct causality are no less immoral if the other conditions are not satisfied and the result does not come about.

As in omissions, so in helping it is important to avoid confusions which arise because of the psychological obscurities of the situation. One who is helping another might wish that the other would not do what he or she is in fact doing, might feel very badly about the situation, and so on. None of this is relevant, however, to what the helper is doing. "Good intentions" of this sort are morally the road to hell. The intentions which count are those which are defined by the proposal one adopts and by the consequences one willingly accepts.

Thus, if nurses feel very badly about administering lethal injections but nevertheless do as they are told and kill their patients, their sadness—the fact that doing this simply "tears them to pieces"—does not change the character of what they are doing. At the same time, if the act is a morally right one of caring for a patient as well as possible who has refused treatment—perhaps even wrongfully—and nurses have similar emotional reactions, these do not make what they are doing morally wrong, even if it causes them feelings of guilt because they are not proceeding according to standard and sound practice as would be required for other patients.

It also is very important to notice that many people who would not help another when such helping required the acceptance of a proposal to kill as the helper's own proposal will help another when such helping is immoral in some other way. When a proposal to kill would have to be adopted, the potential helper is likely to recognize that the act, being inherently immoral, cannot be justified by consequentialist arguments. But when the helping would be immoral for some other reasons—for example, because it involves a serious failure to do one's duty—there is a tendency to suppose that consequentialist considerations *as such* can relieve one of moral responsibility. This is not so.

For example, religious teachers might have a duty to instruct the consciences of those under their guidance, let us say with respect to the immorality of various sorts of acts against human life. They might be inclined not to fulfill this duty for fear that their followers will not accept sound teaching in these matters and will only become alienated further from them and their religious message. Although realizing that their silence could be taken as assent to false opinions spreading among their followers, such religious

teachers might imagine that it is justifiable for them to help those committing immoral acts against life by tacitly condoning them, since they can do so without themselves adopting any proposal to violate this good.

However, the consequentialist justification for the failure to teach when this has become inconvenient is just as much a mere rationalization as is the same kind of justification for the physician who adopts the proposal to kill—for instance, by doing an abortion upon a woman whom the physician believes will otherwise attempt abortion upon herself, with risk not only to the unborn child but also to herself.

This is not to say, of course, that when the proposal one adopts is not itself inherently immoral, there cannot be cases in which a performance or omission which seems to be one's duty might morally be set aside because of other considerations. Religious teachers might hesitate to give moral instruction because they are not sure what moral instruction to give and do not wish to risk imposing burdens on their followers which they are not certain are demands of authentic morality.

Here the argument against teaching is not a consequentialist one. The duty to teach is to teach what is considered to be true. One who is confused and uncertain cannot fulfill the duty. Such teachers may have a duty to investigate the issues or to resign their office, but they cannot without irresponsibility assert what they are not confident is true. This is a very different case from one in which, for example, religious leaders might fail to fulfill the duty to teach the truth because they fear that carrying out this duty would be divisive, and they decide that trimming a bit is a lesser evil than losing their following.

#### **L. Responsibilities of Moral Guides**

Having discussed the problems of helping in general and illustrated principles with a few examples, we now turn to consider more systematically the perplexities which might be encountered by persons in various roles by taking into account their various responsibilities and concrete problems. We begin by considering the role of moral teacher or advisor—the person who helps another by counseling and supporting what the one helped does.

In many cases the moral requirements of one helping in this role are clear enough. A moral guide must propose what he or she believes to be moral truth about the problems under consideration. One who assumes this role and advises another to do what is always wrong shares fully in responsibility for the blameworthy act. And, as we have just said, one who takes the role of moral guide has a duty to investigate until confident that the advice to be given is sound.

But in some cases the responsibilities of the moral guide become clouded. For one thing there are various ways of giving moral guidance. The bluntest and most direct way is not always the most helpful or the most lastingly effective. It often is better gently to lead persons who need guidance through helping them to understand the truth and its implications for action rather than by simply announcing the moral requirements and insisting that they be followed.

Still, effective methods of teaching are one thing; nondirective counseling is something else. A person who approaches another in the role of moral advisor or teacher expects direction and has a right to it. The nondirective counselor plays a different role in making no claim to teach, making no claim to know anything which the client does not already know. If one who should function as a moral guide begins acting in the mode of a nondirective counselor, clients—for example, penitents—are likely to accept what the moral guide is doing as moral support for their own decision, whatever it happens to be. Thus, if in some cases moral guides fail to exercise their appropriate role, they accept responsibility for the immoral decisions of their clients—indeed, accept responsibility not only for the immoral decisions their clients do take but also for those their clients might take because of the failure to try to fulfill the duty of communicating moral truth which the role of moral guide imposes upon anyone who accepts it.

Again, in many cases a person in the role of moral guide holds this office within the framework of an established moral community with its own system of belief, including moral belief. This is the situation, for instance, of a Catholic priest hearing confessions or of any rabbi or minister who engages in counseling by which the consciences of adherents to the faith are formed. If a member of the congregation seeks advice of such a person, there is a presumption that the advice given will be in harmony with the fundamental commitments which members of the same community of faith share.

Thus, such moral guides are likely to mislead persons seeking advice if they begin offering personal opinions instead of clarifications of the implications of common commitments for moral life. Of course, it can happen that a person in such a position of leadership loses his or her faith and becomes unable any longer honestly to propose its moral teachings as moral truths. In a case of this sort such a person should resign the office within that community and not pretend to fulfill it, rather than in fact help members of the community to act in violation of their own most basic commitments and in this way to violate profoundly their own consciences.

People often overlook an interesting fact about conscience. When one is exercising one's conscience, one is trying to figure out what is the right thing to do. At this point there is no question *about* conscience; the only question is *about* what one ought to do.

Questions about conscience arise only when one is thinking about one's past actions or about someone else's actions. Then the question about conscience is relevant, because there is a possibility of comparing what is the right thing to do with what one thought or someone else thinks is the right thing to do. Conscience is what one thought was right, especially if one thought carefully and sincerely tried to see what is right. So one might admit now that one did something wrong at an earlier time or that someone else is doing something wrong now but excuse what was or is done on the basis that the action, though wrong, is in accord with conscience.

One cannot reasonably make a similar excuse with respect to one's own current acts. It does not make sense to say: This is wrong but it is all right for me to do it, because I am following my conscience. A person who talks like this either does not believe that the act in question really is morally wrong or does not believe that it is morally right to do it.

Now, when a person looks to a moral teacher or advisor for guidance, the person seeking guidance presumably wants to know what the right thing to do is. Talk about conscience at this point is altogether irrelevant. If the moral guide nevertheless does talk about conscience—for example, by saying that an individual who follows a sincere conscience is not morally blameworthy—this talk can be and is likely to be gravely misleading. Of course, it is true that all who follow their sincere consciences would be blameworthy if they did otherwise. (At the same time, the conscience, if erroneous, might not completely relieve a person following it from blame, since one can pervert one's own conscience by habitual wrongdoing and self-deception through rationalization, including consequentialist rationalization.) But the truth about conscience is not what one seeking guidance about a substantive question is asking for. The question is: What should I think I may do? The question is not: If I do what I think I should do and happen to be mistaken, then how do I stand morally?

If a moral guide, responding with what is sometimes called "pastoral intent" to the question What should I think I may do? instead talks about conscience inappropriately, this illogical, irrelevant reply is going to be misleading. As a response to a different question, one not asked, what is said about conscience might be perfectly true. As a response to the question which was asked—or to which the moral guide pretended to address himself or herself—the talk about conscience is empty. It means, in effect: If you blamelessly think that doing such-and-such is morally unobjectionable, then you are not to blame in thinking that doing such-and-such is permissible.

The trouble is that this empty—and so inherently harmless—remark is taken to be significant and is interpreted, as anyone might expect, to mean something quite different: If you think that doing such-and-such is morally unobjectionable, and if you are blameless in having come to think so, then I,

as your moral guide, assure you that you may do such-and-such blamelessly. In other words, the inappropriate talk about conscience is understood as an espousal of subjectivism by the moral guide. The person looking for moral truth is implicitly told that there is none: Whatever he or she thinks is right *is* the right thing to do.

A moral guide who does not wish to assert that a certain kind of action is in truth morally excluded would do less damage by saying so frankly than by implicitly espousing and encouraging subjectivism in this way. The role of helper here might not be perverted by an honest statement of what is believed to be moral truth, but it certainly is perverted by an evasion of responsibility which implies subjectivism. A duplicitous moral guide who attempts to help people ease their consciences in this way accepts moral responsibility not only for the acts which are approved but also for the subjectivist wasteland into which this method of approval leads those who sought advice.

Moreover, it is by no means clear that the good purpose of easing the moral conflicts of those advised really is served. People given advice like this are perhaps sufficiently fortified to do what they otherwise might not have done with a clear conscience—for example, obtain an abortion or let a defective baby starve to death. But it is one thing to fortify people enough that they go through with acts of this sort; it is another thing to fortify people sufficiently that they are absolutely convinced that what is done is right. Previous teaching and a person's natural ability to understand right and wrong cannot so easily be put aside.

Thus, one who acts after receiving guidance of this sort is likely to continue to have a sense of guilt, and this sense can reflect real moral guilt, for the action was not really believed blameless but only rationalized to be so with the help of a moral guide who evaded his or her responsibility. Even if the person suffering such guilt was trying to escape from a conviction of conscience which was erroneously strict, so that what was done would have been blameless if it had truly been seen to be morally permissible, the moral guide has succeeded in leading those who sought guidance to act without sincere conviction. Weak consciences were not cured and strengthened; they were permanently set in crookedness and deformity.

Because of this possibility a moral guide bears very heavy responsibility for the guidance given. There might be times when even a moral guide must be silent, when the imparting of information is not a duty and could be an imposition of an unbearable burden. But such times will be few and far between. Questions are not asked unless there is some unease about them. Truly sincere persons whose consciences are blamelessly mistaken do not start asking questions about the rights of erroneous conscience and do not even think of asking questions about the matters with respect to which their

moral judgment is blamelessly in error. Moreover, a moral guide must consider more goods than the moral uprightness of the person needing guidance.

This last point too often is overlooked. Human life, for example, is itself a basic good. Its destruction always is a great evil. If a person's life is lost by accident, there is a tragic loss of human good. If a person's life is lost by the act of another erroneously but sincerely thought to be morally upright, the loss is no less. And if this morally blameless act is preventable by another, the person whose life is lost has some claim upon the one who could prevent it. If the act could be prevented and should be prevented but is not, the person whose life is lost is unjustly sacrificed to some other good.

Hence, since humankind's primary moral calling is to promote and protect human goods, not merely to avoid immoral acts, moral guides have a heavy responsibility to lead those they guide to what is truly right, not merely to relieve them of moral guilt. Moral guides who care more about the client with whom they are in immediate contact, with whom they develop a personal relationship and bond of sympathy, than about others who are affected by their client's actions are proceeding with an immoral partiality. It is sentimentality, not charity, to help another by reassurance to do unto others what one would not wish done unto one for whom one had as much sympathy. The unselfish, nonegoistic character of such wrong guidance does not negate its grave immorality.

### **M. Responsibilities of Service Personnel**

A very different sort of helping is involved if we consider the activities of service personnel, such as janitorial help, maintenance workers, cleaning persons, security guards, electricians, plumbers, letter carriers, typists, and the like. Such persons might be working in a building where there is an abortion clinic, supplying their service to a hospital where defective infants are allowed to starve, or in other ways helping to bring about death. Obviously, their help is quite remote, but it is help in the sense that those more directly involved would find it more difficult and perhaps even impossible to do the evil they do without a great deal of such help.

Service personnel very often supply their service not only to those who are doing evil insofar as they are doing it but to many who are doing good, and to those who are doing evil insofar as they are customers or tenants or the like, who also are doing good. Moreover, service personnel very often work simply for their wages. They do not adopt as their own the purposes of those for whom they work; very often they do not even think about these purposes. And if they do think about them, it seldom if ever comes to mind that there is anything to be done. Clearly, people in positions of this sort can do their jobs

without adopting any immoral proposal, even though they happen to know that doing their jobs helps to create or maintain conditions in which immorality is done.

It also must be noticed that service personnel generally can continue to do their ordinary work in cases such as we are considering without violating the principle of universalizability or any duty of their role. Indeed, if the principals in the situation were doing good, the work of the service personnel would go on just as it does and would help that good. Thus their duty to those toward whom evil is done would be the same, and in continuing to do their ordinary work they are discharging this duty so far as they can. A baby starving in a hospital nursery would not be better off if the stationary engineer did not fire the boilers which provide heat to the nursery.

But persons working in such capacities also have an obligation to give testimony to what is good and to moral truth, to give good example, to promote consciousness of the evil which is being done, and to avoid involvement in it so far as possible. Therefore, it seems to us that there is some positive responsibility for service personnel to lodge their protests about what is going on and to try to find alternative places of employment.

Persons who are friends of life should help service personnel to find work which does not help maintain the conditions for immorality, should help them with legal counsel if it is needed, and so on. If there is a unionized group of service personnel who abhor the activities to which their good work lends help, such a union could do much in bringing what is being done to public consciousness. Obviously, if in particular cases service personnel have no alternative employment possibilities, can achieve nothing by protests, and so on, then they can very likely continue to do their jobs which in fact help bring about evil without in their hearts becoming conspirators in it.

Traditional moral treatises on cooperation tended perhaps too quickly to absolve service personnel. Slaves and others working in such capacities did not in the past have the liberty which modern workers do. Unions which have given many service personnel power to obtain better wages, hours, and working conditions for themselves also have given them the power to separate themselves more perfectly from activities which they find morally abhorrent. Not to use this power today for the latter purpose but only for the former would be irresponsible.

Furthermore, traditional moral treatises perhaps were too concerned about one mode of responsibility: that one not act directly against a good. Service personnel clearly are not doing this in most cases and need not do it in any. But the responsibility to do what one can to express one's commitment to the good of human life, to give testimony to moral truth, and to avoid even remote involvement in evil is a real one, though not one so well-defined as other responsibilities.

## N. Responsibilities of Nurses

Nurses provide auxiliary services which often are necessary if proposals of physicians to kill or wrongfully to allow to die are to be executed. For this reason nurses often are perplexed about their responsibilities. Their activities are necessary conditions for immoral acts; in this sense they help these acts. Yet often nurses do not adopt the immoral proposals of physicians who, for example, are performing abortions or starving defective infants to death.

The first thing to notice is that it is entirely possible that nurses adopt as their own the immoral proposals of physicians or patients. For example, a nurse might wholeheartedly agree with the death-dealing purpose of the abortifacient procedure, having accepted the principle that no unwanted baby should ever be born. In such cases nurses are not merely helping to perform abortions; morally speaking, they are principal agents of acts of killing in the strict sense. Their responsibility is no less than that of the physicians who physically cause the death of the unborn.

The same thing can happen in a more subtle case. A pediatric unit might have adopted a policy of selecting some babies for nontreatment, with the intent that they should die, so that they will not survive with a poor quality of life. The execution of this policy is not by any one overt act. Rather, it is carried out by an extensive set of omissions by a whole group of physicians, nurses, hospital administrators, parents, and others who know about and are collectively responsible for the care of these individuals. Since the activities which are omitted by nurses in such cases will be ones which it is normally their duty to patients to perform, it is difficult to see how these activities can be omitted without the nurses adopting as their own the policy of the unit. Even if they accept this policy for some ulterior purpose which is morally blameless—for example, to earn a living to support their own children—the acceptance of the policy, however reluctant, is morally a commitment to the act of killing in the strict sense.

Nevertheless, it is possible that nurses do almost everything asked of them, even in a context in which killing in the strict sense is being done, without adopting the proposal to kill and becoming principal agents in killing. A woman who is having an abortion or a patient who has refused treatment with suicidal intent still needs ordinary nursing care, and nurses can give such care—feeding, comforting, administering pain-killing drugs—without adopting any proposal that the unborn or the suicidal patient should die. It is even possible to imagine situations in which nurses might prepare patients for operations in which killing in the strict sense is carried out and help physicians by handing them instruments with which they kill and yet not themselves adopt the proposal.

How could this be? Consider the instance of very poor nurses who are in

desperate need of money to support their own families and who have no other way of obtaining it. Or consider the instance of nurses compelled under threat of physical violence to do these things. In such cases nurses might realize fully that what they do very proximately helps to carry out immoral proposals, yet they might do what they do not as a means to carrying out these proposals but only as a means to earning income or avoiding bodily harm.

The distinction between cases such as these and those in which the immoral proposal is adopted is a very fine and subtle distinction indeed. Nevertheless the distinction is real. The nurse's activities in assisting do help; that is what a nurse is paid for. But although nurses are only paid insofar as their activities do help accomplish immoral purposes, it does not follow that they help only if they make the immoral purpose their own.

It is possible that they help for reasons of their own and that the goods they have in view are equally achieved whether their help contributes causally to the bringing about of a state of affairs which cannot be proposed as a goal without immorality. If they do not adopt the immoral purpose as their own, nurses might possibly blamelessly help physicians who are carrying out killings in the strict sense, such as abortions aimed at killing the unborn and injections used for active euthanasia.

Of course, if nurses themselves undertook to perform the death-dealing behavior—for example, by administering the injections—they would no longer be helping but would be executing the proposal that death be brought about, and they could not do this without adopting the proposal.

But although it is possible that nurses do almost everything asked of them even in a context in which killing in the strict sense is done without adopting the proposal to kill, still nurses can gravely fail in moral responsibility without becoming principal agents in immoral acts. In discussing in section K the general principles of cooperative or helping activities, we have already indicated several ways in which nurses might be morally at fault without becoming killers in the strict sense. These ways were indicated as examples.

First, nurses might violate the golden rule or principle of universalizability by doing something to help another bring about an effect upon someone in a case in which they would not wish another nurse to bring about a similar effect upon themselves or someone for whom they cared deeply. Second, nurses have their own duties to patients and in respect to these duties cannot exempt themselves from responsibility by wholly subordinating their judgment and activity to that of physicians and others. Third, there is an obligation every bit as serious as the duties of one's profession: the obligation to oppose serious wrongs. Nurses ought in most cases to refuse help in cases in which something immoral is done, to impede the wrong, to give good example, to express their own moral convictions, and to give testimony to the truth about the goodness of life and the evil of acts against it.

There is one other area in which nurses have a special responsibility that we fear has been slighted too often. Nurses see and hear a great many things which ought to be kept private. Normally they rightly maintain high standards of confidentiality by protecting patient privacy and also avoiding publicity of innocent imperfections of physicians and others which would have a bad effect upon patient confidence and do no one any good. But there are times when a usual custom of maintaining confidentiality can lead to failure to speak up, speak out, or communicate information to authorities who should have it.

If nurses observe that unlawful activities are being done, they have the same duty as any other citizen to report this fact to officers of the law. If they know that it is common practice, for example, to kill aborted babies born alive either by action or by omission of ordinary medical care which would surely not be denied a wanted child, nurses have a duty to bring the facts to light. In some cases they cannot do so without risking their own positions. But in many cases there should be no difficulty in communicating the facts to officers of the law and to the public at large by means of journalists who are friends of life. Too little of what is going on and is spoken about privately is coming to light. Nurses have a special opportunity and so a special responsibility to make clear what is happening as exterminative medicine is more and more widely adopted.

#### **O. Responsibilities of Health-Care Institutions**

Hospitals and other health-care institutions also can encounter perplexities about the extent to which they can blamelessly allow death-dealing acts to be carried on with their help and facilities. Obviously there is no perplexity when the institution itself adopts proposals to kill—for example, sets itself up as an abortion facility. The problem arises rather in the case of institutions which find activities going on in various services without the institution itself having planned or made policies specifically furthering these activities, when the activities are judged to involve killing in the strict sense or other acts involving immoral proposals, and when there are possible ways in which the administrators of the institution might restrain the physicians or others engaged in the immoral activities.

This situation is a very difficult one for administrators of institutions who are personally friends of life. They realize that their institutions provide many essential services to the community. They would like to eliminate or restrict as much as possible immoral acts facilitated by the fact that their institutions exist and provide conditions necessary for a variety of activities, most of which are good. But in the present legal and moral climate how can health-

care facilities not allow killing in the strict sense—for example, abortion—and other immoral activities to go on with their help?

The answer to this vexing question is in a clear understanding of what it means for a health-care institution to “allow” certain procedures to take place within its facilities.

In one sense everyone who helps another who is doing evil accepts the bad consequence and allows what is evil to be done. In this sense busy administrators might continue to keep the physical plant running well while knowing that morally blameworthy operations are done in their hospital, not intervening to try to compel staff physicians to conform to hospital policies forbidding such operations.

In another sense one allows something by making specific provisions for it. For example, a hospital administrator might allow abortions or other immoral acts to be done by scheduling certain facilities and personnel for these specific purposes. This latter kind of allowing is more than accepting bad consequences; it is making policy to organize activity precisely in view of these purposes.

Thus, in the latter case the administrator in setting policies defines the institution’s purposes, establishes the proposals it will help to realize, makes it the sort of institution it is. A hospital which allows euthanasia and abortion in this latter sense of “allows” makes itself an accomplice in the immoral acts it facilitates—for example, makes itself an abortion mill.

The implications of this analysis are important. A hitherto praiseworthy and truly humanitarian institution—such as a charitable hospital—corrupts itself as soon as it makes provision for activities which execute immoral proposals. Nor is this corruption lessened, but rather intensified by hypocrisy, if the sponsors of such an institution express their personal rejection and institutional disapproval of the activities which they nevertheless facilitate.

There can be cases in which hospital administrators, like others, help someone who is executing an immoral purpose without themselves adopting the purpose, yet act in a morally blameworthy way. For instance, if a court orders a hospital to permit killing in the strict sense in its facilities, an administrator might do only what the court specifically mandates without adopting the proposal which is morally excluded. Yet the administrator might have a moral responsibility to resist the court’s order. The fact that the institution can comply without becoming an accomplice in the immoral acts it facilitates does not cancel responsibilities which arise, for example, from the obligation to stand for principle, to carry out the intentions of those who have supported the institution in the past, to offer good example, and so forth.

If an ecclesiastical body were threatened with the loss of its most valuable real property by a judicial decision denying its title to the property, those who are leaders of the body certainly would launch appeals, obtain the

services of the most able attorneys, seek every possible avenue to avoid losing the property. If the leaders of an ecclesiastical body act with less energy and determination in defending the institutions under their jurisdiction when these institutions are ordered by courts to help carry out antilife activities, then such leaders clearly manifest what they treasure and where their hearts are.

#### **P. Responsibilities of Citizens at Large**

Citizens whose governments are committed to the execution of immoral purposes also face perplexity. On the one hand, few if any governments fail to carry out many good and necessary activities which deserve the support of all citizens. On the other hand, cooperation with a government—for example, by paying one's full taxes—unquestionably helps to facilitate all its activities, including those which carry out morally objectionable proposals. Whether or not citizens should resist government—for instance, by openly or covertly withholding taxes or in other nonviolent ways—is a difficult question to which there can be no general answer. Concrete circumstances, especially the personal duties of such citizens, always play an essential part in reaching sound moral judgments in these matters.

It is not always immoral to pay taxes which one knows are being used in part for immoral purposes such as funding abortion and maintaining the nuclear deterrent. Those who pay taxes knowing that they thereby help such purposes need not adopt the immoral proposals which governmental policies involve. One may pay taxes for many reasons, such as a desire to further the good things government also does and such as a desire to avoid the seizure of one's assets which would only contribute more to the government's immoral acts and at the same time deprive one's dependents of the support they require.

A person who pays taxes for reasons such as these need not adopt any immoral proposal which shapes the government's policy, even though the taxpayer knows that the payment will help fund the execution of the immoral policy. To say this is not to defend an attitude of conformism to the immoral demands of a political society. Rather, it is to recognize that very often it is difficult, if not impossible, to resist the power of government which is bent upon executing immoral proposals.

At the same time a person who finds it possible to withhold taxes or other support from such a political society might well be justified in withholding support to the extent that the society is corrupt. The failure to meet obligations both to other members of the society as such and even to one's family and others would be, not part of one's proposal, but rather an unwanted but

inevitable side effect of a principled refusal to cooperate in the doing of evil and to tolerate the infringement of one's liberty to stand aloof.

Every person has a real and strong obligation to avoid helping to promote evil, and only other serious responsibilities justify one doing what in fact does help evil. In some situations the protest value of refusing to pay certain taxes might be significant, and the consequences of refusal to pay minor. Some people might be in a position to accept the costs and inconvenience of fines and imprisonment for demonstrating their deep resistance to immoral governmental policies by refusal to pay taxes or in other ways. Such persons could have a duty to resist.

Those who have taken the side of life in the debate on abortion have only begun to face these issues. Those who are eager to compel public participation in killing have hardly begun to think about them. As the movement to legalize killing gains ground, the question of the legitimacy of government will more and more be raised. The responsibility to resist will become clearer.

When one turns from the support of political society through taxes and in other ways to support for voluntary associations which adopt policies which further immoral purposes, the issues about cooperation become less perplexing. In general one should not support any organization which conducts or shares in immoral activities.

The reasons for withholding support here are similar to the reasons for withholding support from corrupt proposals of a government, but for one essential difference. Unlike the case in which one must engage in civil disobedience or some other form of unlawful resistance to avoid cooperating in evil, one always can refuse to join or contribute to purely voluntary associations without doing anything unlawful. One's moral obligations to support charities and voluntary associations do not arise in the same way and have the same specificity as one's moral obligation to support a just government. And the leaders of a voluntary association such as the United Way or the March of Dimes do not have the same power to make one's dependents suffer if one refuses cooperation as do the judges and police who enforce the immoral programs of political society.<sup>20</sup>

This is not to say, of course, that one has no obligation to support some purely voluntary community activities. But one does not have an obligation to support particular voluntary associations.

If there is evidence that calls into question the moral quality of the activities of such organizations, one is well justified in withholding support until all questions are satisfactorily answered. It is for those who manage such voluntary activities to prove that what contributors are helping is morally above question. It is not for those with doubts to prove the contrary. The consistent following of this approach by all who are friends of life can only have a salutary effect in discouraging involvement of voluntary associations for com-

munity purposes in the immoral activities of those who take advantage of liberty to attack life and other basic human goods.

Moreover, the responsibility many people feel to contribute something to voluntary community activities presupposes that there is a genuine community to which everyone belongs. But if the so-called community activities are directed toward executing proposals one considers immoral, then one either becomes immoral or becomes alienated from the supposed community. A community is based upon shared purposes. Those who are trying to solve problems of defective children, of the sick, and of others by killing them—no matter how beneficently—cannot claim community support from those who are friends of life and cannot complain if friends of life deny help to organizations which only now and then support a little killing.

Thus the fact that one can support a United Way appeal or a March of Dimes drive without adopting all of the proposals which recipients of funds from these organizations have adopted does not mean that one can in good conscience continue to support such organizations if there is doubt about some of their projects. Friends of life will have no difficulty in finding voluntary organizations which need and deserve their support and should help no others.