

II. THE ETHICS OF SUICIDE

By Ralph McInerny

I am a philosopher. My subject is suicide.

You may think this an odd coincidence. Then again you may not. After all, Dr. Johnson had a friend who said he had been thinking of going into philosophy but somehow cheerfulness kept breaking through. Moreover, the Stoics developed a lugubrious rationale for bringing one's life to an end. More recently, the French philosopher Albert Camus declared that the first philosophical question was: Should I commit suicide? His reasoning was that any other question presupposes a negative answer to that one.

On the other hand, Socrates in his death cell, waiting for his ship to come in — the arrival of a ceremonial boat was to signal that his end had come — was urged by his friends to cheat the executioner but he spurned the idea with the observation that he belonged to the gods, not to himself, and he ought not destroy their property.

My subject is suicide because, as the presumably clear-headed choice of death, it is the complete antithesis of respect for life.

I address the topic as a Catholic philosopher, more specifically a Thomist, that is one who derives his main intellectual inspiration from an overweight medieval friar who died at 49 leaving a veritable library of writings which continue to have that odd timeliness we associate with genius.

Living in the second and third quarters of the 13th century and involved for much of his professional life in the tumult of the University of Paris, Thomas, unlike some of his fellow professors welcomed the incoming flood of pagan and Islamic learning but unlike others was a critical recipient of that enormous wealth of knowledge. He rejected both the view that there is a radical conceptual conflict between natural learning and religious belief such that philosophy must be regarded as a threat AND the insouciant view that, while there is this radical conflict, it doesn't matter. One can simply wear different hats on different occasions. Thomas held that truth

cannot conflict with truth, that not all conflicts are real ones, that where conflict is real a supposed truth cannot be such, but that in any case there is no simple apriori test. One has to take a careful look and see.

It is not too much to say that if Thomas's view had not prevailed, medieval Europe would have become like the Iran of the Ayatollah and you and I would not be meeting here under the auspices of an institution with significant links to the medieval university. Because Thomas's view prevailed, the Church in speaking on ethical matters almost invariably appeals to moral commonplaces as well as to such guidelines as Scripture and tradition. The latter may motivate the believer, but the former provide a basis of action common to believers and nonbelievers. Thus contraception and abortion are not said to be wrong for Catholics alone but for anyone and they can be seen to be such by reflecting on what is being done and how. The moral commonplace to which such judgments appeal as to premisses have come to be known as Natural Law Precepts.

Suicide may be thought of as the isolated act of a troubled individual, an act which, as a human act, has implicit in it a supposedly justifying reason. It may be, of course, that what looks like a human act is not, that the person is so troubled or terrified or tortured we would hesitate to regard what he does as responsible, a deed for which he can answer. So regarded, suicide poses quite special problems, problems which do not so much affect what we mean by suicide as its applicability to this case or that.

But it is not thus that I shall address the subject. We live in a time when there are advocates of the right to suicide, when there is, O Shades of Socrates, a Hemlock Society — the cultural and historical opacity of those who would thus evoke the memory of that Athenian sage as warrant for a deed he spurned is of itself a sign of the times — when it is maintained that the medical profession has no right to refuse the patient who requests a fatal dose of morphine, a request which will have been made perhaps years earlier at a time of presumed lucidity of mind. It is this quite special scenario in which the patient claims a right to die and the doctor asserted to have a duty to kill that interests me in the following remarks.

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What I have to say could be billed as on life, medicine and natural law, that is, on just about everything. By life is meant human life, medicine is the art devised to heal the sick and handle threats to the physical well being of humans, and natural law consists of those moral commonplaces already alluded to. I shall try to say something intelligible involving all three of these. If I fail I will, of course, slash my wrists, fall on my sword and otherwise make a nuisance of myself.

Perhaps I need not warn you that it is a function of the philosopher to state the obvious, to begin with simple matters and perhaps to end with them as well. For some of us this is as much necessity as choice, but we try to get credit for it anyway.

1. The Human Race Lives by Art and Reasoning

Aristotle came to occupy pride of place in late medieval philosophy as the result of the controversies alluded to earlier. For Thomas, and then for many, Aristotle was simply The Philosopher. Quite apart from his overwhelming teaching tasks, Thomas on his own time commented line by line on almost all the works of Aristotle, a moonlighting effort accomplished in five years during the most frenetic period of his career. This eagerly receptive attitude toward philosophy was decisive for Thomas's theology. He is always on the *qui vive* for the truths which unite believer and nonbeliever even as he reflects on the mysteries of his Christian faith. Thus while he does not expect the nonbeliever to hold as true the Trinity, the Incarnation, etc., the example of Aristotle grounds his conviction that the nonbeliever can from the things of this world, the things that are made, come to some knowledge of the invisible signs of God. The pagan Aristotle had done it. Thus one can speak of God to nonbelievers and fashion arguments which presuppose His existence without thereby retreating into theology proper, without the necessity of presupposing Revelation and divine faith.

(*Aside.* The believer's thought experiments in which he looks at the world as it appears to one without faith should not be seen as ingratitude on his part, as if he somehow envied those without the gift of faith. His purpose is to find

a point of contact with the nonbeliever. But his efforts will have the added value of showing him the reasonableness of belief, the defensibility of accepting as true what we cannot in this life see to be true. It is of course the height of impiety, even blasphemy, to suggest that the faith is a vacation from reason, a carefree acceptance of nonsense.)

Thomas does not expect the nonbeliever to be guided by the demands of Charity, but the principles of justice are common to all and do not depend on the acceptance of any revelation.

In the matters of suicide and euthanasia, Thomas's specifically Christian views are easily stated. Both these acts are violations of Charity which enjoins one to love his neighbor as himself. Self-love being the measure of love for others, and killing oneself not being interpretable as doing oneself good, suicide manifestly violates charity. So too killing another person in the circumstances envisaged by living wills violates charity.

Binding, a German doctor who advocated the doing away with what he termed useless life, somewhat unctuously asserted that his views were in keeping with good religion. It can be safely said that he held a theological position opposed to that of Thomas Aquinas. In discussions of these matters one often hears that "my God does not enjoy seeing people in pain and would approve of ending it." As a mere philosopher, I will not argue the point on specifically Christian premisses. That is not my role in the Church and, even if it were, discussing from a formally theological viewpoint would limit the relevance and interest of the discussion to Christians. If Thomas and the Church had only theological arguments — perhaps they would now be called arguments from Christian ethics — these could not be relevant as such to a pluralistic society like our own. When Thomas does moral philosophy, as opposed to moral theology, he sounds a good deal like Aristotle. Not least because he engages in this humble enterprise in the course of commenting on moral works of Aristotle, the *Nicomachean Ethics* and the *Politics*. But whether in his philosophical or theological writings, the echo of Aristotle is everywhere.

The Aristotle of the opening of the *Metaphysics*, first of all. There, from the initially improbable assertion that all men

by nature desire to know, Aristotle develops a magnificent panorama of human life in which our species is seen as the epitomization of the cosmos, man a microcosm in which inorganic, vegetative and animal characteristics are found together with that something more that distinguishes us from all the rest. Mind. Awareness. "The human race lives moreover by art and reasoning."

In this context art is first used to convey any generalization from experience. "Now art arises when from many notions gained by experience one universal judgment about a class of objects is produced." It is wholly typical of Aristotle that he should illustrate what he means by a medical example. (His father was a physician but died when Aristotle was quite young, so watching his father does not seem to be the origin of Aristotle's predilection for medicine. Some maintain that Aristotle himself was a physician.) It is one thing to know that such and such a procedure helped Socrates and Callias and others; it is quite another to know why the procedure will help anyone in such and such conditions. "This is a matter of art." *Techné*. Here the discussion branches off. In practical matters, experience does not seem inferior to art. Far from it. One who has theory without experience will usually fail to cure. Nonetheless, experience informed by theory is best. In theoretical matters, the universal judgment is unequivocally desirable.

This use of the word *techné* to speak of science is unusual in Aristotle. What is not is the invocation of art as a point of reference. When he speaks of the constitution of physical objects, he will talk of the making of things by a human agent. When he speaks of human action, he will exemplify it by the activities of artisans and then ask if there is some good beyond the specific good of the artisan's activity. The point of shoe-making is to make good shoes, but is engaging in this activity successfully always a good thing to do? The objective of the medical art seems almost to fuse the moral appraisal and that intrinsic to the practice of medicine. A discussion of the pure technique of resoling loafers can be carried on without a sense that weighty ethical issues are huddling in the wings. But medical procedures bearing as they do on a human person can seem all but indistinguishable from moral

action *tout court*. A purely technical discussion of them would seem contrived. Or menacing.

2. The Medical Art

An art consists in the know-how to produce something or other. It is a virtue of the practical intellect, that is, the acquired skill to do well what we must do in any case. Practical wisdom or prudence is another virtue of practical mind and art and prudence are said to differ in this way. Art seeks to perfect its product, that is, make it a good one; prudence seeks to perfect the agent as such, that is, make him good.

Another contrast. Art and nature. The tree under which we seek shelter from the rain differs from an umbrella. The first is produced by nature, the second by art. But the artifact has the natural as its base. In its first and clear instances, art is a transformation of nature. The tree is cut into lumber, the lumber is used to make a house. Synthetic materials are very complicated artifacts, not creations *ex nihilo*. The artifact incorporates the end or purpose of the artisan which limits the natural material that can become a component. Leather is good for shoes, bark is not, ice less so, water is useless. The reverse of this is to notice that the artisan has to know the way things are, take it into account, in order to perform his task well. Art is constrained by nature.

Art is also said to imitate nature. The example is medical. In binding up the wound, the doctor is aiding nature's healing process, perhaps in such a way that if he did not help, nature would not be able to act. Surely only a philosopher would be willing to say in public that a doctor must know something of the human body in order to cure it. It's not that anyone would deny it; it's that no one else thinks it needs saying. It is the physical well being of the body the physician seeks to restore, preserve, enhance. Another truism. He does not *decide* what the well-being or health of the body is. He starts from that as a given. More than any other artist, the physician must be alert to the nature with which he deals; more than any other artist, the physician is engaged in an activity which will be morally appraised. It will be well to say what such a moral appraisal is, but first an odd fact about

the human being.

If nature and art are contrasted it is nonetheless true that man is naturally an artisan. It is of the essence of being human that we rearrange nature for our purposes. The arts of fishing and farming and hunting are necessary for survival, as is the art of shelter-building. Homo faber. It is the sign of man's preeminence in nature that he enters the world unshod, unarmed, provided with no natural home; he is more possibility than actuality, inchoate, but he has been given something better, two things, actually, the prehensile hand and a mind. With these he can fend for himself, and must. Nature is there for him to work on.

It is easy to see medicine emerging in that setting and easy to see how it will be appraised. Health and well-being, no more than food and drink and shelter, no more than reproducing and living in the community, are not things men decide are good. When we reflect on our doings, we see that we have always already been pursuing these things as unquestioned goods. Since they can be pursued well or badly — people overeat, covet the spouses of others, build on sand, and so forth — we must put our minds to doing them well. It is not up to us to want these goods, but the way to them is up to us. And figuring out which of the possible ways are good and which are wrong. What are the criteria for good and bad action?

I have come this circuitous and reminding way so that I can point out that those who plead for suicide and euthanasia see themselves in the light of these presuppositions of human action and its moral appraisal. The proponent thinks he has to justify the allowing of suicide by appeal to some premiss or principle. What is it? He is at pains to justify euthanasia by appealing to a premiss or principle. What is it? In both cases, it seems to me to be this: What the suicide *wants*. What the putative beneficiary of euthanasia *wants*. And what is the object of their wanting? In the case of euthanasia, we hear of wanting to live or not wanting to live. Those seem to be basic. There seems no way in which we can ask whether wanting to live is a good thing or not wanting to live a bad thing. There seems no way to suggest that not wanting to live may be not

so much bad, as impossible. Just as wanting to live is not so much an option as a constituent of what we are.

3. The Natural Law View

Natural Law is not put forward as one theory among many possible ones. If Natural Law is true then in some sense everyone already holds it, whether or not by that name. If not, a person would have to be persuaded to accept natural law on some basis or other. That it accords with her most basic views of good, for example. But whatever is appealed to would have to be itself a constituent of natural law. That is, anything I would appeal to, on the assumption you already hold it, that anyone would hold it, in order to get you to accept natural law, would be itself natural law, that is, a fundamental basis for choice. Not even all proponents of Natural Law seem adequately frank about this: natural law precepts are nongainsayable.

The analogy is with the principle of contradiction. To deny it is to accept it. "A thing cannot be and not be at the same time and respect." Call that P. Imagine someone crying, Not-P. In order for his denial to make sense what he denies must be presupposed. Now no one really likes this kind of argument after the age of 21 or so. But it is unanswerable. It doesn't prove so much as it shows no proof is needed.

Is the desirability of life nongainsayable in that way?

Albert Camus began a famous book by saying that the first philosophical question is: Should I or should I not commit suicide? But he saw that to discuss it is already to answer it in the negative. Indeed, knowing the true answer seems more important than snuffing oneself. Is that sufficient?

What Camus enables us to see is the obvious, namely, that human action is as such conscious action, it is doing something with an eye to something or other. And at the bottom of it all are inclinations, desires, we cannot not have. Any formulation of the human good must begin with the objects of such inclinations. Those objects will be constituents of the human moral good insofar as they are implicitly or explicitly known. We can be said to have known them implicitly when, hearing them explicitly stated, we say, of course. As when

Camus makes explicit what is presupposed in asking questions. Namely, that the truth is not something we can decide is the good of thinking. We recognize that it is and we knew it all along.

Life is that kind of a good. Indeed, it is the most basic good of that kind. That is why it is difficult even to follow discussions which ask whether living is or is not desirable. Living in pain is not desirable, but is it clear that to live and to live in pain are through and through identical? When they are, the agent — who is presumably also a patient — would seem to be incapable of performing any human action. What if the conditions that make suicide morally acceptable also render moral action and thus the doing of it impossible? Or would the fear that such conditions might obtain justify a preventive strike against them?

You can see that there is a fairly quick way in which the morality of suicide can be handled. One could argue that the decision to commit suicide does not qualify as a moral choice at all, that it is intrinsically incoherent.

Something or other can be desired, pursued or chosen only insofar as it is good for me, and that means, fulfilling of me or a constituent of what if fulfilling of me. Anything that could qualify as good in that sense presupposes my existence once it is attained. Thus, my ceasing to be cannot be chosen as a good. Ceasing to be cannot be my good.

The fact that people choose it or seem to choose it cannot affect that. People overeat but that does not mean that obesity is good for us. It does mean that overeaters think that food in limitless quantities is good, and they can think this because food is good and it is a constituent of the human good. The glutton pursues a good in a disordered way, that is, without reference to its part in the total good. One might argue that what the suicide wants is a pain-free existence, an existence minus whatever has brought him to such despair and anxiety. It is not non-existence as such he wants, but not existing in such and such a way. On this construal, suicide would involve a tacit belief in life beyond death.

A believer who hears the proponent of euthanasia assert that it is barbaric to imagine that God should want us to

suffer pain, might be led to ask him what from a Theistic view the point of pain might be. In any case, it might have led him to the recognition that made the pagan Socrates reject the advice that he cheat the executioner and commit suicide. Socrates replied that he did not own himself. He was God's. He had great but limited power over what he might permissibly do. He saw life as a gift. The arch suggestion that the suicide is simply returning the gift can scarcely be a serious acceptance of what is going on. Pagans as well as believers have seen the ultimate point of life as beyond the present one. Returning the gift on this view does not restore one to the *status quo ante*, that is, nothingness, but is rather rushing to a judgment that might prove more exacting than the pain fled.

But no one here will imagine that the friend of suicide intends those religious asides to be taken seriously.

4. Some Objections

There are difficulties to the outlook I am representing which arise from within it and it may be well to look at some of them.

Medicine is an art and one which especially is taken to manifest the claim that art imitates nature. The physician, knowledgeable in the functions and aims of the human body, bends his best efforts to seeing that the organism is sound, that malfunctions are remedied, and so on, being guided by what nature intends.

But death is natural. No organism is destined to go on forever. Mortality isn't a disease, but a condition of existence of the human organism. There comes a season in life when the body wears out, develops malfunctions, is invaded by malignancies. Teeth fall out, eyes weaken, hearing is less acute; the limbs stiffen up, aches and pains and then some terminal illness comes. Surely the point of the art of medicine is not to fly in the face of such facts and see death itself, mortality, as what must be cured. All cures are temporary. In certain conditions death is inevitable, not just logically, but with close predictability. How much longer do I have to live? About six feet.

Well, then, does it not fall to the physician to help nature achieve her ends? Nature is sloppy and prolonged and

haphazard in bringing a life to its close. A point is reached where one will never play the violin again. Why not, in this Aristotelian-Thomistic context, agree with Binding and Hoche and say a fatal shot of morphine can crown the efforts of the health-delivery systems.

Respondeo dicendum quod. To act in order to bring about the death of another is almost a definition of injustice, of the unjust act. To cause harm to another is unjust; death is the greatest evil; deliberately to cause another's death is to be guilty of the greatest injustice.

The fact that death is natural does not make it less an evil for a particular organism. That the chicken is the natural prey of the fox does not make being eaten a good of the chicken.

Objection: death is the greatest evil because without it none of the other human good can be enjoyed. But we are imagining a situation where none of those other goods will ever be enjoyed again. In these conditions, death is no longer the greatest evil but, arguably, the only thing worth choosing.

Response: Undeniably a state is reached where the continued existence of the patient seems vegetal at best. This rules out suicide as a possible action. Is euthanasia equally ruled out?

Nowhere is it more clear than in their discussion of comatose and imbecilic patients that Binding and Hoche, the medical theorists of the Third Reich, were not concerned about the well-being and good of these patients. Such patients are not described as being in pain. The problem is another one. They are a drain on the economy. They cause us pain of various kinds.

Nowhere are the two discussions thinner than at this point. What lessons may be drawn from the presence of the halt and the lame and the retarded in our midst? What lessons may be drawn from caring for the terminally ill, for patients moving inexorably toward death? To treat such patients as worn out or defective machines betrays a materialism that may wear the disguise of compassion or even religion but is for all that a failure to grasp the unique character of the human person at any point in her existence. To regard a suffering human person as one would a horse with a broken leg is unfortunate. Such an outlook, as Aristotle said in another context, requires punishment not instruction.

Lest someone else bring it forward, let me say that Aristotle himself is an unsure guide on the matters that concern us here. You may remember the famous 16th Chapter of Book VII of the *Politics* and marvel at the irenic way in which I have linked Aristotle and Thomas.

As to the exposure and rearing of infants, let there be a law that no *deformed* child shall live, but that on the ground of an *excess* in the number of children, if the established customs of the state forbid this (for in this state population has a limit), no child is to be exposed, but when couples have children in excess, let abortion be procured before sense and life have begun; what may or may not be lawfully done in these cases depends on the question of life and sensation.

Deformed children can be exposed; others may not be. But couples who threaten to have an excess of children, can abort. The permission of abortion relies on false biological assumptions as to when life begins but Thomas, who shared those assumptions, would never condone abortion. There is no mitigation of the statement about the exposure of deformed children. And of course Aristotle's discussion of slavery in the *Politics* astonishes and repels us. Thomas's commentary on the *Politics* is not complete, alas; it breaks off long before the passage on exposure and abortion. He did deal with the question of slaves, but that is another matter.

Not entirely. It has to do with the human being as a person. In the recent Magisterial documents bearing on medical-ethical matters and generally on moral matters, there is an emphasis on the presuppositions of the moral judgments made. Cardinal Ratzinger's reply to questions having to do with *in vitro* fertilization, surrogate parenthood, etc. prefaced his remarks with a reminder that his answers will make little sense to us if we have lost the sense of the human being as a person whose dignity stems from that.

Euthanasia, since it cannot coherently be justified as for the good of the one killed, is justified by appeal to some political aim assumed to be of unquestionable overriding importance. But at best this is a parody of a moral argument. Absent some such supposedly overriding good, arguments for euthanasia

are simply incoherent.

That there are evils which cannot simply be removed in a morally acceptable manner, by removing the patient, say, tells us something about the human condition. It is Mother Teresa and her sisters who attend men dying of AIDS, exhibiting by what they do their conviction of their worth and dignity. In like manner, it seems to me, it is those who recognize the limits of human action who will continue the advance of medicine, not those who see euthanasia as a form of healing.

Envoi

What, then, from a purely philosophical view can we say of the ethics of suicide? An ethical justification of suicide must argue that it is for the good of the suicide. But suicide aims at the non-existence of the suicide and thus the removal of him for whom suicide is said to be a good. There is no coherent way in which one can argue that suicide is good for you.

The hero, by contrast, puts himself in harm's way for the common good. Greater love no man hath than that he lay down his life for his friends. But the hero, or Savior, is not the instrument of his own death. Rather, he accepts the risk of it for the good of others. We should not permit that muddying of the waters that would equate the suicide and the hero.