

AN ANALYSIS OF THE RACHELS - AMA DISPUTE ON EUTHANASIA

Richard Galvin
Texas Christian University

James Rachels has argued that the American Medical Association's policy condemning active euthanasia (AE) while condoning passive euthanasia (PE) is morally indefensible.¹ His argument is threefold. (i) AE is often more humane than PE. (ii) in PE, life and death decisions are frequently made on irrelevant grounds. (iii) There is no hard and fast moral distinction between killing and letting die.

Claims (i) and (ii) provide Rachels with a strong *prima facie* case against the AMA position. *Ceteris paribus*, the more humane act is morally preferable to the less humane act, and likewise the decision that Jones should live but Smith should die should not be made on the basis of irrelevancies. Life and death decisions made on morally irrelevant grounds are morally suspect.

Rachels then correctly points out that the *prima facie* case against the AMA position might not carry the day if there is a morally defensible distinction between killing and letting die such that the latter is morally preferable to the former. If killing is always morally worse than letting die, then despite the formidable *prima facie* case against it, the AMA position could be defended.

Next Rachels attempts to undermine the distinction between killing and letting die by means of an analogical argument. In this essay I shall (a) briefly outline what I take to be Rachels' argument, and (b) argue that the AMA policy escapes unscathed from Rachels' attack since his analogical argument will not stand up to close analysis.

If we look at cases of AE and PE, Rachels claims, we note the following. In both cases our intention is the same, i.e., to reduce or relieve the suffering of the patient. In PE this is why we fail to employ certain treatments, and in AE this is why we take direct steps to shorten the patient's life. The final result is the same in PE as in AE—the patient dies and, we hope, is spared the additional suffering which would have accompanied prolonged survival. Thus the only relevant difference between PE and AE is that in PE we refrain from acting — the means toward attaining our end is passive — whereas in AE we actively kill the patient — the means employed is active. The question, then, is the following: is the difference in the means employed in obtaining the same end result, if performed with the same intention, sufficient to justify holding that AE is immoral whereas PE is not? Rachels then constructs a set of parallel cases in which there is no

question as to the moral evaluation of the acts involved, and claims that parity of reasoning demands that we treat the euthanasia cases similarly.

'In the first (case) Smith stands to gain a large inheritance if anything should happen to his six year old cousin. One evening while the child is taking his bath, Smith sneaks into the bathroom and drowns the child, then arranges things so it will look like an accident.

'In the second, Jones also stands to gain if anything should happen to his six year old cousin. Like Smith, Jones sneaks in, planning to drown the child in his bath. However, just as he enters the bathroom, Jones sees the child slip and hit his head and fall face down in the water. Jones is delighted; he stands by, ready to push the child's head back under if it is necessary, but it is not necessary. With only a little thrashing about, the child drowns all by himself, "accidentally" as Jones watches and does nothing.'

Rachels correctly points out that Smith killed the child whereas Jones 'merely' let the child die, and that the intentions of Smith and Jones are the same, as are the end results in both cases. The children are dead, whereas Smith and Jones are wealthy *patrones* in Costa Rica. It also appears correct to say that Smith and Jones are equally morally reprehensible. It would be a mistake to say that Smith was more culpable or did something worse than Jones simply because Jones did not actually *do* anything. Rachels now makes his case. Here the intentions and results are the same, and although the means are different (passive vs. active), the moral evaluation of each case is the same.

The next step for Rachels is to map this result back on to the euthanasia cases. The argument should proceed roughly as follows. We have examined an unproblematic case (Smith-Jones) in which the intentions and ends are identical but the means differ. Here it is correct to evaluate both acts identically -that active or passive means are employed with these intentions to attain these ends is not morally significant. Parity of reasoning demands that we treat AE and PE cases similarly. Once again the intentions and ends are identical while the means employed are different. But then we are forced to conclude that AE and PE should have the same moral status, since the use of active vs. passive means is not morally significant. Thus the AMA policy endorsing PE while condemning AE, is morally indefensible.

It is my contention that Rachels' argument is ultimately unsuccessful, and that defenders of the AMA position have three lines of argument at their disposal.

(1) Rachels attempts to show that there is no serious moral difference between killing and letting die by constructing a case in which there is no ultimate difference in the moral evaluation of two acts whose only apparent difference is that one is an instance of killing while the other is an instance of letting die. But the production of a single case in which the moral reprehensibility of an act will not change on the basis of its being an

instance of killing as opposed to letting die is hardly sufficient for showing that there can *never* be a case in which moral evaluation would hinge on just such a distinction. Rachels might be guilty of converse accident here — certainly it is a mistake to conclude solely from the Smith-Jones case that there *never* is a serious moral difference between killing and letting die. We can grant that Smith and Jones are equally reprehensible, arguing that although it is usually the case that killing is morally worse than letting die, the other factors present in the Smith-Jones case are so overwhelmingly reprehensible that it does not matter what type of means or method one employs to carry out the deed. In short, one could claim that both Smith and Jones are abhorrent to a degree so enormous that their actions overshadow the killing-letting die distinction. Thus one could claim that the Smith-Jones case is exceptional, but that as a general (although not exceptionless) rule, the killing-letting die distinction does carry moral weight.

(2) One might object to Rachels' general approach on deontological grounds. Although Rachels has attempted to ward off objections from this camp by specifying that the intention of the agent does not vary in either the Smith-Jones or AE-PE cases, his analysis has a distinctly consequentialist bent to it, and remains open to a basic Kantian type of objection. If one holds that non-universalizability is sufficient for wrongness, then one could hold that the killing-letting die distinction does indeed have moral force since killing is non-universalizable while letting die is universalizable. A sophisticated Kantian could endeavor to explain away why this does not appear to make any difference in evaluating Smith's and Jones' behavior. For example, the line of argument sketched in (1) above could be employed to make just this type of point. But without some kind of general argument against a Kantian theory of this sort — arguments which Rachels neither provides nor (would I think) desires to pursue — Rachels is vulnerable to Kantian defenses of the AMA position.

(3) It is clear that Rachels has argued analogically — comparing the Smith-Jones case to the AE-PE controversy — but the analogy should be rejected on semi-formal grounds. In constructing the Smith-Jones scenario, Rachels presents us with two instances in which the agent has reprehensible intentions which, when acted upon, yield an evil result. Both Smith and Jones intend to secure the large inheritance by eliminating a child who stands in the way. He then asks us to map the AE-PE scenario onto Smith-Jones. But in the AE-PE cases we are confronted with allegedly beneficent intentions and allegedly good final result. The intent in both AE and PE is to reduce the patient's suffering, and the 'happier death' is surely a positive result. This is sufficient for showing that there are differences between the alleged analogs. But of course this is not sufficient for showing that Rachels' argument can be discarded. Having identified the disanalogy we must now attempt to answer two questions, (i) are these differences relevant to

the conclusion Rachels wishes to draw?, and (ii) are the differences significant enough to defeat the analogy? If so, then Rachels' argument is not conclusive.

Defenders of the AMA position could muster strong arguments for 'yes' answers to both questions in the following manner. Where the intentions of the agent and results of the act are morally reprehensible it does not much matter what type of means is employed to proceed with the intention or attain the result — the agent and the act are condemnable regardless. This would enable us to explain the result in Smith-Jones. But it is precisely when there are good intentions and even good consequences that one could, on solid moral grounds, hold the position that some means of acting on these intentions or of attaining these ends are (*morally*) better than others, some perhaps to be preferred over others, and still again some means which are altogether morally unacceptable. The rationale for this response is both straightforward and familiar — there are many well-intentioned acts which would appear to have good consequences but are nonetheless morally condemnable. This can happen when an individual's rights are violated, consent is not obtained, deception is involved, etc. These are the common cases, but consider a few more examples. Suppose we agree that democracy is a good thing, and we intend to produce a state in which the general populace is committed to democracy. One way of producing this state of affairs would be to secretly kill all the non-democrats. This might produce the same final result as educating the public about the moral and pragmatic advantages of democracy (perhaps all the non-democrats would commit suicide rather than go along with the education program), but killing the dissenters would hardly be on the same moral footing as educating the public. Likewise, if the choice were between educating and informing the public on one hand and brainwashing on the other, there would be every reason to think education morally preferable even if the intent and end result were identical. Suppose you have a friend who is lax about developing his intellectual talents and spends most of his time engaging in baser activities. Clearly you could coerce him into spending more time in his study, or you could use passive means of persuasion. Here again, the passive should be morally preferable to the active.

I do not mean to suggest here that these examples are strictly analogous to the distinction between AE and PE. All that I wish to argue is that Rachels' analogy is faulty, and that the means *can* make a moral difference. Surely there are other cases which illustrate the adage, 'The road to hell is paved with good intentions'; and, we might add, 'even good results' as well. Thus one could defend the AMA position by arguing that the means do make a difference, though not in Smith-Jones, in cases in which the intentions and results are good. Since both the intentions and results are

good in both AE and PE, the difference in means could justify holding that AE is wrong while PE is not.

Thus Rachels has not provided conclusive grounds for thinking that the AMA position is indefensible. What would make Rachels' case nearly airtight is a scenario which parallels Smith-Jones but in which the intentions and results are morally praise-worthy, while the means are varied to maintain the analogy with AE-PE. It would then be difficult for the defender of the AMA position to accept Rachels' contention in Smith-Jones (which appears unassailable) yet claim a relevant distinction between AE and PE. But this challenge must be met before Rachels' argument will carry the day.

NOTES

1. Rachels, James, "Active and Passive Euthanasia," reprinted in *Biomedical Ethics*, Mappes and Zembaty (eds.), McGraw Hill, 1981, pp. 348-351.
2. *Ibid*, p. 349.