

Arguing Precisely Why Assisted Suicide is Wrong and Whether Morality Is More Like Math or Beauty

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ABSTRACT: Some defend assisted suicide on the basis of autonomy. It is tempting to respond that such a position is self-defeating: after death there is no person left to enjoy the value of autonomy. This response is especially attractive because it seems to require only logic. Using the thought of the philosopher Michael B. Gill, I argue that plausible accounts of the value of autonomy are not, in fact, self-defeating. Rather, the argument against assisted suicide must make a positive case that human life is a gift of a particular dignity that forbids it to be intentionally destroyed. Furthermore, an analysis of this debate over the meaning of autonomy and human dignity provides insight into a question sometimes raised by moral philosophers. Is moral reasoning more like appreciating beauty or doing mathematics? I argue that a good moral argument requires both movements.

IN THE DEBATE OVER assisted suicide, the argument that is based on autonomy is very popular and needs to be answered properly. The philosopher Michael B. Gill offers one version of this argument in his 2005 paper “A Moral Defense of Oregon’s Physician-Assisted Suicide Law.”¹ His formulation is calibrated precisely to justify assisted suicide only in the face of a terminal illness.

It is tempting to respond to Gill with a claim that his argument is self-defeating. How can the importance of autonomy justify an action that causes the non-existence of the very autonomy that justifies it? Leon Kass, a university professor and medical doctor, gives a response along such lines (along with other arguments against assisted suicide).² I will offer an analysis

¹ Michael B. Gill, “A Moral Defense of Oregon’s Physician-Assisted Suicide Law,” *Mortality* 10/1 (2005): 53-67.

² Leon Kass, “‘I Will Give No Deadly Drug:’ Why Doctors Must Not Kill” in *The Case Against Assisted Suicide*, ed. K. Foley and H. Hendin (Baltimore MD: The Johns Hopkins Univ. Press, 2002), pp. 17-40.

of Kass's criticism, which claims to operate on the level of pure logic, and of the counter-arguments that ensue.

A Preliminary Question

There is a methodological question to which we must pay attention first: what sorts of arguments do we expect in discussions of disputed moral questions? Do we expect purely logical arguments? It has been claimed by rationalists that moral claims have a status similar to those made in mathematics. Perhaps we deduce moral truths from self-evident, necessary principles applied to particular situations. Another popular view has been that perceiving moral value is more like perceiving beauty. For example, it is through experience of a feeling that one concludes a sunset is beautiful; the idea is that our moral intuitions come from similar feelings. In this case, the justification does not come from an argument from first principles.

It is worth developing some of the details of these two analogies. Actually, Gill has pointed out that this was exactly the sort of conversation that British moralists had in the seventeenth and eighteenth centuries.³ I will refer to his paper on the topic for the history and explanation of the rationales for the two positions.

Rationalists such as Ralph Cudworth, Samuel Clarke, and John Balguy held that morality was a product of the reasoning faculty.⁴ A way to explain this point is to suggest that morality is like math. Just as it is self-evident to one who understands the terms that $2+2=4$, so too moral truths are self-evident: "Killing innocents is wrong" is a truth self-evident to *a priori* reason, once the terms are understood.⁵

It is possible to develop the analogy further, for it seems that in both morality and in math we deduce more particular consequences from the self-evident first principles. For example, the moral truth that "civilians should not be targeted in war" can be taken as a deductive consequence of the self-evident principle that "killing innocents is wrong," combined with the minor premise that civilians are to be considered innocent. This mathematical approach to morality was often used against voluntarist theories of morality in order to

³ Michael B. Gill, "Moral Rationalism vs. Moral Sentimentalism: Is Morality More Like Math or Beauty?" in *Philosophy Compass* 2/1 (2007): 16-30.

⁴ Gill, "Moral Rationalism," p. 16.

⁵ Gill, "Moral Rationalism," p. 17.

establish the claims of morality as objectively valid and comprehensible without the need for recourse to any authority.⁶

Let us now turn to the position that morality is like the appreciation of beauty. Sentimentalists such as the third Earl of Shaftesbury, Francis Hutcheson, and David Hume gave sentiment a strong place in morality.⁷ In this approach, perceiving moral goodness is like perceiving beauty. Our affective response plays an important role in leading us to moral beliefs.⁸ For example, there is no deductive argument for showing that Mother Teresa was a morally good person, but when we study the way in which she lived among the poorest of the poor whom she served, a positive sense comes over us that she must have been holy. We are overawed and seemingly brought to this conclusion by the depth of the feelings aroused.⁹ The morality as beauty metaphor helps to explain how morality motivates action, since it involves feelings, and it may be seen as a phenomenologically plausible account of how we come to moral beliefs.¹⁰

The contrast is thus between (1) the position that morality is rational and based on self-evident principles, with arguments that proceed by deduction and (2) the sentimentalist position that morality has origins in our affective responses to particular situations. We shall give attention to this distinction as we examine the argument for assisted suicide from autonomy.

Gill's Argument

In compact form, Gill's initial argument, which he later improves upon,¹¹ takes the following form:

Autonomy is a very important part of what it means to be human.
Therefore, we ought to be able to choose how we die.
If people have the right to choose their means of death, it is not wrong if someone wishes to help.

⁶ Gill, "Moral Rationalism," pp. 18-19.

⁷ Gill, "Moral Rationalism," p. 16.

⁸ Gill, "Moral Rationalism," p. 19.

⁹ Gill, "Moral Rationalism," p. 19.

¹⁰ Gill, "Moral Rationalism," pp. 19-22.

¹¹ Gill, "A Moral Defense," pp. 54-60.

This argument justifies too much. Wouldn't such an argument justify every type of suicide?

Some libertarians are content to answer this question in the affirmative,¹² but other advocates for physician-assisted suicide see the need to search for further distinctions. After all, there is a societal sense that someone who is suicidal and not terminally ill should be pitied and helped to value life again.

In Gill's reformulation of the argument, his focus turns to the fact that the patient is terminally ill and is suffering. The argument is that such a person is not necessarily unreasonable in wanting to die in such a situation. This is in contrast to an otherwise well person who is suicidal, who in reality has no good grounds for wanting to die.¹³ Here is the revised argument:

In many circumstances it is not unreasonable to think that if life is soon ending anyway, bringing it about with less suffering is desirable. Moreover, autonomy is a very important part of what it means to be human. Therefore it should be give wide latitude for action, especially when it is used for choices the rest of society is in no position to deem absolutely and always unreasonable. Therefore, we ought to let the terminally-ill make the perfectly reasonable choice to die in order to avoid prolonged suffering. If the terminally-ill have the right to choose their time and means of death, it is not wrong if someone wishes to help.

It is at this point that the opponents of assisted suicide are tempted to claim that the autonomy argument is logically self-defeating, like a mathematician making an argument by way of contradiction. Leon Kass writes: "Finally, if autonomy and dignity lie in the free exercise of will and choice, it is at least paradoxical to say that our autonomy licenses an act that puts our autonomy permanently out of business."¹⁴

Kass makes a similar kind of argument on the basis of self-contradiction when he urges that the medical profession by its nature should not participate in killing. He writes: "Despite loose talk to the contrary, it is in fact impossible to compare the goodness or badness of one's existence with the goodness or badness of one's "non-existence" because it would non-sensically require treating "non-existence" as a condition in which one is nonetheless able to

¹² Gill, "A Moral Defense," p. 55.

¹³ Gill, "A Moral Defense," pp. 55-60.

¹⁴ Leon Kass, *Life, Liberty, and the Defense of Dignity* (San Francisco CA: Encounter Books, 2002), p. 217.

experience and enjoy something. But the error is more than logical. To intend and to act for someone's good requires that person's continued existence for the benefit to be received."¹⁵

The point is that a physician is supposed to heal and the person whom the physician serves is an embodied person. Without the living body there is no person, and so it is outside the domain of the physician to do anything other than to work to benefit embodied persons. Kass sums up his argument on this point by saying: "Physicians cannot be serving their art or helping their patients – whether regarded as human beings or as persons – by making them disappear."¹⁶

Thus we have a claim that it is somehow nonsensical to base an action on a value one is destroying; or to try to help someone by ending that someone. The claim is that there is a conceptual, logical problem. Adverting to methodological concerns, we may say the analysis seems more like math than appreciation of beauty.

The problem is that the argument from autonomy is not self-contradictory – at least, not in a strictly logical sense, as I will show below. Moreover, even if we try to back Kass's claim out of the logical realm and base it instead (at least partly on more empirical claims) it still rings false.¹⁷

Here is why I think that Kass is wrong. The principle of autonomy need not claim (in fact, it is best understood as not claiming) that the existence of autonomous entities is a good thing absolutely. Rather, it claims that entities with autonomy ought to be allowed to exercise that autonomy when the decisions are important and when there are (arguably) healthy reasons for the choice made. Nothing in this line of reasoning says that the *existence* of autonomous beings is valued for itself or that autonomy is a non-negotiable value. Rather, its claim is simply that when someone possesses autonomy and wishes to use it in a reasonable way, it ought to be allowed.

Perhaps Kass would dispute this account of autonomy. He might say: "No, autonomy is valued precisely insofar as it exists in an embodied person, and that existence in and of itself is what we value." First, we might note that if

¹⁵ Kass, "I Will Give No Deadly Drug," pp. 33-34.

¹⁶ Kass, "I Will Give No Deadly Drug," p. 35.

¹⁷ I am not claiming, however, that Kass is wrong to argue (as he does in his writings that I have referenced) that doctors should never kill, because it is incompatible with the nature of the medical profession. My point is merely that it is wrong to see incoherence in the position that autonomy justifies physician-assisted suicide.

there is a disagreement of this sort over what is meant by autonomy, we no longer have a charge of logical contradiction on the table. The debate will presumably need to include judgments about how things are in the world; in particular, it will be partly about what autonomy really is and how we ought to think about it.

At this point, it is worth noting an implication for our side-goal concerning whether morality is more like math or beauty. Arguing over what autonomy really is seems to require a refined sense of perception, more like the appreciation of beauty than the application of self-evident principles in mathematical arguments.

If Kass wants to argue that it is the existence of autonomy that we value (or ought to value, if we are making an argument based on autonomy), I would like to argue that exceptional cases prove this position wrong. Actually, Gill himself has an argument along these lines, and I will start with it. Gill points out that it is praiseworthy (or, at least, some find it praiseworthy) in some cases for a person to sacrifice his or her life for a higher cause.¹⁸ How can that be if we are bound to preserve (whenever we can) autonomous beings? The rejoinder to Gill would be that those who sacrifice their lives do not actively cause their own deaths or desire them. Rather, they merely accept this consequence as something brought about by others while they act in such a way as to live out a call to some other great value.

Nevertheless, there *are* times when it is morally acceptable to wish for death. Consider the case of an extremely elderly person who is slowly dying and in pain. Such a person may without blame pray to God for release, though they would not be justified in suicide. It takes some reflection to see that this is true, and here stories might help, as well as lived experience. If the argument from autonomy were self-defeating in any sense, there would be something nonsensical in wishing for one's own end as a good for oneself. Thus, something can in general be good, and yet in a particular case and a particular set of circumstances, one may legitimately wish that this thing no longer existed.

Here it is instructive to reflect on the analysis just carried out. There was a distinction between what is valuable in general and what is valuable in particular circumstances. However, we did not start with this distinction and then try to apply it to the person praying to God for release. Rather, we started

¹⁸ Gill, "A Moral Defense," p. 62.

with the case of a person praying for release and we noted a moral truth that is surprising from a certain perspective. We then proceeded to articulate a more detailed understanding of how circumstances can alter the way in which we need to apply the principles governing things that are intrinsically good. It may seem that this is the opposite of the way in which we often envision our recourse to principles, for we usually imagine that we begin with a principle and deduce things from it. Considering the backward progress from examples to principles, it may appear we have found a difference with mathematical practice. For we usually imagine math to work forward from principles to more complicated theorems.

On the contrary, in practice mathematical discovery often works backwards too! For example, the ancient Greeks seem to have begun giving rigorous mathematical proofs before they started listing sets of postulates for mathematics. Rigorous geometric proofs go back to the time of Thales and Pythagoras during the seventh and sixth centuries B.C. Yet, neither Thales nor the Pythagorean School seemed to have had a complete set of postulates for the geometry that they developed.¹⁹ We do not see such a systemization until Euclid's famous *Elements* (c. 300 B.C.),²⁰ in which there appears a set of postulates for proving the theorems of plane geometry as well as some basic postulates concerning equality and size. In practice, mathematicians try to prove things and then realize which postulates they need. Being tidy and logical, they then try to find the smallest sufficient set of self-evident postulates. This step comes at the end of the process.

A striking illustration can be seen in cases where some postulates that come to the attention of the theorist are less natural than others. The first four of Euclid's famous five postulates for geometry seem so obvious as hardly to be worth stating. They say things such as "a straight line segment can be drawn joining any two points" and "all right angles are equal."²¹ They are simple and self-evident, and we tend to be impressed that much plane geometry can be developed from a few postulates such as these.

For some of his proofs, however, Euclid noticed that he needed a postulate that was much more complicated. It was his fifth postulate: "[I]f a straight line

¹⁹ Uta C. Merzbach and Carl B. Boyer, *A History of Mathematics*, 3rd ed. (Hoboken NJ: John Wiley & Sons, 2011), pp. 42-47.

²⁰ Even though much of Euclid's work was not original, it is clear that the development of a complete set of postulates came after Thales and the Pythagorean School.

²¹ Merzbach & Boyer, p. 95.

falling on two straight lines makes the interior angles on the same side less than two right angles, the two straight lines, if produced indefinitely, meet on that side on which the angles are less than the two right angles.”²² This statement is not simple and not immediately self-evident. It turns out that Euclid’s fifth postulate amounts to a claim that one can draw exactly one line parallel to another through a given point. Under that formulation, with enough thought, Euclid’s fifth postulate is seen to be “true” – at least in our normal conception of Euclidean Geometry. It would be pleasant if it could be replaced by something simpler, or if it was provable from the other more palatable postulates. On the contrary, in the nineteenth century mathematicians showed that the fifth postulate is not provable from the others and so may not be discarded.

In particular, mathematicians realized that the fifth postulate cannot be proved from the others by reflection on the non-Euclidean models of Geometry that became fully-developed in the nineteenth century. In those models the first four axioms are true, but not the fifth. One example is the surface of the earth (idealized as a perfect sphere). There the line between two points will be a circle on the surface of the earth on which both points lie and whose center is the center of the earth. Such circles are called “great circles.” The easiest great circles to think about are the lines of longitude that run from the south pole to the north pole and then down the other side back again to the south pole. Here we can see the difficulty: a line of longitude will have no parallel. The best candidate would be another line of longitude, but any two such lines intersect at both poles. In fact, any two great circles intersect in exactly two points.

The upshot of all this is that Euclid’s first four postulates are true on the surface of the earth, but not the fifth. This shows that the fifth adds meaning to plane geometry and may not be discarded as superfluous.²³ The methodological point here is that by working backwards from examples to postulates, mathematicians learned a great deal about what the postulates for geometry ought to be and what they really mean.

Something like this happens in good moral arguments. When we search for the principles needed to explain difficult moral situations, we can deepen

²² Merzbach & Boyer, p. 95.

²³ A good reference for this discussion of Euclid’s fifth postulate is: James R. Smart, *Modern Geometries*, 5th ed. (Pacific Grove CA: Brooks/Cole, 1998), pp. 365-68, 393-97.

our understanding of these principles, even if we had possessed some understanding of them previously. Is this backwards process that I ascribe both to mathematical and moral reasoning simply a case of reasoning by induction? Induction works by generalization from particular examples to some universal law. No, it is not. The difference is that in standard induction, the particular examples serve as the evidence and ground for the general law. I am suggesting that once we use our moral perception from a particular example to fine-tune a fundamental principle, we are in a position to see the truth of the refined fundamental principle on its own merits. In this way, the backwards process that I suggest also differs from abduction, which is the construction of the best theory to fit a particular set of observations. One does not suppose that once the theory is constructed it has an air of being the correct, self-evident starting point for speculations in the domain under consideration.

So far in our analysis of the debate over assisted suicide, we have seen that the answer to the charge of self-contradiction in autonomy arguments sheds light on fundamental moral principles. Furthermore, we have argued that this is a general phenomenon in the field of morality and that there is an analogy with mathematical discovery. We can find more examples of this phenomenon and deepen our understanding of the analogy by considering the way in which Gill answers Kass's challenge with an ingenious argument different from the one given earlier in this paper way. Gill makes use of the answer sometimes given by opponents of assisted suicide to an important question: why isn't a "dignified" death better and more human than suffering over a longer period of time? One answer is that it allows one to make right one's relationship with God, as well as with family, friends, and acquaintances. In response Gill acknowledges that this is a good result of suffering and it gives meaning for some to the time left before death.²⁴ Gill says that this is one of the things that autonomy is particularly valued for: making big decisions and doing important things. Other examples include marrying, choosing a career, and so on. Of course, autonomy also allows us to make small decisions, such as whether to order french fries or onion rings, but its main value lies in important affairs.²⁵

So, Gill asks, what if people have already put all their affairs and relationships in order? If the big decisions have all been made and everything settled, we are not taking away what human autonomy is meant for when we

²⁴ Gill, "A Moral Defense," p. 59.

²⁵ Gill, "A Moral Defense," pp. 57-59.

end the lives of such persons. It is meant for important things touching upon fundamental values.²⁶

Gill has a point. The relationship-healing that can come from the dying process cannot be the sole reason why it is wrong to intentionally kill in this context. Still, these considerations concerning suffering are very important. While a full answer to the question of suffering cannot be given, it is good to suggest that *some* answers *do* exist. This is precisely what we do when we suggest some meanings for suffering.²⁷ This will make us a bit more secure that our whole view of the situation is plausible, and not obviously refuted by the problem of suffering.

Gill also addresses the bad consequences that critics claim can come from assisted suicide, such as the likelihood that it leads to involuntary euthanasia, that it can substitute for proper palliative and hospice care, and that it can poison doctor-patient relationships. In response to the last of these,²⁸ Gill notes that his opponents do not condemn letting to die, but only killing. His opponents, however, do not argue that in doctors letting patients die (such as by ending technological interventions) the doctor-patient relationship is compromised and that patients will begin to fear that the doctors want them dead.²⁹ The response to Gill must be is that it is wrong to kill, but not wrong to let die. It is the prospect of doctors-doing-something-immoral that scares patients, not the idea of doctors-accepting-courses-of-action-that-lead-to-death-sooner.

Here we are arguing like logicians who must also attend to moral intuitions about difficult moral questions. Our moral intuition leads us to re-affirm the importance of the principled distinction between killing and letting to die, and perhaps deepens our understanding of that principle.

²⁶ Gill, "A Moral Defense," pp. 59-60.

²⁷ For developments of some possible meanings to be found in suffering, see Kass, "I Will Give No Deadly Drug," pp. 38-39; Daniel Callahan, "Reason, Self-determination, and Physician-Assisted Suicide" in *The Case Against Assisted Suicide*, p. 67; and Ira R. Bayock, "The Nature of Suffering and the Nature of Opportunity at the End of Life" in *Clinics in Geriatric Medicine*, 12/2 (1996): 237-52, especially pp. 237-38.

²⁸ Gill does have responses to the first two bad consequences as well, but that debate is beyond the scope of this paper.

²⁹ Gill, "A Moral Defense," p. 65.

Finally, let us consider briefly what must be the main argument against assisted suicide if we reject other possibilities as unsuccessful on their own. It is the sanctity of human life. Leon Kass has a wonderful explanation.³⁰ First, we should note that the sacred is something mundane that is consecrated to a higher purpose. As the result of this consecration, it commands a deep reverence, in proportion to its precise nature. Physical life in humans is the bearer of spiritual values such as freedom of the will, intellect, wisdom, the ability to sacrifice, and the ability to love. Human, physical life is the mundane thing consecrated to a higher purpose. As such it is holy and deserves a very particular type of respect.

A full argument should go into more detail about the sanctity of life, but for our purposes the crucial point is that to understand the unique sanctity of human life, a contemplation of it is required that involves the application of sharp moral perception to particular examples. The particular consequences of the sanctity of human life will not be derived in a purely logical way from self-evident principles. For example, what is it about the sanctity of life that implies that we may desire death but may never intentionally bring it about? Answering this question requires careful analysis.

Relatively little has been said here about some important points, such as the need for better end-of-life care. Concerns such as this are certainly of the highest importance, and I do not mean to diminish their importance by my choice to focus on other aspects of the debate.

Rather, my point is that the logic of the argument means making the sanctity of life the primary consideration when we try to make a case against assisted suicide. As we have made this case, we have seen that moral reasoning is like the reasoning in both math and the appreciation of beauty. We see in moral reasoning a process that works backwards from moral perception (which is like perceiving beauty) in particular cases to a re-assessment of principles (which is like finding the right principles for a particular area of mathematics).

One might even want to ask whether or not math is just like morality, with mathematical perceptions taking the place of the sentimentalist responses to moral realities. Actually, there is another important difference. Once the proper mathematical postulates are found and understood, they are in a sense the whole story. Different stories may exist, but the postulates do what they do and describe perfectly whatever class of mathematical structures they describe. On

³⁰ Leon Kass, *Life, Liberty and the Defense of Dignity*, pp. 234-44.

the other hand, the fabric of moral principles is richer, always standing in need of deeper contemplation and deeper understanding. The principle of the sanctity of life is no exception.