

# *Mercy and Autonomy*

## *The Failure of Battin's Justification for Euthanasia*

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A common ethical approach to justify various forms of euthanasia is to combine notions of autonomy with notions of mercy. This essay examines and critically evaluates this approach. In this paper, I will focus exclusively upon Margaret Pabst Battin's article "Euthanasia: The Fundamental Issues."<sup>1</sup> My contention is that this approach faces enormous difficulties trying to sort out the differences between objective and subjective standards and ultimately falls prey to an inconsistency.

Battin takes as primary the moral principle of respect for others. According to her, there is a moral principle of autonomy which states:

one ought to respect a competent person's choices, where one can do so without undue costs to oneself, where doing so will not violate other moral obligations, and where these choices do not threaten harm to other persons or parties.<sup>2</sup>

This principle provides moral justification for several forms of euthanasia. It directs caregivers to recognize each patient's empowerment regarding her own care. Assuming that the additional provisos are met, allowing patients to refuse life-saving and life-sustaining treatment, following the directions of living wills, and allowing durable power of attorney are all considered to be morally required for hospitals and other providers of care. Not only does autonomy imply that one should not hinder

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<sup>1</sup>Margaret Pabst Battin, *The Least Worst Death* (New York: Oxford University Press, 1994), 101.

<sup>2</sup>*Ibid.*, 107.

another's choice to end her life, it also requires and prohibits certain actions, especially on the part of caregivers.

However, Battin does very little in the way of explaining the meaning of "respect." I must assume that Battin is not claiming that respecting another's wish of itself implies an *obligation to aid* the other in carrying out that wish. I might respect my nephew's wish to climb Mount Everest, but it is unclear whether I have an obligation to assist him, even supposing that the provisos of the principle of autonomy are met. However, Kant claims that my duty is more than merely refraining from hindering; he says that I am duty bound to promote the ends of others. "For the ends of a subject who is an end in himself must, if this conception is to have its full effect in me, be also, as far as possible, *my ends*."<sup>3</sup> The problems with such a view are considerable and quickly lead beyond the scope of this paper.

We can safely state that the principle entails that one should not hinder the wishes of a competent person (again, assuming the provisos are met). That stated, the principle of autonomy offers little guidance in cases where the dying person needs or requests active assistance to end his life.

Battin joins a second principle to autonomy in order to deal with just that problem. She calls it the principle of mercy. The principle of mercy states:

where possible, one ought to relieve the pain or suffering of another person, when it does not contravene that person's wishes, where one can do so without undue costs to oneself, where one will not violate other moral obligations, where the pain or suffering is not necessary for the sufferer's attainment of some overriding good, and where the pain or suffering can be relieved without precluding the sufferer's attainment of some overriding good.<sup>4</sup>

Following this principle implies a moral obligation to actively end another's life if that is what is required to relieve pain or suffering. When a sufferer requests that one end his life because death is the only possible relief from the suffering, one is morally obligated to do so. On the other hand, the principle allows that, if the sufferer's life is of a greater value than relief from the pain, then there is no obligation to act to relieve the pain.

According to Battin, whether or not the life of the sufferer is or is not of greater value than relief from pain can only be decided by the sufferer. It is my duty to relieve the suffering, says Battin, even if *I* think the sufferer should live on. Battin says:

when a suffering person is conscious enough to have any experience at all, whether that experience counts as a benefit overriding the suffering or not is relative to that person and can be decided ultimately only by him or her.<sup>5</sup>

We should be careful to note that there are two claims here. The first claim is a claim about value. According to Battin, whether the suffering-experience of the

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<sup>3</sup>Immanuel Kant, *Groundwork of the Metaphysics of Morals*, trans. H.J. Patton (New York: Harper & Row, 1964), 98.

<sup>4</sup>Battin, *The Least Worst Death*, 101.

<sup>5</sup>*Ibid.*, 106.

person counts as a benefit “is relative to that person.” Although vague, I take “relative to that person” to mean relative to that person’s beliefs and that the person cannot be wrong about whether the experience is a benefit. If P does not believe that the experience is a benefit, then it is not a benefit.

The second claim is about liberty. According to Battin, whether the suffering-experience of the person counts as a benefit “can be decided ultimately only by him or her.” I take this to mean that all other persons should defer in this judgment to the sufferer. It would follow that one ought to defer in this judgment to the sufferer because of the first claim, i.e., that the value of the experience is relative to the sufferer. It also seems to be an implication of the principle of autonomy. According to that principle, one ought to respect another’s choices; it is not entirely clear how a decision that one’s suffering-experience is not a benefit is a choice, but it is easy to imagine certain choices being made in regard to this decision. It is also possible that there could be other reasons for deferment. In other words, one might reject the first claim regarding relativism but accept the second, given some other argument. For example, the claim could be made that caregivers are capable of assessing the morality of a patient’s choices, yet cannot disregard the patient’s choices because doing so treats the patient as less than a person, end-in-herself, being with full moral rights, etc.

It would appear that in Battin’s view, the two principles, autonomy and mercy, work together to reach a single conclusion. The mercy principle is both supported and limited by the autonomy principle. One should aid in the death of another when asked, because if one is asked to do so, then one knows that the other’s life is no longer worth living, and the suffering must be relieved. However, one should not act to relieve a mentally competent patient’s suffering or cause his death if such actions have not been requested by the patient.

But it would also appear that the autonomy principle is limited by the mercy principle. Is one always obligated to assist another in ending her life when it is requested? Apparently not. According to Battin, “[w]hen there is no evidence of suffering or pain ... an external observer usually can accurately determine whether life is a benefit.”<sup>6</sup> Battin is claiming that there are cases where one is under no obligation to end the life of the other when one is requested to do so, because one might decide that her continuing existence is a benefit. However, it does not appear that one would be acting immorally by doing so, because one would be acting according to the principle of autonomy, i.e., respecting the choices of another. In other words, Battin is claiming that there are cases where someone’s desire to die implies no obligation upon others to assist. To reiterate, Battin says that when there is no evidence of suffering, an external observer may judge that the person’s life is a benefit to the person. It should already be apparent that this position suffers from an inconsistency.

### **Some Hypothetical Cases**

I will now present several hypothetical cases where I attempt to apply Battin’s position. In case 1, P informs S that she is suffering and requests that S end her life.

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<sup>6</sup>Ibid., 111.

Referring to the principle of mercy, S considers whether ending P's life might preclude P from obtaining other future goods. P informs S that her continued experience is not a great enough benefit to override the suffering. However, upon examination, S observes no evidence of suffering. Following the appropriate addendum, i.e., "[w]hen there is no evidence of suffering or pain ... an external observer usually can accurately determine whether life is a benefit," S ignores P's assertion and decides that the principle of mercy does not obligate her to terminate P's life. In the absence of suffering, S determines that P's further existence is a benefit to her. Therefore, S is not obligated to end P's life. However, S realizes that due to the principle of autonomy, she is morally permitted to terminate P's existence, just as long as "doing so will not violate other moral obligations."

In case 2, P informs S that she is suffering and requests that S end her life. Upon examination, S observes that P is suffering. Referring to the principle of mercy, S considers whether ending P's life might preclude P from obtaining other future goods. P informs S that her continued experience is not a great enough benefit to override the suffering. Applying the appropriate addendum, i.e., "when a suffering person is conscious enough to have any experience at all, whether that experience counts as a benefit overriding the suffering or not is relative to that person and can be decided ultimately only by him or her," S dutifully proceeds to end P's life.

Suppose that in case 2, as in case 1, S determined that P's continued existence was of benefit to her. In case 1, because S observes no suffering in P, S's judgment on this matter is veridical. According to Battin, when an external observer fails to observe suffering, she can determine that the other's life is a benefit. But immediately upon observing P's suffering in case 2, S's judgment becomes entirely faulty. In other words, Battin's view is that as long as one does not observe suffering in the other, then one has the ability to make reliable judgments regarding the benefit of another's existence. Whenever one does observe suffering in the other, one immediately loses the ability to make reliable judgments regarding the value of that person's existence. In the presence of suffering, the benefit of the sufferer's life becomes "relativized" to the sufferer.

This strikes me as very odd. Why does the presence of observable suffering eliminate the observer's ability to determine the benefit of the other's existence? It seems unlikely that if one is able to make reliable judgments regarding the value of another's existence, that an observation of suffering would trigger an instant inadequacy into one's judgment. What mechanism is at work to provide an observation with that power? Consider that my wife and I are very close; I believe that she has the power to accurately determine when my life is a benefit. She knows my values, my goals, my particular set of moral beliefs, etc. Now, let us imagine that while she and I are hiking, I stumble, fall, and sustain various injuries, e.g., broken bones, a shoulder dislocation, etc. Rushing to my side, she immediately observes that I am suffering. Is it plausible to believe that she suddenly loses the ability to accurately judge the benefits of my continued existence? I do not believe so.

### The Central Inconsistency

Let us consider another case similar to 1 and 2 above. Again, P informs S that she is suffering and requests that S end her life. S examines P closely but observes no suffering. Further, S determines that P's continued existence is a benefit. Using Battin's view, S concludes that she is not obligated to end P's life. But let us suppose that P *really is suffering*. Even though P is suffering, because S does not observe the suffering, S is able to effectively judge the benefit of P's continued existence. Without the presence of observable suffering, the "blinding" mechanism is not triggered, and S's judgments remain reliable.

There is an obvious problem here. Battin's view implies that because P is suffering, whether her life is a benefit is relative to her. At the same time, because S observes no suffering, she can accurately determine whether P's life is a benefit in many but not all cases. This is inconsistent. Either the benefit of P's existence is relative to her, or S can make a determination, but not both.

These problems make Battin's view untenable. As a justification for euthanasia, Battin's synthesis of the principles of mercy and autonomy fails, due to an inconsistency in the use of both objective and subjective standards for determining when a life is worth living.