Dying with Dignity

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CHAPTER ONE
General Introduction and Background

1.1 Background of the Study
The phrase “dying with dignity” is today drawing the attention of ethicists and non-ethicists alike especially as it forms the basis of euthanasia debate today. This term has been used in different ways. In a recent study conducted among medical students in Sweden on the meaning of this concept, different answers were given by the students. Some defined dying with dignity as death without suffering and pain and death coming calmly. Thus life had not lost all sense of joy. Some say it is a death with limited medical intervention where patients would not have to go through futile and unnecessary examinations and treatments. Others say it is death with a sense of security. Not being left alone while dying. Another group defined it as an existential maturity, where dying is done in peace and in a harmonious and calm way. The patient comes to terms with dying and accepts death. Yet another group defined it as respect for autonomy. This was described in two ways. First, it was important to be treated with respect until the last moment in life, to be listened to and to be taken seriously. Second, one should be allowed his own choices when facing his own death. He should have the opportunity to individualise the circumstances of his death and die on his own terms.1

This second meaning of the phrase ‘dying with dignity’ as respect for autonomy which argues that one should be allowed to choose how, when and where to die when facing his own death is the focus of this writing. This phrase prima facie raises in ones mind the question: what is dying with dignity? It equally presupposes death with dignity. What then would be meant by this wish that someone should die with dignity? What would be its content? It is not quite patent what is at issue. “Death with dignity” might just have found its way into circulation without having much sense behind it. And why, one wonders, is it used so selectively?2 For instance, it is not used in discussing about the death of foetuses and children.

2 Coope, C.M., 1997, p. 27.
But why would one request to die and why would such a death be called a death with dignity? It is conspicuous that the end of life and suffering raise many fears. Some feel they will not be able to cope and do not want to lose their ‘quality of life.’ Others do not want to see their loved ones suffer because of their condition. All these feelings are understandable. Some patients also request euthanasia and physician assisted suicide because they do not want to become a burden to their family and loved ones, become dependent on others for personal care, loss of autonomy, loss of control of bodily functions, loss of meaning in their lives, pain and physical suffering, poor quality of life, ready to die, saw continued existence as pointless, tired of life, unable to pursue pleasurable activities, unworthy dying and wanted to control circumstances of death. These and some other reasons not mentioned are the different conditions some people feel when they find themselves in such they have lost their dignity and so will not like to experience any of them hence they request for voluntary euthanasia which they see as a dignifying way to die.

1.2 Statement of the problem

Mary F. was dying from a progressively debilitating disease. She had reached the stage where she was almost totally paralysed and, periodically, needed a respirator to keep her alive. She was suffering considerable distress. Knowing that there was no hope and that things would get worse, Mary F. wanted to die. She asked her doctor to give her a lethal injection to end her life. After consultation with her family and members of the health – care team, Dr. H. administered the asked – for lethal injection and Mary died.

The above story of Mary F. summarises the issue at stake in this writing. It is a clear case of voluntary euthanasia: that is euthanasia carried out by A at the request of B, for the sake of B. It is all about the phrase dying with dignity which has meant different things in different occasions. At one occasion it means to be treated with respect till one breathes his last, and at another it means to be in control of ones own death. This has become an ambiguous issue in bio-medical ethics as it raises many questions.

3 http://en.wikipedia.org/wiki/euthanasia
4 http://www.bmj.com/cgi/content/full/327/7418/E85
1.3 Research Question
In order to do justice to this writing, I am going to examine questions like: what is the meaning of this paradoxical phrase ‘dying with dignity’? Can there really be a death with dignity taking cognizance of the fact that man wills to live and not die? Does dying with dignity mean dying a natural death or to be aware of one’s death when it comes? Or does it mean to choose when, how and where to die that is one’s autonomous decision about his death being respected? In addressing these questions, other relevant analytical questions will be looked into, like:

- What is human dignity?
- What is euthanasia?
- What are the different types of euthanasia?
- What are the different concepts of human dignity?
- Why are there different concepts of human dignity?
- What is Kant’s concept of human dignity?
- What is Gewirth’s conception of human dignity?
- How do we reconcile these different concepts of human dignity and the phrase ‘dying with dignity’?
- What are Kant’s arguments against euthanasia?
- What are Gewirth’s arguments for euthanasia as a death with dignity?
- What are the moral implications of all these different concepts of human dignity in relation to the phrase ‘dying with dignity’?
- What is the evaluative basis for our having dignity?
- Finally, should we regard euthanasia as a death with dignity?

1.4 Aim and method of research
The aim of this research work is to make a review of the ambiguous and complex nature of the concept ‘dying with dignity’ via an explication of the difficult meaning of “dignity”. Human dignity as I am going to discuss in this writing has been given different connotations in different stages of history from ancient period to this contemporary era. Thus it is quite difficult to say actually what dignity means. Taking cognizance of these different meanings of this concept – dignity - I intend to argue against the paradoxical usage of this phrase ‘dying with dignity’ as an argument for
voluntary euthanasia. I intend to investigate into this bearing in mind the aforementioned analytical questions. I intend to bring to the fore the complicated nature of this concept ‘dying with dignity’ by x-rayuing and juxtaposing two contrasting secular concepts of human dignity – that of Immanuel Kant and Alan Gewirth.

Kant is the one who emancipated the concept of human dignity from its theocentric meaning and gave it a secular meaning. Many other philosophers who came after him followed his line of thinking though disagreeing with him in various ways. One of those philosophers whose notion of human dignity varies from that of Kant is Alan Gewirth in the contemporary era. While I will use Kant’s concept of human dignity to argue against euthanasia as a death with dignity, I will, on the other hand, use Gewirth’s to argue for euthanasia as death with dignity. After showing the arguments from both sides I will make a critique of the idea of euthanasia as a death with dignity using arguments from Kant. I will equally make a critique of Kant’s position showing the complex nature of the concept ‘dying with dignity.’

Thus for an easy and a systematic flow of thought, this work is housed into five chapters. Chapter one is all about the general introduction of this work. Chapter two is conceptual delineation and explication. I will look into the meaning of human dignity from the ancient period to the contemporary. I will, also, try defining euthanasia discussing the five different types of euthanasia: voluntary, involuntary, non-voluntary, active and passive euthanasia. This will help readers to understand the future discussion in this writing. In chapter three, I will discuss Kant’s concept of human dignity. In discussing this, I will not fail to elucidate the categorical imperative which is the basis of his concept of human dignity. I will then apply his concept of human dignity to the debate on voluntary euthanasia. Then in chapter four I discuss and analyze Gewirth’s right-led interpretation of human dignity. Here I will look into Gewirth’s Principle of Generic Consistency (PGC) from which he derives his human right and dignity theories. I will equally apply his concept of human dignity to voluntary euthanasia debate. Then in chapter five I will make a critique of Gewirth’s would be position in voluntary euthanasia debate as death with dignity with Kant’s concept of human dignity. I will then conclude by showing the ambiguous nature of this concept by showing why and how Kant’s own theory is not the best or perfect. This research will end with a bibliography from books, journals and internet sources.
for those who may lay hands on this work for further research on this issue or other related issues.
CHAPTER TWO

Explication of Concepts

2.0 Introduction of the chapter

The aim of this chapter is to do a conceptual analysis and delineation of the two concepts that will be occurring frequently in this writing- human dignity and euthanasia. While elucidating the concept of human dignity a brief narrative of its historical usage will also be done so as to throw more light on the complex nature of the concept. Euthanasia as a concept and practice will also be x-rayed deeper in this chapter via its classification into types. This will help us to understand better this controversial phrase “dying with dignity.”

2.1 What is human dignity? (historical excursus)

Human dignity is an expression that can be used as a moral and a legal term. The term is very complex and so ambiguous that it lacks an adequate definition. Today, it is used in different ways. Etymologically, it has Latin roots: humus meaning what is ‘earthly’ or an ‘earthling’, and dignitas is worthiness, worth, beauty. Generally, humus means what is proper to the kind that ‘we’ are or to the species of rational animals, referring in particular to their kindness (humanity) and their fallibility (‘all too human’). Dignitas is derived from a Latin root dignus meaning worth, fitting.

Generally, dignity means the standing of one entitled to respect, i.e. his or her status, and it refers to that which in a being (in particular a personal being) induces or ought to induce such respect: its excellence or incomparability of value. These two words brought together forms the expression ‘human dignity’ which refers to the highest value, or to the fact that they are a presupposition for value.

Lebech equally summarised the four accounts of ‘human dignity’. The first is in the ancient period when the expression was Cosmo-centric with Cicero who wrote much on dignity at that time as representing this era. Then dignitas was used for someone who commands respect. Moral dominion was taken to be the criterion for human

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5 http://en.wikipedia.org
6 http://www.etymonline.com
7 http://eprints.nuim.ie/archive/00000392/01/human_dignity
8 Ibid
dignity. Thus because humans possess moral dominion over the brute beasts and the entire world human beings alone have fundamental value and as such dignity. The second was in the medieval period with Thomas Aquinas representing this Christo-centric framework that explains human dignity in relation to man as an *imago dei*. Human beings have dignity because they are made in the image and likeness of God in whom and from whom everything live and move and have its being. This is fundamental value of human (dignity) is also affirmed by Christ’s incarnation as man, and is even restored by his death and resurrection. So because humans possess the image and likeness of God they are able to acquire virtue and live together in the society. The third was in the modern period called the logo-centric framework with Immanuel Kant representing this group that explains human dignity from the perspective of reason. Kant secularised morality and dissociated morality and human dignity from anything outside man. Thus he talks of reason as the basis of morality and dignity. Reason alone is needed for human dignity. Only humans possess rationality hence only humans have dignity. And, finally, Lebech presents Mary Wollstonecraft as representing the polis-centred framework of Post-Modernity, which she rightly pointed out as sounding anachronistic. This post-modern period explains human dignity in relation to social acceptability. Social recognition is taken to be the possible consequence of, but not a necessary condition for, the possession of human dignity. Recognition is made the criterion of human dignity here because of the consistence of personal identity essentially in social relations.9

From the above brief summary of the historical changes this concept of dignity has undergone throughout history, it becomes clear that it has acquired widespread currency of late, yet its nature and importance as a philosophical concept are intensely controversial. This controversy is heightened the more by the political significance it has acquired, like the UNESCO Declaration on Bioethics and human right which states in its article 3a that research on the human genome “should fully respect human dignity, freedom and human right.”10 How this respect for human dignity is to be observed remains vague as the concept was not explained in the declaration.

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9 Ibid.
Today there are many different schools of thought as regards dignity. One (of the schools of thought) comprises those who conceive dignity as implying autonomy as extended to cover some marginal cases like autonomy of those who lack it and may possess it as in the case of the foetus and infants. This depends on the habit of a virtuous agent in respect of the vulnerable ones and marginal. To this group belong Deryck Beyleveld and Roger Brownsword. Beyleveld and Brownsword discuss dignity both as “constraint” and as “empowerment”. They contrast these two senses of dignity. Dignity as “constraint” is the basis of legal barriers to inflicting on others certain acts that are contrary to dignity, that is, actions seen as compromise to the concept of human dignity. Dignity as “empowerment” stands for the ground for freedom to pursue one’s autonomously chosen goals. According to Beyleveld and Brownsword, autonomy of the individual is the condition for human dignity.11 These writers were highly influenced by Alan Gewirth whose moral theory I will discuss later on.

Some others consider dignity in our day as a metaphysical property possessed by all and humans alone. This group sees dignity as the basis of morality and human rights and it is the mainstream in much theological writings on bioethical issues. It is championed by Leon Kass. Kass approach directly challenges the dominant account of “personhood” which starts from what is morally valuable to humans and then generalises to other entities with similar characters, while giving little concern to those that possess little or none of these qualities of personhood. This approach is mainly rejected by Beyleveld and Brownsword as it undermines the moral status of marginal humans, like the foetus.12

Yet another group who could be called dignity sceptics takes the concept of human dignity as incoherent, deluding, unhelpful and misleading. Thus they want to reduce the use of the word to a minimal moral and evaluative concept with better theoretical explication.13

11 Ashcroft, R.E., 2005, p. 675
13 Ibid.
In all, human dignity remains a concept still lacking adequate or complete definition because it is conceived in different ways by different epochs and different people. There is no way you define it that there will not be a lacuna. But it can be summarised as the value a human being has simply by existing, not because of any property or action of the individual.\textsuperscript{14} This fundamental value is common to the four eras that tried to define human dignity in different features of human reality. This value human possess as beings is seen as an intrinsic value.

2.2 What is euthanasia?

The word euthanasia comes from the Greek words “eu” meaning “good” and “thanatos” meaning “death”. When put together, it literally means “good death”.\textsuperscript{15} Defining euthanasia as good death is not adequate because to die a natural death after spending many years on earth is equally conceived by many cultures as good death. Thus, the word “euthanasia” is ambiguous and better described than defined.

Consequent upon the complex nature of the term euthanasia, it would make sense to briefly look at its historical usages in order to grasp a better understanding of it. In the ancient period, relieving suffering was part of the Hippocratic Oath. This was around 4\textsuperscript{th} century B.C.E when the Greek physicians fought to preserve life and never will to take it. But then, this was equally the period when the Greeks and Romans never regarded slaves as having a right to life and the Sparta was killing deformed infants. Plato and Aristotle saw no wrong in the death of those infants.\textsuperscript{16}

During the Second World War, Nazi Germany practiced euthanasia on those viewed socially unproductive: Jews, the elderly, the deformed, the chronically ill. In the 20\textsuperscript{th} century, precisely in 1940, the Christian theologians borrowing the teachings of the medieval catholic philosophers – Augustine and Thomas Aquinas – that only God is the arbiter of life and death hence death and suffering has purpose in God’s sight officially condemned euthanasia practice for any reason as contrary to natural and divine law.\textsuperscript{17}

\textsuperscript{14} www.bbc.co.uk/religion/ethics/euthanasia/glossary.shtml
\textsuperscript{17} Ibid.
In this our contemporary period, the debate on (voluntary) euthanasia is highly contested in bio-medical ethics. The Netherlands is the first nation to legalise voluntary active euthanasia. This was signed into law in April 2001. Nevertheless, this was not legalised without strict conditions guiding it. The regulations include:

(i) A patient must have an incurable illness,
(ii) There is no prospect of recovery,
(iii) He/she must be in unbearable pain,
(iv) The request to die must be voluntary and well considered,
(v) And both the doctor and patient must be sure no reasonable alternative exists,
(vi) An independent doctor must give written approval after spending time with the patient, and
(vii) The termination must be done in a medically appropriate way.\(^\text{18}\)

From the above listed guidelines, it is obvious that euthanasia practice in The Netherlands is physician centred with the compliance to the law. This is in order to control this practice.

It is patent from the above brief historical narrative of different connotations of euthanasia that the way euthanasia is understood today differs from its prior meaning(s). Euthanasia is different from suicide in that euthanasia must be motivated solely by considerations for the best interests of the person to be euthanized. Here death is seen as the best option for the patient. In line with this viewpoint, Michael Tooley defined euthanasia as “an action in which a person is intentionally killed or allowed to die because it is believed that the individual would be better off dead than alive – or else, as in the case of irreversible coma, at least no worse off.”\(^\text{19}\) In line with this definition, Collins English dictionary defines it as “the act of killing someone painlessly especially to relieve suffering from an incurable illness.”\(^\text{20}\) And Webster’s New World Dictionary of American English construes it as “an act or practice of causing death painlessly so as to end suffering advocated by some as a way to deal

\(^{18}\) Cohen, D., 2005.
\(^{19}\) A Companion to Applied Ethics, 2003, p.326.
with persons dying of incurable, painful disease.” 21 For Gay Williams, euthanasia is the “…intentionally taking the life of a presumably hopeless person.” 22 On the other hand, the late catholic pontiff John Paul II holds that “euthanasia is a grave violation of the law or God, since it is the deliberate and morally unacceptable killing of a human person.” 23

But the above definitions are not adequate to define euthanasia because they either exclude voluntary or non-voluntary euthanasia. This goes a long way proving my earlier statement that the term is ambiguous and complex. The controversial nature of euthanasia was affirmed by Varga, A. when he pointed out the heated controversy in hospitals, the media and even the courts in drawing out or shortening a terminal illness and dying process. 24 Thus, a better understanding of euthanasia will be done by looking at the different types of euthanasia.

2.3 Types of euthanasia

Given the complex and ambiguous nature of this term, it has been categorised into three. They include voluntary, involuntary, and non-voluntary euthanasia. These three different types of euthanasia are either passive or active.

2.3.1 Voluntary euthanasia.

This has to do with a request by one who is competent to be euthanized. 25 A competent patient of euthanasia is described as one who having been given all the necessary information, is free from coercion, able to understand the information, its relevance and its implications for her and finally, is able to give her consent. 26 Disrespect for consent can be by way of deliberately withholding information or misinforming the patient or putting her under pressure to agree to a particular course of action. One can demand for voluntary euthanasia not only when one is terminally ill but also prior to such by expressing to his doctor the desire to die when his life becomes hopeless and apparently not worth living.

21 Webster’s New World Dictionary, 1993, p.469
22 Williams, G., 1994, p.156
24 Varga, A., 1980, 23
25 http://plato.standford.edu
Proponents of voluntary euthanasia argue that if a person is:

a) suffering from a terminal illness;

b) unlikely to benefit from the discovery of a cure for that illness during what remains of his or her life expectancy;

c) as a direct result of the illness, either suffering intolerable pain, or only has available a life that is unacceptably burdensome (because the illness has to be treated in ways that lead to her being unacceptably dependent on others or on technological means of life support);

d) has an enduring, voluntary and competent wish to die (or has, prior to losing the competence to do so, expressed a wish to die in the event that conditions (a) – (c) are satisfied); and

e) unable without assistance to commit suicide,

Then there should be legal and medical provision to enable him or her to be allowed to die or assisted to die.\(^{27}\) This is the most arguably type of euthanasia because its advocates see it as a promotion and protection of autonomy. This argument will later be discussed as it forms part of the crux of this writing.

### 2.3.2 Involuntary Euthanasia

Involuntary euthanasia is simply the opposite of voluntary euthanasia as the victim or his or her surrogate never gives consent for the ill patient to be euthanized. It is when the person who undergoes euthanasia wants to live but yet is euthanized.\(^{28}\) This act can equally occur over the objection of a patient or their surrogate.\(^{29}\) According to Stanford Internet Encyclopaedia of Philosophy, involuntary euthanasia is “a situation where a competent person’s life is brought to an end despite an explicit expression of opposition to euthanasia.”\(^{30}\) McMahan defines it as “when an individual who is competent to give or withhold consent is killed or allowed to die, either contrary to his expressed will or when his consent has not been sought.”\(^{31}\)

From the above definitions, it is clear that such an act of involuntarily killing a patient by a physician as a paternalistic way of lessening his suffering even against his wish

\(^{27}\) [http://plato.standford.edu](http://plato.standford.edu)

\(^{28}\) Encyclopedia of Ethics, 2001, p. 492.

\(^{29}\) [http://en.wikipedia.org](http://en.wikipedia.org)

\(^{30}\) [http://plato.standford.edu](http://plato.standford.edu)

is an unlawful act and can simply be called murder. Some ethicists and writers equally contend that involuntary euthanasia in some cases is not murder because there are some unusual cases where it becomes beneficial to the person who dies.

2.3.3 Non-voluntary Euthanasia
Euthanasia is non-voluntary when it is given to a patient who is incompetent to make a decision for herself. In this case also, the patient did not give consent in the past when he or she was competent to do so. Non-voluntary euthanasia is also difficult to discuss as it extends to euthanasia of newborns who cannot give consent. In this case, a proxy tries to choose for the no-longer-competent patient would have chosen had he or she remained competent. Those who are judged incompetent to give consent are: the neonates, young children, and people with severely learning problem (the mentally retarded), those with severely damaged brain, and those in permanent vegetative state and unconscious patients. These people cannot make a sound rational decision and as such are incompetent to request euthanasia.

2.3.4 Active Euthanasia
According to Encyclopedia of Applied Ethics, active euthanasia involves “doing something positive that will result in the patient’s death: giving a lethal injection, for instance. Active euthanasia (also called mercy killing or positive euthanasia) refers to the intentional and or direct killing of an innocent human life. This can be voluntary or non-voluntary. It is a situation whereby “the patient is in extreme pain in the last stages of a terminal illness. He asks to die. The physician is moved by his plea, and, as a result, injects a mortal dose of curare.” For Gay Williams, euthanasia is only active and never passive because he believes that for an act to qualify as euthanasia, the patient must be suffering from some terminal illness, and the action should be deliberate and intentional. Thus active euthanasia is a direct action of helping a patient to die by administering a lethal injection.

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33 http://dying.about.com/od/glossary/g/nonvoluntary.htm
35 Thomasma, D., 1990, p. 79.
2.3.5 Passive Euthanasia

Passive euthanasia is simply the opposite of active euthanasia. It has to do with the withdrawal or withholding of life-sustaining treatment. *Encyclopedia of Applied Ethics* defines it as “not doing something, the absence of which results in the patient’s death.”36 Instances of ways of applying passive euthanasia are; not performing surgery, not giving antibiotics, not feeding.

Comparatively, James Rachels sees no difference between active and passive euthanasia. Rachels argues that the major reason why people think that there is an important moral difference between active and passive euthanasia is that they think killing someone is morally worse than letting someone die. For him both are the same. Rachels says that he can understand someone who opposes both forms of euthanasia as immoral practices, but cannot make sense of approving of one and not the other. Rachels in construing how active and passive euthanasia are the same gave an instance of two cases which are alike except that one involves killing and the other involves letting die. The first case goes thus: 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, and then arranges things so that it will look like an accident. The second case is: 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 trashing about, the child drowns all by himself “accidentally” as Jones watches and does nothing.37

In Rachels’ analysis, both cases are the same because they acted from the same motive which is personal gain and the same end in view. Smith killed his cousin while Jones watched his cousin die. The same, he said, is applicable to active and passive euthanasia respectively. Both cases, Rachels holds, make no moral difference.

If the doctor lets a patient die, for human reasons, he is in the same moral position as if he had given patient a lethal injection for humane reasons. If his decision was wrong – if for example, the patient illness was, in fact, curable – the decision would be equally regrettable, no matter which method was used to carry it out. And if the doctor’s decision was the right one, the method used is in itself important.38

But I will say that Rachels’ arguments rest on weak foundation. His examples are not similar to euthanasia cases and as such do not underpin his apparent conclusion that active and passive distinction is always morally irrelevant.

The distinction between active and passive euthanasia cannot be denied. When we look at euthanasia from the point of view of causality, intention and motive it becomes clear to us that there is a difference between them. There is difference in causality in the sense that in active euthanasia, the lethal injection kills both the ill and as well as the healthy person: in passive euthanasia, the withdrawal or withholding of life sustaining treatment only causes the death of the mortally ill, whereas it would have no effect at all on the health.39 I will equally say that in passive euthanasia the physician does not want to cause humanly produced and useless suffering while in active euthanasia he wants to take away suffering which already exists. Fuchs drives this point home sharply:

The aim of killing (active euthanasia) is death; the aim of the cessation of treatment (passive euthanasia) is dying. The physician can make happen the first, but only let happen the second.40

But my goal in this paper is not to argue which one is morally preferable rather to elucidate the meaning of these types and forms of euthanasia which will help in the understanding of active voluntary euthanasia which is the focus of this writing.

39 Fuchs, T., 1998, p. 248
40 Ibid, p. 249.
2.4 Summary of the Chapter
I have tried to explicate the various ways the concept of human dignity is used in different periods in history and the different meanings of the concept till present thus establishing the ambiguity in trying to define human dignity. We have also seen that presently human dignity can simply be defined as an intrinsic value. I also discussed the complex nature of euthanasia seeing its three different types – voluntary, involuntary and non-voluntary euthanasia. Finally, the difficulty in defining euthanasia comes more to the fore with the two forms of euthanasia - active and passive euthanasia.
Chapter Three
Kant’s Concept of Human Dignity

3.0 Introduction of the chapter
Kant discusses human dignity in the light of the categorical imperative which he discerned in the rational being. He elucidates his principle of human dignity in his second formulation of the Categorical Imperative, the Formula of the End in Itself. Thus in this chapter, before delving into Kant’s concept of human dignity, I will first do an exposition of Kant’s Categorical Imperative not neglecting his autonomy principle which forms the basis of his Categorical Imperative. I will also do an interpretation of Kant’s concept of human dignity and then apply it to the euthanasia debate as “dying with dignity.” In summary, I am going to aver that from the interpretation of Kant’s dignity concept, Kant would argue against euthanasia as a “death with dignity.”

3.1 The Categorical Imperative
The categorical imperative is a principle formulated by Kant to provide a single foundation for morality. It is a kind of law which a rational being is supposed to obey and reverence. Kant makes it clear that the truly moral imperative is categorical and not hypothetical. Thus he distinguishes between an imperative that is categorical and one that is hypothetical.

Hypothetical imperatives declare a possible action to be practically necessary as a means to the attainment of something else that one wills (or that one may will). A categorical imperative would be one which represented an action as objectively necessary in itself apart from its relation to a further end… A hypothetical imperative thus says only that an action is good for some purpose or other, either possible or actual. In the first case, it is a problematic practical principle; in the second case an assertoric practical principle. A categorical imperative, which declares an action to be objectively necessary in itself
without reference to some purpose – that is, even without any further end – ranks as an apodeitic\textsuperscript{41} practical principle\textsuperscript{42}.

In simple terms, Kant is telling us that a hypothetical imperative is a conditional statement while a categorical imperative is unconditional in nature. A hypothetical imperative has the form: ‘you ought to do Y if….’ For instance, you ought to study hard if you want to pass your examination.’ The categorical imperative does not depend on any ‘if’; the action prescribed is not simply a means to an end. For example, the moral injunction ‘Be kind to others’ does not mean ‘Be kind to others if you want people to love you.’ Categorical imperative is a prescription of its own sake without reference to another end. Buttressing this point, Miller opines:

A categorical imperative would command you to do X inasmuch as X is intrinsically right, that is, right in and of itself, aside from any other considerations – no “ifs,” no conditions, no strings attached…a categorical imperative is unconditional (no “ifs”) and independent of any things, circumstances, goals, or desires. It is for this reason that only a categorical imperative can be a universal and binding law, that is, a moral law, valid for all rational beings at all times\textsuperscript{43}.

The basic formulation of his categorical imperative is: “I ought to act only in such a way that I can also will that my maxim should become a universal law.”\textsuperscript{44} In his \textit{Groundwork}, Kant made it clear that everything in nature goes according to laws and in his categorical imperative, he stresses that the categorical imperative is our conception of the law of nature as regards human behaviour. Thus he explains the imperative of duty in an alternate way, stating, and “Act as if the maxim\textsuperscript{45} of your

\textsuperscript{41} Apodeitic is a proposition which asserts things which are necessarily or self-evidently the case or impossible, in contrast to assertoric propositions which merely asserts that something is or (is not) the case. It was used by Aristotle in his Logic.

\textsuperscript{42} Kant, I., 1948, p.89.

\textsuperscript{43} Miller, Ed. L., 1992, p.454.

\textsuperscript{44} Kant, I., 1948, p.74.

\textsuperscript{45} According to Kant in the \textit{Groundwork}, a maxim is a subjective principle of action and must be distinguished from an objective principle – namely, a practical law. The former contains a practical rule determined by reason in accordance with the conditions of the subject (often his ignorance or again his inclinations): it is thus a principle on which the subject acts. A law, on the other hand, is an objective
action were to become through your will a universal law of nature. The point Kant is making here is that an act becomes imperative when it ought to be applied to every person.

The categorical imperative being an *a priori* concept does not give us specific rules of conduct. Sequel to this, a question like this arises: How do we know that the maxim of our action(s) were through our will a universal law of nature? Or better still, how do we will that our maxim becomes a universal law? O’Neill, Rawls and some other philosophers offer an answer to this: If it is, then ask yourself whether you would, or could, rationally *will* to:

First, formulate a maxim that enshrines your reason for acting as you propose. Second, recast that maxim as a universal law of nature governing all rational agents, and so as holding that all must, by natural law, act as you yourself propose to act in these circumstances. Third, consider whether your maxim is even conceivable in a world governed by this law of nature act on your maxim in such a world. If you could, then your action is morally permissible.

In line with this answer, let us consider, for example, the case of someone who contemplates relieving a financial crisis by borrowing money from someone else, promising to repay it in the future while in fact having no intention of doing so. The maxim of this action would be that it is permissible to borrow money under false pretences if you really need it. But as Kant pointed out, making this maxim into a universal law would be clearly self-defeating. The entire practice of lending money on promise presupposes at least the honest intention to repay; if this condition were universally ignored, the (uni-versally) false promises would never be effective as methods of borrowing. Since the universalized maxim is contradictory in and of itself,
no one could will it to be law, and Kant concluded that we have a perfect duty (to which there can never be any exceptions whatsoever) not to act in this way.\textsuperscript{48}

At this juncture another important question arises: why must one tell the truth, or why should one avoid the contradiction involved in a false promise? Kant avers that there is something about rational beings that makes them resist being treated as mere things instead of persons. We are persons because we are rational, and to be a person or a rational being, is therefore an end in itself. We are treated as a mere thing when someone uses us as a means for some other end, as when one tells us a lie. As persons, we are beings of absolute intrinsic worth which, according to Kant, is the basis for the supreme principle of morality. All men everywhere want to be considered persons instead of things for the same reason that I do and this leads to the second formulation of the categorical imperative from which he derives his concept of human dignity. The second categorical imperative holds: “\textit{Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end.}”\textsuperscript{49}

This second formula of the categorical imperative gives us the standard of a morally right action. It is important to point out that Kant does not mean that treating humans as means is wrong rather treating humans as mere means. For instance, a university lecturer is being used as a means to teach the students and he is being paid for his services. There is nothing wrong with it. But a slave is treated merely as a means and it is such that Kant condemns. To treat a person ‘as an end’ is to recognise that he has purposes like you. Kant says, it is to make his ends your own end. According to Stanford Encyclopedia of Philosophy, it is not human beings \textit{per se} but the ‘Humanity’ in human beings that we must treat as an end in itself. Our ‘Humanity’ is that collection of features that make us distinctively human, and these include capacities to engage in self-directed rational behavior and to adopt and pursue our own ends, and any other capacities necessarily connected with these.\textsuperscript{50}

\textsuperscript{48}Kant, I., 1948, pp. 98-99.
\textsuperscript{49} Ibid. Pp.106-107.
\textsuperscript{50} http://plato.stanford.edu
3.2 Kant’s Principle of Autonomy

In secularizing morality by outstripping it its Theo-centric nature, Kant’s major interest was to discover a law that is universal for every rational will and such a law, he says, must be internal to rational beings and not external. It must be a law that binds from within and not from without. This led Kant to his Formula of Autonomy.

By bringing together the first principle of the categorical imperative - Formula of the Universal Law – and the second principle- Formula of the End in Itself- Kant derived the third formula of his categorical imperative, that is, the Formula of Autonomy. This Autonomy principle forms the basis of Kant’s categorical imperative. It is the ability to know what morality requires of us, and functions not as freedom to pursue ends but as the power of the agent to act on objective and universally valid rules of conduct.\(^5\)

In the *Groundwork*, Kant pointed out the fact that the categorical imperative bids us, not just to follow a universal law, but to abide by the universal law which we ourselves particularise via our maxims. The principle of autonomy drives home the message that putting any practical law into action lies objectively in the universality of the rule which makes it a law, and subjectively in the end which is to be found in every rational being as an end in himself.\(^5\)

At this juncture a critical question arises: How objective is the moral law that proceeds from my own will? Apparently, such a law appears to be valid only to the subjective individual from whose will it proceeds. Again, one can also ask how a law that proceeds from his own will binds him or her since he is its author, and therefore is capable of changing or invalidating it at his or her own discretion. Kant makes it clear that the law of autonomy is not my subjective law anymore than anyone else’s, since I am the author in the same sense that every other rational being is nor can I loose myself from it since it is not up to me to make or unmake the idea of a rational will. Thus, it is universally valid for all rational beings. A very important question we should ask ourselves is what interest binds us to follow principles of reason? And that

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\(^5\) Kant, 1948, p.109.
is what Kant did justice to in his moral theory with the principle of autonomy as its basis.

A law flowing from a self-legislating rational will binds us only through reverence. Since it is the rational will that is the author of this law, it becomes not wrong to say that it is the rational will that is the object of reverence or respect. Rational nature, that is, can be seen not only to be an end in itself (with fundamental objective value), but to have dignity (absolute or incomparable value).

Nothing can have a value other than that determined for it by the law. But the law-making which determines all value must for this reason have a dignity—that is, an unconditioned and incomparable worth— for the appreciation of which, as necessarily given by a rational being, the word reverence is the only becoming expression. Autonomy is therefore the ground of the dignity of human nature and of every rational nature.53

The principle of autonomy is the only possible answer to the problem of obligation that binds universally. Any other principle of obligation must fail to solve it because they must be based on heteronomy of the will. For instance, a law based on the will of God would have to appeal to our love of God’s perfections or our fear of his power.54 Thus, the law becomes a hypothetical imperative and not a categorical imperative. But the principle of autonomy is not based on anything external rather it is intrinsically from the rational will.

Let me now turn to Kant’s concept of human dignity and see how autonomy forms the basis of this concept in Kant’s moral theory.

3.3 Human Dignity
Kant restricts his concept of human dignity only to rational beings (moral agents). He discusses human dignity as an intrinsic value in the light of his categorical imperative that he discerned in the rational being, and he made famous this formulation of the

54 http://plato.stanford.edu
principle of human dignity: ‘act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end.’\textsuperscript{55} Human dignity, Kant says, is an intrinsic value that evokes duty. This duty to treat someone as an end is to make his ends your own, that is to act towards his purposes as you naturally do towards your own; it is to act so as to help secure those purposes.\textsuperscript{56}

Thus, when we treat others as mere means we are compromising their dignity. But how do we treat people as mere means? A slave for example is treated as mere means. But when I invoke the services of a carpenter or a restaurateur, I do not treat him merely as a means. I ask him what is his charge and I agree to pay the charge. Equally, when we treat ourselves as mere means we compromise our dignity, like the selling of body part, other forms of bodily mutilation and suicide. These are morally wrong in Kant’s view because they ignore the individual’s physical-spiritual integrity and diminish the person’s dignity by locating his or her value in an “inferior” body part or activity.\textsuperscript{57}

Expressing the irreplaceability of human dignity, Kant avers:

\begin{quote}
What is relative to universal human inclination and needs has a market price; what, even without presupposing a need, accords with a certain taste - that is, with satisfaction in the mere purposeless play of our mental powers – has a fancy price [\textit{Affectionspreis}]; but that which constitutes the sole condition under which anything can be an end in itself has not merely a relative value – that is, a price - but has an intrinsic value – that is, dignity.\textsuperscript{58}
\end{quote}

The point Kant is making here is that all our human inclinations which has interest-relative value has price and these can be traded off but human dignity has an intrinsic value and is beyond a price. It embodies an interest-independent value. In the words of David Velleman, the dignity of a person is not something that he can accept or

\textsuperscript{55} Kant, 1948, p.107.  
\textsuperscript{56} Raphael, D.D. 1994, p.57  
\textsuperscript{57} Green, R.M., 2001, pp.247-261.  
\textsuperscript{58} Kant, 1948, p.113
decline, since it is not a value for him; it’s a value in him, which he can only violate or respect. Nor can it be weighed against what is good or bad for the person.\textsuperscript{59}

Kant goes further showing that only morality and humanity is capable of dignity. As elucidated in the Formula of the End in itself, ‘morality is the only condition under which a rational being can be an end in himself.’ Why is it so? This is because it is the only way possible for one to be a legislating member in a kingdom of Ends. Therefore, morality, and humanity in as much as it is capable of morality, is the only thing which has dignity.\textsuperscript{60} This implies that ‘the dignity of man lies in his capacity to make universal moral law, although only on condition of being himself also subject to law he makes.’ The person who has dignity, simply put, is he who legislates for others and himself. This raises an important question: how do I know that I am making a universal law that binds others and myself categorically? The answer to this lies in the three formulae of the categorical imperative which can be reached with the aid of reason.

In sum, in so far as human beings have the capacity to conceive of the categorical imperative and to act in line with it, they are capable of rationality, and in so far as they are rational, they have dignity, that is, intrinsic value, and thus deserve unconditional respect.\textsuperscript{61} He deserves unconditional respect because he is possessing dignity (an intrinsic value) that cannot be traded off and as such demands duty towards oneself and others.

3.4 Possible Interpretation of Kant’s Concept of Human Dignity

As I have discussed earlier, Kant rests his concept of human dignity on rational nature. It is only rational beings who have the capacity to conceive of the categorical imperative that have dignity or intrinsic value. This, thus interpreted, implies that children, the mentally retarded, those in coma and vegetative state, including all who lack the capacity for rationality have no dignity. This is because they cannot reason and act with a maxim that could be called a universal law. They do not know what it means to treat others as ends in themselves nor can they act as if they were members

\textsuperscript{59} Velleman, D.J. (April 1999), p. 613.
\textsuperscript{60} Kant, I. 1948, pp. 113-114.
\textsuperscript{61} Park, Y. (Jan. 1997), p. 11.
of a realm of ends. Those in coma and vegetative state cannot reason at all while infants and the mentally retarded can only act on personal inclination.

Kant’s concept of human dignity generates both duties to others and duties to oneself. These duties can be explained from the negative perspective as duty not to compromise the dignity of others and duty not to compromise one’s own dignity.62

We compromise the dignity of others when we treat them as mere means. For instance, when we fail to accord others self-respect or when we fail to recognise them as autonomous beings capable of making rational and universal laws we use them as mere means, like slavery. Regarding duty not to undermine other people’s conditions of self-respect, a critical question that arises is: are the conditions of self-respect given a ‘subjective’ or ‘objective’ interpretation. According to Beyleveld, and Brownsword, on the subjective level, the duty is experiential to the agent and they are those conditions that apparently are material if agents are to enjoy a sense of self respect (particularly concerning experience of inhumane, demeaning, and degrading treatment). And in an objective sense, the point is that certain conditions are the basis of self-respect, in other words, one can act inhumanely towards another without the intention of doing so and one can equally be insulted without him or her experiencing any degradation or insult.63

Kant holds that human dignity is an intrinsic value that cannot be traded off implying that human dignity is violated when we give ourselves away for a price. Thus human dignity also evokes duty towards ourselves. But how do we know those acts that are capable of trading off our dignity? The answer according to Kant is by being capable of conceiving the categorical imperative which every rational being possesses. Personhood, according to Kant, lies in the ability to reason and will. Sequel to this, any act of volition that weakens, robs away, or destroys reasoned willing is somehow self-contradictory. In the *Groundwork*, Kant presents suicide as one of the instances where humans use themselves as means only. Suicide, for Kant, is simply the willingness to dispose of oneself as a thing that is no longer useful to oneself.64

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63 Ibid.
64 Kant, 1948, p. 98.
self-contradictory. But what really is self-contradictory about trying to escape suffering and pain via euthanasia? In answer to this question, Kant would appeal to the “Formula of the universal law of nature,” thus would argue that euthanasia which is an act of self-love to escape suffering and pain is exactly opposite to a world of living beings that strives always to survive and live. Buttressing Kant’s argument, R.M. Green argues that some of these actions that treat a person as a mere means because they use some physical aspect of the person for gratification are wrong not just because they eclipse reasoned willing, but because they ignore the individual’s physical-spiritual integrity and diminish the person’s dignity by locating his or her value in the inferior body part or activity,\textsuperscript{65} for example, commodification of body parts, and other forms of bodily self-mutilation.

In sum, when we thingify and instrumentalise others or ourselves in any of the above-mentioned ways, we are treating others or ourselves as mere things. In other words, we compromise the dignity of others or ourselves by such acts.

3.5 Application of Kant’s Concept of Human Dignity to Euthanasia Debate

It is clear that Kant did not discuss euthanasia in his moral theory rather he talked about suicide in his discussion of the Formula of the End in itself. But from his discussion about human dignity and his position on suicide, I can say that Kant would not see any point, argument or reason for the moral justification of euthanasia but will condemn it for many reasons.

Regardless of what Kant would have thought, I will like to apply his theory thus here. I will say that Kant would oppose euthanasia on the same grounds he opposed suicide as there is not much difference between the two practices. Euthanasia, Kant would say, is also self-contradictory as it weakens, robs away, or destroys reasoned willing. It disempowers the will. As it is in the nature of man to struggle against adversity to survive and live, Kant would see a decision for euthanasia as going against the will and as such against the universal law of nature. It is the treatment of oneself as a mere means rather than as an end which amounts to a compromise of human dignity. This

\textsuperscript{65} Green, R. M. 2001, pp. 247-261.
is so because an act of euthanasia which comes from self-love does not qualify as a categorical imperative rather it is hypothetical.

I will also say that Kant would argue that in the practice of euthanasia, a person treats himself simply as a means to an end. Kantian would contend that euthanasia is against the respect of personhood (dignity) in a person. It undermines the personhood in a rational being. As I discussed earlier, according to Kant, everything has a price or a replacement except humanity which is capable of dignity that has an intrinsic value that is a dignity. Thus a rational being in possession of dignity should not give away his invaluable possession for a relief of pain and suffering. And for Kant, the person euthanizing the patient is also guilty of the crime of using or treating another as a means rather than as an end in itself because he should reject doing that.

Brassington argues against Kant especially on the above last point. He cites some areas in Kant’s writing that seem to be contradictory. He argues that Kant who makes it clear that it is monstrous to suppose that we can have a right to do wrong in the direst physical distress also shows in a different context with the case of a murderer at the door that the goodness of fulfilling our desire to prevent a murder by lying must, morally speaking, be subjugated to the duty of truthfulness. He equally cites Kant as promoting punishment of a person who kills another unlawfully by death. His critique sounds plausible. But I will say Brassington misconceives or fails to understand Kant very well. This is because Kant is concerned with the priceless worth of humanity which is dignity and not the sanctity of life. In anchoring his moral theory on rationality, Kant tries to arrive at a conclusion every impartial rational persons would agree with. Thus there is no contradiction in the above instances he cited.

I disagree with Brassington when he says that voluntary euthanasia is compatible with Kant’s second formula of ends. He seems not to understand the principle well or it could be that he wants to interpret it in a way that it suits him. He argues that when a person wants us to kill him, when that desire is necessary and sufficient, and in which

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66 Brassington, I., 2006, pp. 573-574.
68 Ibid, 574.
we have no other motivationally ert desire to kill him, then euthanizing him is never treating him as a means to an end. Kant would argue against this assertion because as a person, I ought not to euthanize a fellow human being who possesses an intrinsic value that is beyond price (dignity). I have a duty to protect his dignity.

Brassington also appears to be arguing from the point of view of individual autonomy. He fails to expatiate what he means when he says that a person’s desire for euthanasia is necessary and sufficient to motivate another to kill him. Autonomy, as Kant holds, is our capacity to act objectively and universally as morality requires and not freedom to pursue ends.

Finally, contrary to Brassington’s conclusion that Kant’s categorical imperative can be applied to argue for the permissibility of euthanasia I hold that Kant’s moral theory never approves euthanasia.

3.6 Summary of the chapter
In this chapter, I have discussed and interpreted Kant’s concept of human dignity which summarised is ‘a duty to treat others and yourself as an end in itself.’ This notion of human dignity evokes duties towards others and oneself as I have discussed. Nevertheless, this second formula of ‘End in itself’ does not stand on its own rather it connect both the first and the second categorical imperative. Thus I had to x-ray the categorical imperative first so that there will be a better understanding of Kant’s concept of human dignity. Finally, I tried to apply this concept of human dignity to the euthanasia debate to see what would be the stand of Kant in this contemporary issue in bioethics, and as we have seen from Kant’s concept of human dignity, he would condemn euthanasia as morally wrong not to talk of seeing anything dignifying in it. Why? Because that would be treating oneself as mere means rather than as and end in itself. Kant would also judge the physician carrying out the act as acting in a morally unjustifiably way because he fails in his duty towards the other – duty to treat others as end in themselves.
CHAPTER FOUR
Gewirth’s Concept of Human Dignity

4.0 Introduction of the Chapter

Alan Gewirth discusses human dignity in the light of human right. Dignity, for Gewirth, is related to capacities that qualify agents as right-holders. Thus, his theory is almost parallel to Kant’s theory of rational beings with a will as duty-bearers. Kant and Gewirth agree that:

Morality purports to impose categorically binding only standards for action; there is a supreme principle of morality, which actually is categorically binding: and a principle can be justified as categorically binding only by demonstrating that it is an absolutely unconditional requirement of reason.69

But their theories still vary especially from their different notions of autonomy. While Gewirth sees dignity as synonymous with autonomy of the individual Kant sees it as obliging duty towards others and towards oneself. And autonomy for Kant is a universal and objective moral principle. In this chapter I shall begin discussing Gewirth’s concept of human dignity with his Principle of Generic Consistency (PGC) which is a very interesting attempt by him to give the idea of human right a foundation in what he calls the generic features of action, namely, freedom and well being. I will also discuss how he justified this principle, how this principle applies to human dignity, and an interpretation of his notion of human dignity drawing from Beyleveld and Brownsword’s interpretation. Finally, I will apply this right-led interpretation of human dignity to the euthanasia debate to see what is or would be the stand of Gewirth in this issue.

4.1 Principle of Generic Consistency

In the PGC, Gewirth seeks to verifying that we have rights as moral agents. Thus he grounds this idea of human rights in what he calls the generic features of action, namely, freedom and well-being (or voluntariness and purposiveness). In trying to discover a supreme principle of morality, Gewirth believes that there is a distinctive feature of all human beings from which human rights stem. This distinctive feature for christian moral philosophers lies in our sacredness as they believe that man is an *imago dei*. But for philosophers like Gewirth, the distinctive feature is not something sacred as it is not observable nor verifiable. Hence, Gewirth holds that an observable feature upon which we can ground the supreme moral principle is the distinctly human ability to plan and execute an action.\(^7^0\) Upon this foundation he founded his human right principle which is observable, verifiable and secular rather than religious.

Gewirth never fails to prove this principle logically and coherently. He explains the generic features of freedom (voluntariness) and well-being (purposiveness) thus:

> By an action’s being voluntary or free I mean that its performance is under the agent’s control in that he unforcedly chooses to act as he does, knowing the relevant proximate circumstances of his action. By an action’s being purposive or intentional I mean that the agent acts for some end or purpose that constitutes his reason for acting; this purpose may consist in the action itself or in something to be achieved by the action.\(^7^1\)

The agent has freedom to act and every act performed by the agent is intended towards a goal. These are the generic features of action, according to Gewirth, as they are the most general features distinctively characteristic of every kind of action.

The principle of generic consistency (PGC) demands agents to act in accord with the generic rights of all agents. Generic rights are rights to generic needs of agency and generic needs of agency are necessary for action or successful action as such.

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\(^7^0\) Kohen, A., 2005, p. 55.

\(^7^1\) Gewirth, A., 1978, p.27.
According to Gewirth, agents hold their well-being as necessary good because of the affiliation they have with their purpose-fulfillments. Yet some generic needs are more necessary or indispensable than others. Sequel to this, generic needs of agency, Gewirth avers, are ordered hierarchically based on the degree of their indispensability. Basic goods or needs are the most necessary of all because they are the basic capabilities of action. These include life and various other physical and mental goods. Then for human agents food, clothing, shelter, and health will be included among these necessary mean.  

Gewirth divides things that aid in the possibility of successful action into two classes: ‘non-subtractive’ needs and ‘additive needs.’ ‘Non-subtractive’ good is needed for an agent to achieve successful action or purpose and for it to be wanting is for the agent to suffer a lack of the goods he/she already has. Beyleveld and Brownsword cites the “possession of accurate information as an example of a non-subtractive need (which implicates a need to be told the truth and for others to keep their promises).”  

‘Additive goods comprises the things that promotes one’s capacities for successful action, not considering one’s purposes. Examples of ‘additive goods’ are the acquisition of new information, and of special skills.  

It is important to note that as these needs are hierarchical, in the face of conflict, the basic needs take precedence over the non-subtractive needs while the non-subtractive takes precedence over the additive ones.

In Gewirth’s universalization of the principle of generic consistency, he holds that all prospective purposive agents (a being with the capacities required for agency and with at least some disposition to exercise them) have right to ‘freedom’ and ‘well being.’

Freedom and well-being are the most general and proximate necessary conditions of all his purpose-fulfilling actions, so that without his having these conditions, his engaging in purposive action would be futile or impossible.

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72 Ibid, pp.54-5, 62-3.  
74 Ibid.  
And if an agent denies this he contradicts himself as an agent. Thus he must on pain of contradiction accept that he ought not to infringe upon the freedom and well being of other purposive agents.

The principle of generic consistency can be summarised as: “Act in accord with the generic rights of your recipients as well as of yourself.”  

This means that an agent should respect the generic rights of other agents as well as his own when he acts towards other persons. But if he does not respect their rights, in Gewirth’s words, he ceases so far forth to be rational. Thus, Gewirth’s rights-based theory appears synonymous to Kant’s duty bound moral theory as both are based on rationality. This raises a question about the dignity of children and the mentally sick. According to Gewirth, children have right and dignity but not the same with prospective agents whose rights to freedom the principle of generic consistency binds agents to respect fully. Gewirth calls children potential agents because they possess preparatory rights for their taking on the generic rights in future as full-fledged agents. The same thing is applicable to the mentally deficient persons. Gewirth makes it clear that the mentally retarded who cannot exercise full control over his or her person even as an adult has not the same degree of right as prospective agents. For these people what we can call the protective right is more important. Discussing further about those who lack full right and dignity as prospective agents, Gewirth brings to the fore the case of the fetus. The fetus, he holds, has no right to freedom rather right to well-being, and when the right of the fetus comes in conflict with that of the mother, the mother’s generic right is given priority because the mother is a prospective agent who has purposes she wants to fulfill while the fetus is not.

In other to give a full elucidation of Gewirth’s principle of generic consistency, it is equally important to mention that Gewirth also avers that animals other than humans are not among those whose generic rights are to be protected even in the preparatory stage since they are not agents not potential agents. Gewirth did not deny nor play down the fact that non-human animals experience pain rather he is of the opinion that when their freedom and well-being of conflicts with those of humans, that of the

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76 Ibid, p. 135.
latter takes priority because the latter is a prospective purpose agent. Thus since animals feel pain like humans, it becomes wrong to wantonly inflict pain on animals but we cannot grant their freedom to the detriment of the prospective agents who have purposes to fulfill.

Before I move on to the logic of Gewirth’s derivation of the principle of generic consistency, it is relevant to point out some of the following points. First, the generic rights obliges other agents to respect the generic needs of the others. Also, since the principle of generic consistency imposes duties on agents to aid other agents to secure their generic needs as well as duties on them not to violate the generic needs of other agents, it implies that the generic rights are positive as well as negative. Moreso, the generic rights are moral rights while the principle of generic consistency is a moral principle which is categorically binding.

4.2 Justification of the Principle of Generic Consistency

The principle of generic consistency (PGC) as we earlier saw summarisingly is “Act in accord with the generic rights of your recipients as well as of yourself.” All Gewirth is insinuating is that agents and prospective purposive agents (PPA) contradict themselves as agents when they do not act in accord with this principle. Gewirth followed this method in his bid to justify his principle which is derived from human action as a moral principle. Thus if an agent should contradict himself by not acting according to the principle of generic consistency it implies that the principle is categorically binding. This is what Gewirth sought to show and prove in his justification of this principle. An important question Gewirth tries to answer in showing the categorical nature of this principle is: why are agents categorically bound to take favourable account of the interests of others in their own action.

I will here draw from the simplification of Gewirth’s argument by Byleveld and Brownsword. The presentation of the argument goes as follows:

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78 Ibid, p. 144.
By claiming to be an agent, I claim (by definition)

(1) I do (or intend to do) X voluntarily for a purpose E that I have chosen.

Because E is my freely chosen purpose, I must accept

(2) E is good,

Meaning only that I attach sufficient value to E to motivate me to pursue E (i.e. that I value E proactively). If I do not accept (2), then I deny that I am an agent – which is to say that it is dialectically necessary for me to accept (2).

(3) There are generic needs of agency.

Therefore, I must accept

(4) My having the generic needs is good for my achieving E whatever E might be = My having the generic needs is categorically instrumentally good for me.

Because I value my purposes proactively, this is equivalent to my having to accept

(5) I categorically instrumentally ought to pursue my having the generic needs.

Because my having the generic needs is necessary for me to pursue my having the generic needs, I must hold

(6) Other agents categorically ought not to interfere with my having the generic needs against my will, and ought to aid me to secure the generic needs when I cannot do so by my unaided efforts if I so wish.

Which is to say, I must hold

(7) I have both negative and positive claim rights to have the generic needs = I have the generic rights.

It follows (purely logically) that I must hold, not only (7), but also

(7') I am agent as implying I have the generic rights.

Consequently, it follows (purely logically) that I must hold

(8) All agents have the generic rights.
Since I deny that I am an agent by denying (8), every agent denies that it is an agent by denying (8). Thus, (8) (which is the PGC) is dialectically necessary for every agent.\(^8\)

In summary, all Gewirth is contending about the principle of generic consistency is that agents are categorically bound by the ‘Principle of Generic Consistency.’ The PGC demands reciprocal respect of one another’s freedom and well-being. This can be put succinctly: I am an agent. I (necessarily) value something called ‘X’. I need the means to realise my ends. I need freedom and well being (Generic Condition for Action). ‘You’ ought not to interfere with my generic conditions for action. I have a right that others not interfere with my generic conditions of agency. Agency is sufficient for one to have a right that others not interfere with his or her generic conditions of agency.

4.3 Gewirth and human dignity

Gewirth in discussing human dignity focuses specifically on human rights. Human dignity, for him, forms the basis or ground of human rights arguing that an agent’s attribution of worth to himself derives from the goodness of the attributes to his particular actions and the general purposiveness that characterizes all his actions and himself qua agent.\(^2\) Gewirth’s right-led approach is in this sense parallel to Kant’s duty-led approach. Thus any violation or infringement on the rights of others compromises their dignity. In the words of Beyleveld and Brownsword,

Gewirthians might equate compromising the dignity of others with cases where there is a failure to recognise one with the capacities for agency as an agent, or where an agent’s conditions of self-respect are damaged.\(^3\)

But the parallel between Gewirth and Kant’s theory is not so much the same in the sense that unlike in Kant’s categorical imperative where what matters is the loss of self-esteem even when the agent or the rational being does not experience it in

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Gewirth’s right theory, what counts is not whether the agent feels or experiences the loss of self-esteem rather whether the agent freely invites the compromising’ conduct of others. Thus in examining whether one’s dignity is trampled upon or not the main thing to have in mind is to know whether the individual autonomy is respected or not. In other words, did the agent consent to such act wilfully or not. For instance, if one willingly consented to give himself to be used for a demeaning act like slavery. According to Gewirth, the person’s dignity is not compromised in anyway but if the agent did not consent to such an act then human dignity is compromised. Beyleveld and Brownsword drives this point home thus: “ …indeed, where agents freely interact and transact with one another, it is precisely respect for dignity that demands that there should be no interference – for, to interfere with such agents would be to treat them as mere things.”

As I said earlier, Gewirth’s concept of human dignity is autonomy-centred. Looking at the concept of human dignity from his perspective further, Gewirth sees human dignity as empowerment in the sense that it reinforces self-determination, free choices and deliberation. In this way human dignity is contingently related with capability to autonomous actions. This entails that those without this capability may not be assigned dignity. Writers are of the view that human dignity is intrinsic which provides a basis for all human rights. Autonomy is one of many rights. Human dignity as empowerment is strongly recommended in biomedicine for right of informed consent. In this way human dignity is contingently related with capability to autonomous actions which is agency. So long as the agent does not violate the PGC-protected right of other agents, his action(s) is morally justifiable. Gewirth unlike Kant would totally see nothing wrong in the act of suicide for instance. Hence:

What does the PGC require in cases where persons fulfil the cognitive and emotional conditions for voluntary consent and yet refuse to consent to interferences with their self-destructive or other projects whereby they intend to inflict basic harms on themselves? Such projects include suicide, selling oneself into slavery, ingesting harmful drugs, and the like… when it is clear

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84 Ibid.
that the conditions of voluntariness have been met by the projected self-harmer, further interference with him must be discontinued.86

In as much as the agent respects and does not interfere with other agents’ rights his right to autonomy should be respected. His or her self-authored acts cannot be morally wrong because he breached in no way the generic rights (freedom and well-being) of neither himself nor others. The case of a person who intends to sell himself into slavery can be sited as an example. By going into slavery he surrenders his freedom which is a necessary good to all prospective purposive agents. In a case like this certain questions need to be considered to assure the voluntariness of the decision by the agent. Questions like: What is the motive of the would-be slave in making such choice? What is the nature of the psychological conditions and the social order that would permit or foster his having this motive?87 It could happen that the would-be slave considers going into slavery as more dignifying than the condition in which he finds himself. In other words, dignity based autonomy, according to Gewirth, can come at a price.88

Gewirth does not think that self-harming agents do breach a duty to themselves. Why? First, the idea of a duty to oneself is something of a contradiction in terms in Gewirth’s right-led interpretation of human dignity. Of course, insofar as the supposed duties to oneself relate either to the avoidance of qualities that militate against, or to the inculcation of qualities that conduce towards, the fulfilment of one’s responsibilities towards others, then there is no such contradiction: we are dealing indirectly with an agent’s duties to others.89

Secondly, Gewirth allows for what he calls ‘a more analogical’ form of duties to oneself,90 where we might speak of an agent being unfair to or demeaning itself. To the extent that we mean that a particular agent, A’s, immediate actions are antithetical to A’s long-term purposes, this is relatively unproblematic: A remains free to choose its purposes and any criticism of A’s short-term action is by reference to A’s own

87 Ibid, p.266.
90 Ibid.
established preferences and purposes. An agent qua rational agent has a duty to himself and a right against himself – a duty to obey the PGC and a right that the PGC be obeyed by him. As the PGC requires of all agents to act in line with his recipient’s freedom and well-being and in this case of duty towards oneself the agent is both the actor and the recipient, the immediate agent considers his own freedom and well-being as the long term recipient of his action. By this he has duty towards himself.

Thirdly, however, Gewirth extends this analogical use to an agent’s long-term desires or ends, suggesting that the analogy might be pursued either in terms of equilibrium (in which model, no one of the agent’s higher interests should dominate the others) or hierarchy (in which model, the agent’s higher interests should control its ‘lower interests’). Where we speak of a person degrading himself, Gewirth says that it is the model of hierarchy that is invoked. To the extent that such analogical uses are simply seeking to impose some kind of unity or order on the agent’s preferences, there is no great problem. What respect for the PGC demands, however, is that the analogical duty not to violate one’s own dignity should not be allowed to become an excuse for others to restrict the range of purposes that agents may otherwise freely choose. The duty we owe ourselves is not to infringe upon our own freedom and well-being. Thus an agent is morally right in his self-authored actions towards himself insofar as it does not violate the PGC.

In summary, a rational agent, Gewirth would say, has dignity while a non-rational agent has no dignity. A rational agent is one that acts in accord with the generic rights of his recipients as well as himself. This implies that when one looses the capacity for agency which is rationality he looses his dignity. Hence, those in vegetative state and the mentally retarded, Gewirth holds, have no dignity but they do have some rights.

4.4 Application of Gewirth’s concept of human dignity to euthanasia debate

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91 Gewirth, A., p. 335.
92 Ibid, 337.
From my discussion of Gewirth’s concept of human dignity so far, I will say that Gewirth’s right-led interpretation of dignity when applied to current bio-medical debate on voluntary euthanasia would argue in favour of euthanasia and would see request for or death via voluntary euthanasia as a rational request and a dignifying death – ‘death with dignity.’ What are my reasons for this assertion?

First, the first reason and argument would come from the autonomy of the individual. Gewirth would justify voluntary euthanasia and uphold it as “dying with dignity” once it is clear that the conditions of voluntariness which is one of the generic rights of agents is met by the agent requesting euthanasia.94 Every agent, he would argue, has right to autonomy and as such the autonomous decision of the agent to be euthanised should be respected. What should be considered is the assurance of voluntariness of the decision by the person to be euthanised. This brings us to question the motive of the person requesting euthanasia in making such decision? Is his dignity being compromised? These are the questions to look into to assure voluntariness of the request to be euthanised. And whereby it is assured, Gewirth would uphold it as morally justifiable.

Another argument Gewirth would employ in their justification of euthanasia is that Gewirth unlike Kant would not see voluntary euthanasia as a violation of duty towards oneself rather as a fulfillment of a duty toward oneself. How is this not a violation of duty towards oneself? The PGC as Gewirth holds obliges every agent to act in accord with the generic rights (freedom and well-being) of its recipients as well as yourself. An agent has dignity because he acts in accord with the generic rights of its recipients. In the case of euthanasia the agent is both the actor and the recipient of the action and in opting for euthanasia he did not go against the PGC because he considers his (recipient) own freedom and well-being as the long term recipient of the action.95

Furthermore, Gewirth would argue strongly in support of voluntary euthanasia as a ‘death with dignity’ based on the fact that it does not interfere with the right of prospective purposive agents. It is a self-determined act that does not infringe upon the

95 Ibid, p. 335.
rights of other agents and so does not disobey the PGC.\textsuperscript{96} In other words, since it does not disobey the PGC it does not compromise other agents dignity nor that of the agent. This argument still emphasizes autonomy of the individual.

Finally, unlike Kant who would see the physician carrying out voluntary euthanasia as going against his duty towards others Gewirth would see the physician as fulfilling the positive duty which the PGC imposes on him as an agent to assist other agents in securing their generic needs.\textsuperscript{97} But in a situation whereby the physician sees such deed as going against his own freedom and well-being he is free to say no to the patient while referring him to another physician.

Above all, Gewirth would argue for voluntary euthanasia from the point of view of autonomy of the individual which for him is the simple understanding of human dignity.

4.5 \textit{Summary of the chapter}

So far in this chapter I have discussed Gewirth’s Principle of Generic Consistency (PGC) which simply put is act in such a way that you do not interfere with the generic rights of your recipients as well as yourself. I equally elucidated the coherent and logically argument used by Gewirth in proving the PGC which he calls the supreme principle of morality. I then discussed his concept of human dignity which is based on agency. Thus an agent who obeys the PGC has dignity. It is important to note that Gewirth conceived human dignity as autonomy of the rational agent. I finally tried to apply the way Gewirth conceived human dignity to the debate on voluntary euthanasia as ‘a death with dignity’ showing and discussing with reasons why Gewirth would uphold voluntary euthanasia as morally justifiable and as such ‘a death with dignity.’ His theory which supports voluntary euthanasia is apparently appealing but not practicable. This leads me to the final chapter where I discuss why Gewirth’s theory is not realisable.

\textsuperscript{96} Ibid.
\textsuperscript{97} Beyleveld, D & Brownsword, R., 2001, p. 72.
CHAPTER FIVE

5.0 Critical Evaluation and Conclusion

“Dying with dignity” when viewed from the perspective of Gewirth’s conception of human dignity seems amazingly intelligible and convincing. There can scarcely be a reader of Gewirth who has not at least stopped short and said something like, sure that is true; his ‘point de depart’ in his moral theory seems thoroughly plausible, and his keys fit. His PGC according to which an agent should act in accord with the generic rights of all other agents including his – rights to generic needs of agency – apparently is coherent, logical and as such morally justifiable hence his human dignity and right theory.

Gewirth’s standpoint by application in the issue of voluntary euthanasia as ‘death with dignity’ appears justifiable as it promotes individual autonomy. There is a prima facie right to decide how one wants to die. From his PGC, agents’ rights are not to be interfered with in as much as they do not infringe on the rights of others. Thus, agents’ rights to autonomy has to be protected and as such their dignity by not denying them the right to choose and control where, when and how to die. At this point a question like this arises: Does it follow that active euthanasia and assisted suicide are morally permissible? Does it mean that those many societal laws that make these acts illegal are in error? From Gewirth’s position, the answer in principle is in the affirmative. They are wrong because they do not respect individual autonomy which for Gewirth is the bases of human dignity. His argument sounds plausible enough especially in our contemporary society where people value individual autonomy so much. Thus, request for euthanasia by patients like, those suffering from cancer, motor neurone disease, among others are justifiable and as such a dignified way of dying when viewed from Gewirth’s perspective.

But a germane question arises from the opposite standpoint: Does individual autonomy as conceived by Gewirth tell us everything about the very complex concept
of human dignity? Is human dignity synonymous with individual autonomy or is it more than that? That individual autonomy comes to the fore in the definition of human dignity does not “ipso facto” mean that human dignity is all about individual autonomy. There is no denying the fact that an individual has a right to autonomy but I believe it is an autonomy that is bound by duty towards others and oneself as Kant upholds. It is not duty to oneself in Gewirth’s sense but in Kant’s sense. This is so, because if one has a right to eliminate or terminate his life why must he need others to exist? When one gets himself euthanized or commits suicide it really has much effect on the dignity of other agents especially the relatives of the agent who is euthanized. Because one is sharing in the personhood of others he has no right to terminate his life at his own will. This is where Gewirth’s PGC if in no other life situation fails.

More so, it would be nice also to point out the fact that Gewirth’s PGC appears more academic than morally practicable. In his derivation of the PGC, he rightly made it clear that becoming a Prospective Purposive Agent (PPA) requires that agents possess the abilities of the generic features of action, that is, the ability to control one’s behaviours by one’s unforced choice, to be aware of relevant situations or events, and reflect upon one’s purposes. Gewirth further stresses that these abilities of the generic features of action are possessed in varying impaired ways by the mentally retarded while they are largely lacking in animals. These variations imply that the mentally deficient and animals do not have the generic rights as normal rational beings do have them.98 A critical question that arises at this point is whether it is right to infringe upon the rights of those who do not have the generic rights in the full-fledged way as agents have. In line with this question, Kohen raises a more complex question: what is the extent to which the practical import of the PGC is narrowed by conative normality’s being a definitional requirement of being a PPA? Beyleveld in answering this question says that we are obliged to treat human beings as conatively normal (as PPAs) unless we have compelling evidence that they are not PPAs.99

Beyleveld’s reply to the above question is not satisfactory as he fails to recognise some sort of classism that does exist in some societies and sometimes among humans. By classism I mean a sort of prejudice or oppression against people as a result of their

99 Kohen, A., 2005, p. 64.
perceived social status as being low. Rorty in buttressing this fact holds that this problem is one that goes beyond sitting down with a chalkboard and diagramming how the agent and his potential victim are both PPAs. He is of the view that some agents see their victims as not properly PPAs despite looking and acting very much like one.\textsuperscript{100} Thus it is a problem that will not be solved by demonstrating that the agent violates his victim on pain of contradiction.

Some problems abound in Gewirth’s derivation and Kohen summed them up in the following words:

The first is that the agent can quite clearly sidestep rational inconsistency by believing that his victim is somehow less of an agent than he is himself. The agent, here, might recognise that his victim is a PPA, but other factors (being an infidel, a queer, a woman, or an untouchable) have far greater resonance and preclude her having the same rights as the agent. He might also recognise his victim as a potential PPA, but not one in the fullest sense of that term or one who has actually achieved that status.\textsuperscript{101}

Good examples of this can be the Nazi and their Jewish victims who were like pseudo-humans to the former or the idea of ‘Osu caste system’ in Igboland, Nigeria where people referred to by this name are regarded as sub-human beings, the unclean class, or slaves. They are not married by the ‘Non Osu people’ and to do so becomes an abomination. In this case, the ‘Non-Osu people’ regard the so called Osu people as less of an agent than they are themselves. The above examples are what Kant calls treating one simply as a means rather than as an end. Gewirth fails to recognise the above in his principle or he assumes that we all have a meta-desire not to contradict ourselves. Kant foresaw that contradiction and that is why he talks of first making sure that your maxim is a universal principle first in his categorical imperative, secondly, treating one another as an end, and finally, act as if you are a member of the realm of ends. Thus Kant never welcomes individual autonomy rather autonomy in the objective sense of it.

\textsuperscript{100} Ibid, p.65.
\textsuperscript{101} Ibid.
Gewirth’s PGC also appears more theoretical and academic than pragmatic. Suffice it to say that Gewirth is visualising an ideal moral community that is not realistic. According to Kohen, Gewirth’s derivation of the PGC might be logically compelling to philosophers but not to those who actually make these decisions on inclusion and exclusion. This, he says, does not mean that they are insufficiently rational but because they live in a world in which it would be just too risky to let one’s sense of moral community stretch beyond one’s family, kindred or village.102

Gewirth defines human dignity simply as individual autonomy thus giving room for euthanasia. This is not so in Kant’s definition which I more or less uphold. Kant defines human dignity, simply, as an intrinsic value which is unconditional and cannot be traded off. If dignity is an intrinsic value and means more than individual autonomy then voluntary euthanasia cannot be dignifying because it means the euthanized deprives himself of his personhood. And to be a person is to have dignity. Thus euthanasia deprives the euthanized person who requests it his dignity. It obliterates morality and degrades humanity because it eliminates the subject and morality. In other words, for one to put an end to his personhood for any reason cannot be justified taking cognizance of the unconditional value he possesses - dignity.

People today argue that it is dignifying to die than to live and lose their autonomy, than to live depending on the help of others as a result of ill-health, suffer unbearable pains, among others. This line of thinking is Gewirth’s. I think that way of thinking may not be completely wrong but is never dignifying. I am not trying to assert that it is better to live and lose your autonomy and suffer painfully. My argument is that there is nothing dignifying about such decision and as such it should not be used to justify euthanasia. Respect for autonomy is just one of the rights a human being has as a moral agent. It has its basis on the dignity of the moral agent. Thus respect for autonomy should not take priority over human dignity without which one cannot talk of autonomy. Velleman stressing this point says the dignity of a person is a value that

102 Ibid, p.66.
differs in kind from his interest and equally his autonomy. Respect for a person’s autonomy does not require deference to him on questions of his dignity, as it does on questions of his good. On the contrary, respect for a person’s autonomy is just an appreciation of a value in him that amounts to a dignity. As Kant asserts, autonomy is the ability to know what morality requires of us, and functions not as freedom to pursue ends but as the power of the agent to act on objective and universally valid rules of conduct. Thus when someone request for euthanasia he is not acting on objective and valid rules of conduct. Velleman argues in line with this that the value of a person inheres in him among other persons. It is a value that he possesses as a virtue of being one of us, and the value of being one of us is not his alone to assess or defend. The value of being a person is therefore larger than any particular person who embodies it. One may ask what constitutes the loss of this intrinsic value or the interest-independent value as Velleman puts it which does not come in degrees that we are obliged to maximize. This intrinsic value has nothing to do with being dignified, or with merits, or with esteem rather it is our rationality which is possessed by persons.

Given that Gewirth anchors his concept of morality on rationality just as Kant, I argue that if Gewirth takes only rational agents to possess dignity (an intrinsic value) and rights then euthanasia cannot be a rational decision to be made by an agent. I argue in line with Kant. Kant condemned suicide which is similar to euthanasia because it is a volitional act which undermines, erodes, or destroys reasoned willing. Hence it is somehow self-contradictory because human personality, Kant holds, finds its essential basis in the ability to reason and will. Such a person who opts for euthanasia to escape unpleasant experiences that are contrary to his will disempowers that same will. The contradiction is: how can a moral agent will to be euthanized which is contradictory to his rationality? The answer I will give to this is that the rationality of such a person has been undermined by the severe pain and suffering and thus his animal nature comes to the fore. He is just seeking a way out of the pain. He can no longer make an impartial universal rational decision. Thus his dignity and subsequently right to autonomy to request for euthanasia is in question.

104 Ibid.
Pain that tyrannizes the patient in this fashion undermines his rational agency, by preventing him from choosing any ends for himself other than relief. It reduces the patient to the psychological hedonist’s image of a person – a pleasure-seeking, pain-fleeing animal – which is undignified indeed. \(^\text{106}\)

This is clear by the fact that all humans long to live, no one wants to die. This is so as we struggle even in the midst of hardship and suffering to preserve our lives and see death as a tragedy and not as something that is dignifying. So someone who requests euthanasia cannot be a moral agent. It is pretty clear and understandable that some people cannot withstand loosing their beauty, their strong health, and control over their body, among others and when such happens in their life they go crazy. Thus loose their rational nature in a bid to overcome such situation.

If a moral agent should request for euthanasia, he would be treating himself as a means and not as an end. He treats himself as a means in the sense that he gives up his personhood for an interest-relative value just to escape pain and suffering in the name of exercising his autonomy, among others. He wilfully disposes of himself as a thing that is no longer useful for his purposes. But the value of means to an end cannot be weighed against the value of the end, because it is in a sense dependent upon it. Velleman buttresses this point thus:

\begin{quote}
The dignity of a person is not something he can accept or decline, since it is not a value \textit{for} him; it is a value \textit{in} him, which he can only violate or respect. Nor can such an unconditional value be overshadowed by a conditional value (what is good or bad for the person). \(^\text{107}\)
\end{quote}

The argument favouring euthanasia based on self-determination, right to choose and autonomy as a way to die with dignity all contain a major limitation because they cannot by themselves establish what is morally right or wrong. \(^\text{108}\) The point of ethics

\(^\text{106}\) Velleman, D.J. 1999, p.618.  
\(^\text{107}\) Ibid.  
\(^\text{108}\) Devettere, R.J., 1995, p.373.
will be missing if we hold that something is morally right simply because it is autonomously or freely chosen. And if it is not moral it cannot be dignifying because human dignity as we established earlier is an intrinsic moral value. The aim of ethics is to determine that what is freely chosen is morally good, which means that it will truly contribute to the agents good. A person may think that to die is good and freely choose it. But is that all of it? Ethical reasoning should and must show that dying will truly be good for the person. We cannot justify death because we think it is good for him or just to respect his autonomous decision while also denying the existence of another value embodied in him. This is a major lacuna in Gewirth’s moral theory as he upholds individual autonomy as supreme.

Furthermore, it is the responsibility of patients to make important decisions or choices on values relative to their interest but I do not believe it is their sole responsibility to make decisions on interest-independent value as human dignity which as Velleman says is not a value for him rather a value in him, which he can only violate or respect. According to Kant, a moral agent exercising his autonomy should not make decisions that are against the interest-independent value because autonomy is the ability to know what morality requires of us, and functions not as freedom to pursue ends but as the power of the agent to act on objective and universally valid rules of conduct that is the principles of the categorical imperative. Hence, such an autonomous decision to end ones life which is against moral requirements and objective and universally valid principles is morally wrong and undignifying.

Also, if we go by Gewirth’s individual autonomy principle by following the demand for euthanasia and assisted suicide and assist in them we are not only violating human dignity – we are reinforcing and promoting the attitude that suffering should not be part of us, that interdependency is a burden, that the lives of the disabled ones among us are not worth living. The qualities we do not want to loose which for us when lost entails lost of dignity are not possessed by some of our disabled relations from birth, like the crippled one, and yet they live with it all the time. Ours is just at the moment of crisis or imminent death. This is the more reason Kant would see euthanasia as a cowardly way of escaping from the challenges of life.
Kant’s concept of human dignity, on the other hand, cannot stand because it has its own shortcomings too and some of the criticism given to Gewirth can be given to Kant too. Kant’s moral theory also is very abstract. His principle of autonomy is an apriori concept that is had to understand let alone being pragmatic. The complexity in his theory comes more to the fore when he talks of the moral law as proceeding from my will and at the same time universal for all. Such a law, of course, one would argue is subjective and arbitrary.

Kant equally asserts that a law which I am its author, and therefore, capable of changing or invalidating at my own discretion is binding on me. This really sounds paradoxical.

With these points clearly stated, we cannot discard in toto Gewirth’s PGC and his idea of individual autonomy nor for he really made some points and contributed much in moral philosophy especially about individual autonomy and informed consent. Neither should we accept hook, line and sinker all his theories especially his idea of autonomy that affirms voluntary euthanasia as ‘death with dignity’ for there are, also, some lacunae in his theory which I have discussed. Likewise Kant contributed much to ethics especially by being the first philosopher to emancipate morality from religion-centredness. The shortcomings in their moral theory have shown more the difficulty in conceiving and understanding dignity and in conceiving voluntary euthanasia as ‘a death with dignity.’

Conclusion
So far I have tried in this research work within limit of my restricted capacity to analyse ethically and critically evaluate this misleading phrase “dying with dignity” which is used currently in bio-medical ethics to argue for voluntary euthanasia. To carry this task out successfully and coherently I did explication of terms, theoretical analysis and critical study of principles and concepts.

I did conceptual delineation of some key concepts in this writing, like human dignity, in order to enable the readers understand what dying with dignity could mean. I traced its historical meanings. I also explicated the concept of euthanasia without
neglecting its different types. In that I also tried showing the difference between active and passive euthanasia.

In the subsequent chapter I discussed Kant’s concept of human dignity taking cognisance of his categorical imperative from which he derives it. I then applied Kant’s human dignity notion to voluntary euthanasia debate showing the would-be position of Kant as against voluntary euthanasia.

In the chapter four, I discussed Gewirth’s concept of human dignity which is in contrast to Kant’s notion of dignity. This is not done without x-raying Gewirth’s ‘Principle of Generic Consistency’ and how he derived it. An application of Gewirth’s notion of human dignity to euthanasia debate was done showing Gewirth’s would-be arguments for voluntary euthanasia.

In the final chapter, I did a sort of juxtaposition of both concepts of human dignity. Not forgetting that my goal in this writing is to make a critical appraisal of the phrase “dying with dignity”, I tried to show the lacunae in the use of Gewirth’s plausible notion of human dignity to argue for death with dignity (voluntary euthanasia). On the other hand, I discussed the shortcomings in Kant’s human dignity principle.

From the two contrasting positions of human dignity championed by Kant and Gewirth which are among the major ethical theories or positions applied in ethical issues today, it is conspicuous how deluding and misleading the phrase “dying with dignity” which is used in different ways today in bio-medical discourse can be.

Nonetheless, I wish to conclude by saying that Gewirth really contributed much in the field of bio-medical ethics especially with his PGC but when applied to euthanasia cannot be welcomed.

Above all, the phrase ‘dying with dignity’ is misleading. A person’s death cannot be morally justified because it is his autonomous decision or so long as he can carry it out with dignity. The operative concept is undignified life and not dignified death.
This humble research of mine is not the final word on this issue neither have I made use of all the related materials to this topic. My shortcomings are existential and realistic. Thus this work is open to criticisms for future improvement.

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