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## On Killing and Allowing to Die

Jay W. MacMoran, M.D.

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The dictionary says that to kill is to deprive of life. This is a positive direct act and is familiar to our modern violent society.

The dictionary also indicates to allow is to approve, assign, permit or neglect to prevent; thus a difference between killing and allowing to die may hinge only on motivation. Such subtle nuances are difficult to define and perhaps may serve only to confuse rather than enlighten. Therefore, I feel the emphasis should be on prolonging life as long as is reasonable, rather than attempting to differentiate subtle variations in an innumerable number of situations that are difficult to define at best or even impossible to foresee.

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Now what I am commanding you today is not too difficult for you or beyond your reach, it is not up in Heaven so that you have to ask who will ascend into Heaven to get it and proclaim it to us so that we may obey it. Nor is it beyond the sea so that you have to ask who will cross the sea to get it and proclaim it to us so that we may obey it. No, the Word is very near you. It is in your mouth and in your heart so you may obey it. See, I set before you today life and prosperity, death and destruction for I command you today to love the Lord your God, to walk in His ways and to keep His commandments, decrees and laws. Then you will live and increase and the Lord your God will bless you in the land you are entering to possess, but if your heart turns away and you are not obedient and if you are drawn away to bow down to other Gods and worship them, I declare to you this day that you will certainly be destroyed — you will not live long in the land you are crossing the Jordan to enter and possess. This day I call Heaven and Faith as witnesses against you that I have set before you life and death, blessings and curses. Now choose life so that you and your children may live and that you may love the Lord your God. Listen to His voice and hold fast to Him for the Lord is your life and He will give you many years in the land He swore to give to your fathers, Abraham, Isaac and Jacob.

— Deut. 30:11-20

These words were given to Israel in preparation for crossing the Jordan into the promised land. In the field of medicine, as we cross into the lands of high technology, into promised lands that only one generation ago were merely dreamed about, we should heed these words. Nobody wants to turn the clock back to pre-antibiotic days or pre-anesthetic days, but our new technology must be used with wisdom and with a definite goal of preserving life as long as is reasonable and never with the motivation of killing. You would think that the subject of killing, even as a so-called merciful procedure, would not have to be addressed, but the history of violence and man are so closely entwined that we must continuously guard against killing.

## Wertham Explores Human Violence

In his book, *A Sign for Cain*, Frederic Wertham explores human violence and points out that it comes from the top down, from the halls of academia, and usually has economic implications. He says, "We scrap a generation by violent and costly means, and very soon it is the cost and not the scrapping that troubles us." "Off-with-his-head methods" for a solution of vexing problems have been the history of civilizations, especially in totalitarian forms of government. On Jan. 25, 1944, an assembly of German Army leaders from all fronts took place in Poznan. Two hundred fifty generals and admirals were present, all highly educated and trained in the best universities and colleges. Many were aristocrats. Himmler outlined the rationale of the extermination policy to them for the occupied Eastern European regions. No pretense was made of putting down any resistance movement. He stressed that even women and children had to be killed. What was their reaction? They applauded enthusiastically. Only five abstained.

There seems to be a discrepancy between highly specialized scientific training and human compassion. The scientist without mercy is an important image for the understanding of violence in the 20th century. When killing is promulgated from top down, ordinary citizens can plan, order, and carry out single or mass killings as evidenced by German concentration camps. Killing can become a habit to solve difficult problems and then become more and more ingrained. When Abe Riles, one of the executioners of Murder, Inc., was asked by the district attorney, "Did your conscience ever bother you?" he answered, "How did you feel when you tried your first law case?" The district attorney replied that he was nervous, but that later he got used to it. And Riles replied, "It's the same with killing. I got used to it."

Felix Meinen published a book in Leipzig in 1920 entitled *The Release of the Destruction of Life Devoid of Value*. This volume is credited with the expansion of the euthanasia society from the halls of

academia to terminating the lives of those in mental institutions, to the deformed and malformed, to criminals, to political prisoners, working human slaves to death, to human experimentation and death and finally ending with killing returned soldiers who were maimed and incapacitated.

Felix Meinen started by saying "Where certain painful death is imminent, shortening life and changing cause of death must be legal because it is a healing killing." This statement was subsequently expanded to "so-called worthless people." Alfred Hoche said this would be an economic advantage and would not break the will to live, nobody's rights would be invalidated and it would relieve unbearable pain. It culminated in the Nazi holocaust.

On Sept. 20, 1984, the *Philadelphia Inquirer* published an article entitled "Five Doctors Urge Mercy Killings."

In a statement published on the front page of the *Daily Le Monde*, five eminent doctors said they had helped patients in a terminal stage of illness to end their lives in the least painful way possible. French law prohibits euthanasia, but it was not immediately known whether authorities would seek charges against the doctors. The five called on other physicians to sign a manifesto calling for legalizing the use of mercy killing to ease pain. The manifesto says those signing it declared themselves ready to broach the question of death with their patients and to reflect with them on the means of ensuring an end free from suffering and anguish as possible. Medical ethics, they said, above all implied respect for people and for life. Respect for the life of a person in pain meant also to respect the conditions of his death. At an international medical convention held in September, 1984, in the Mediterranean resort of Nice, the doctors said they would lobby for support on amending French law to permit euthanasia.

So, we are hearing the same arguments today — those of interminable suffering and those of economics. With the proper use of modern analgesics, severe pain can be alleviated. This has been well demonstrated and is recognized by most physicians. Economics is still a factor. Representative Sackett, the sponsor of euthanasia bills annually since 1960, stated in 1972 to a senate committee hearing on aging, that two institutions have 1,500 residents with varying mental retardation. This cost Florida \$5 billion dollars over 50 years and all states over \$100 billion.

One reason for extending the killing in Germany was economic. Propaganda first started among the German medical profession and was never refuted. You know the result. It was refuted in Holland and to their credit, Dutch physicians stood fast against it. So must we!

In a country where, according to the March 9, 1978, issue of the *New England Journal of Medicine*, billions of dollars are spent yearly on the abuse of tobacco, with resulting neoplasms, heart disease, respiratory disease and fires; billions of dollars are spent on alcohol

and its well known ramifications, and billions of dollars are spent on drugs and their ramifications, I believe we should not allow false and misleading economic quotations about the cost of legitimate health care influence the thinking and high purpose of caring for our patients to our best ability.

With the change in medical ethics from one emphasizing the individual patient to one emphasizing society as a whole, American physicians are dangerously close to becoming mere technicians in society. "What is useful is right" is dangerous thinking.

As physicians, we should never kill. We should never undermine the patient's faith in the medical profession in this regard. This includes the obvious, of actively terminating a life for any reason at any extreme of the age scale, including abortion. Before Hippocrates, physicians would kill or cure. After Hippocrates, they would seek to cure and never do harm. There is danger as the Hippocratic oath wanes in influence.

Never killing also includes the not so obvious situation where the motivation is to kill, by allowing the patient to die. The excuse is to "let nature take its course." An example is the now well known patient with Down's syndrome with esophageal atresia. This patient may be salvaged in a modern institution with appropriate facilities. Allowing him to die by starvation is killing, since this is the motivation of the decision made. In this same situation where the desire is for life, but the technology is not available to save it, the infant would receive loving care until death. This is not killing. So then we can define a principle. It is one of motivation.

### Try to Save or Prolong Life

We should always attempt to save a life or prolong it. We should stop this attempt only when it is obvious brain death has occurred or we have surrendered in our battle for life because of overwhelming odds against us.

In trying to define this area, perhaps the most difficult, Richard D. Lamm, governor of Colorado, was misquoted and maligned. The *New York Daily News* screamed, "Aged are told to Drop Dead."

What he did say is that we should not prolong the dying process, that brain death should be the legal criteria for death and that the hospice concept should be considered the best option currently available to the terminally ill. I agree.

I do not think it possible to define every conceivable circumstance in the dying process and therefore I have not tried to. Our motivation should always be toward prolonging life as long as is reasonable.

Jacob Bigelow, addressing a group of medical students in 1858, had described the duties of a physician to encompass diagnosis, treatment,

the relief of symptoms, and the provision of safe passage. By "safe passage," he meant the support and ready availability of the physician to his or her patient until death. With this type of motivation, and with consultation with the involved clergy and family, I believe we are on safe ground.

We are progressing into the promised land of high technology. We should not be afraid of it. Our ethics must keep pace with advancing technology. The difference between killing and allowing to die is one of motivation. We should never kill. We terminate medical heroics when it is clear that we are only prolonging the dying process. This decision must be made on each individual case. There are no easy answers. Set before us is life and death. Choose life.

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