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Book Review: Death, Dying and the Biological Revolution: Our Last Quest for Responsibility

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cisely state all the dilemmas produced by the interdisciplinary nature of bioethics; (2) the specific values or ethical principles involved in the situation must be stated clearly and precisely and ordered coherently; (3) the positions adopted by the associations in which one has membership must be investigated.

S. states that "this book represents one part of the methodology suggested in this chapter," namely, presentation of a variety of views on a number of different topics which will stimulate the emergence of different values that can be examined critically in relationship to one another. Only then can an analysis of specific issues take place with a view to drawing specific conclusions.

S.'s book is welcomed as an attempt to emphasize the religious-ethical contribution to the bioethical analysis of medical-technological questions. It could serve as an upper-division or graduate reader. Its openness and perceptive choice of authors and articles are refreshing. However, as a R.C. religious-ethical methodological work, it should be supplemented by articles such as Charles E. Curran's "Present State of Moral Theology," TS 34 (1973) 446-67, and Daniel Maguire's chapter "Ethics: How to Do It," in his Death by Choice (1975).

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V. has added a valuable volume to the burgeoning literature on the ethical and policy questions related to death and dying. It is V.'s belief that "the best hope for gaining insight into the complex dilemmas posed by the technological and biological revolutions is an eclectic spirit combining contributions from many disciplines." In this spirit he considers the moral meaning of death, the definition of death, the choice not to prolong dying, the right to refuse treatment, and the policy issues related to all of this. He also discusses the patient's right to have the truth, and the moral and policy issues regarding the newly dead. V. states that his book is not primarily "a philosophical analysis of the ethics of death and dying," and this is somewhat true in view of the broad interdisciplinary range of the work. Still, he does develop some significant ideas in a way that is enriching to ethical theory.

For example, V. appreciates that the death question is foundational, that it poses anew the question of the meaning of the good life, since to ask the meaning of death draws us into the question of the meaning of life. He accosts the still regnant illusions of value-free science and is effective in showing the philosophical and theological judgments and values implicit in supposedly detached empirical analyses. He is also
good in elucidating the crucial ethical considerations involved in the
doctor's decision regarding what the patient should be told. V. is not
overawed by "the technological priesthood." In this and in other ways,
V. illustrates two of the promising advantages of the current rush to
bioethics: first, it can draw the ethicist to the foundations of ethical
theory where his major contributions are due, and secondly, bioethics is
constructing paradigms for the other hard and soft sciences which can
aid them in investigating the value-laden content of their disciplines
and in demonstrating their inherent need for inclusion in ethical dis­
course. Bioethics betrays its promise when it remains an issue-hopping
exercise which eschews theoretical depth. There are other strengths in
V.'s book: his analysis of the ordinary/extraordinary-means distinction
is telling; he is strong on stressing the centrality of the patient's all-too­
neglected interests; his proposed statute regarding the determination
that a person has died advances that discussion; and his bibliographical
richness regarding all issues treated is one of the decided values of the
book.

I would take issue at some points. V. allows that there may be "rare
cases where active killing of the dying might be morally justified." He
also suggests that "we may want active killing of dying patients to
remain illegal even in those rare cases where it might be morally
justified." These positions, which are not self-evident, need more devel­
opment than they are given. Indeed, the view that the instances of
moral mercy death should be handled preterlegally seems to me a thesis
that will not stand. V. concedes too much to the contention of the
medical priesthood that "pain and suffering can virtually always be
controlled." There are important differences between pain and suffer­
ing, and radical limits in the control of medicine over the latter. This
distinction is often, as here, missed. V. finds it hard to see why there
should be any moral distinction between stopping a treatment once
started, and failing to start it in the first place. That distinction may,
however, be defended on the critical grounds of the moral significance of
consequences, both psychological and social. Valid distinctions are
based on differences, and there are differences here. V. is also not on
good ground when he speaks of the use of "probable opinion," proba­
biliorism, and tutiorism in deciding cases where "there is moral or philo­
sophical doubt about whether someone is dead." These systems in
Catholic moral thought were not developed to address questions of
doubtful fact but only of doubtful liceity. Also, it is not correct to say
that the "Roman Catholic Church stands firm" on the position that
direct termination of innocent life is always morally wrong. The Roman
Catholic Church is not theologically monolithic on this at this time;
there are solidly probable alternatives to the older view. With all of this
said, however, V.'s book should be seen as a strong and significant contribution.

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This is an important and interesting book which suggests new lines of inquiry for political theorists, moral philosophers, intellectual historians, sociologists, and those who care to think seriously about issues of social justice. It represents a sustained effort to achieve a marriage between linguistic analysis and historical sociology. It is also, largely because of the ambition and scope that make it valuable, a disappointing book.

After an introduction mainly given over to the methodology of political theory, which M. regards as involving both conceptual analysis and an empirically based view of society, M. offers a preliminary account of the concept of social justice, which (unlike Rawls) takes just states of affairs rather than just institutions or procedures as fundamental. M. holds that social justice is a distributive notion applying to burdens and benefits and that Rawls's first principle of equal liberty is relevant to political and legal justice, but not to social justice. He argues that both utilitarianism and Rawls's contract theory fail to meet demands of our ordinary concept of social justice.

M. holds that there are in our notion of justice three distinct and conflicting principles: rights, desert, and needs. He devotes a chapter to the analysis of each, stressing the limited yet indeterminate character of each principle. The notion of rights brings us to "a legalistic area of morality" (56), and M. understands moral rights by analogy with legal rights (48). Rights arise from specific actions of persons (61), and they specify what is due to persons; they contribute to the security and freedom of persons in society (71). M. distinguishes between positive rights, which are socially or legally recognized, and ideal rights, which "are best analyzed in terms of the concepts of desert and need" (78).

M. holds that judgments of desert are always moral judgments (76) and fall under ideal justice (91), but that judgments of desert relevant to distribution rarely concern moral qualities of persons. Thus the two main bases of economic desert are contribution and effort. The main difficulty with desert as the basis of social justice is in finding clear criteria for applying the notion (120).

M. analyzes the notion of need thus: " 'A needs X' = 'A will suffer harm if he lacks X' " (130). Harm is to be understood in relation to a