Chapter 8 – The Taking of Human Life

General Overview
In this chapter some of the basic arguments for and against the taking of human life in various contexts (suicide, defense of the innocent, war, terrorism, capital punishment, etc.) are laid out here and examined. The so-called ‘seamless garment’ position appears consistent since the position here is an opposition to the taking of human life across the board and in every context. For some this is too ‘absolutist’ and so each situation where life is at stake needs to be carefully examined and to see where exceptions may be justified.

Class Suggestions
There are a large number of complex topics dealt with in this chapter so some instructors may wish to introduce all but concentrate on one. Some instructors may have already examined capital punishment in detail from a previous chapter. One may also see which topic is most current and ‘newsworthy’ to peak student interests. After September 11th, terrorism has been of especial interest to instructors and students and can open up perspectives for students that are often not available to them. Debates or group projects on any of these issues can also be supplemented by showing a video or getting students to examine the wealth of material available on all these issues in their college library, on the internet, etc.

The case material now available at the end of each chapter should also be integrated if possible. The case approach has some real advantages for philosophy instructors, not least that theoretical abstractions can be explored in the grain and detail of specific situations. Also, the author has laid out his own ‘humanitarian ethics’ position at the end of each chapter. Instructors may wish to explore these ideas with students or use them as a counterfoil, but be aware that some students may simply lift arguments from this section and repeat them back at you as the ‘answer’.
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Key Concepts: Killing, Suicide, War, Just War, Innocence, Terrorism, Freedom Fighter, Capital Punishment, Rehabilitation, Revenge

Key Questions: 1. Look at the arguments for and against suicide. Try to argue a position and justify your claims. 2. Is terrorism ever justified? 3. Is killing in defense of the innocent sometimes morally justifiable? Use examples to illustrate your answer. 4. ‘War is morality by other means’. Discuss. 5. Argue a position for or against capital punishment. Carefully analyze the best arguments and try to justify your own claims.

Chapter Summary
This chapter examines the different types of situations involving the taking of human life and explores how basic principles can be applied to them.

Suicide
Definition of suicide
Killing – “To put to death”
Murder – Unlawful killing with malice and forethought
Suicide – Intentionally taking one’s own life. Not considered civilly or criminally unlawful.

Arguments against the morality of suicide
The irrationality of suicide
Suicides are mentally ill. If not a rational act, then immoral. Evidence that many suicides are rational, e.g., Socrates.

The Religious argument
Only God has authority to give and take life.
1. Should not be imposed on non-religious
2. Presupposes that God intervenes directly in human affairs as prime cause of life and death. This means that human beings do not ultimately or should not make decisions and take responsibility for direct care of human life.

The Domino argument
If allow human life to be taken in some then you open the door for its being taken in other instances.

The justice argument
Those who survive a suicide pay an unjust penalty.

Argument for the morality of suicide
1. Rights over one’s own body and life
2. Only the individual knows whether their life is worth living. Do not, however have absolute rights over our life and freedom if those rights curtail others’ rights to life and freedom, etc

Defense of the Innocent (the self included)
Argument against killing in defense of the innocent
1. Taking of human life is always wrong. May not kill, not even in self-defense.

Criticism: Does not take into consideration all complexities of situations, especially where some do not respect the rights of others and can only be stopped by being killed themselves.
Argument for killing in defense of the innocent
1. Moral obligation to protect innocents when another does not value other’s lives
2. Good of defending innocent outweighs the bad of killing a person who kills or threatens to kill innocents.

Criticism: ‘Violence breeds violence’ – the ‘domino effect’. Who decides ‘innocence’ and ‘guilt’ here?

War
Arguments against the morality of war
1. Direct violation of value of life principle
2. Bad far outweighs good

Arguments for the morality of war
1. War as controller of overpopulation
2. War as the mother of invention
3. War as boon to economic gain and national unity
4. War as necessary – ‘just war’ argument

These arguments cannot support nuclear war.

Terrorism
War against civilians with the objective of protecting certain ideas, policies, beliefs, etc.

Argument in support of terrorism
1. Only sure-fire way of getting recognition
2. Peaceful protest doesn’t work – indeed most often gets you beaten or killed

Argument against terrorism
1. Excessive violence against innocent cannot be morally condoned
2. Terrorism leads to more terrorism from the other side

Capital Punishment
Definition
Capital punishment – inflicting death for capital crimes like murder

Theories of punishment – (Refer to Chapter 6)
Retribution – punish only those who deserve it because of some act. Punishment should fit crime.
Utilitarian – punish to advance good of society, if it brings about good consequences, i.e., deter crime, protect people, etc.
Restitution – compensation for harms done

Arguments against the morality of capital punishment
1. Violation of value of life principle
2. Effect on criminal’s victims or on society
3. Ineffectiveness as a deterrent
4. Executing an innocent person
5. Denial of chance for rehabilitation

Argument for capital punishment
1. Effective deterrent
2. Economic argument – (costs too much to keep in prison)
3. Effect upon society’s laws – (sanction argument)
4. Forfeiture of killer’s rights
5. Uselessness of rehabilitation
6. Revenge