

The Myth of the Right to Life - Part II

By Sam Vaknin

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The Right to Have One's Life Maintained

This leads to a more general quandary. To what extent can one use other people's bodies, their property, their time, their resources and to deprive them of pleasure, comfort, material possessions, income, or any other thing - in order to maintain one's life?

Even if it were possible in reality, it is indefensible to maintain that I have a right to sustain, improve, or prolong my life at another's expense. I cannot demand - though I can morally expect - even a trivial and minimal sacrifice from another in order to prolong my life. I have no right to do so.

Of course, the existence of an implicit, let alone explicit, contract between myself and another party would change the picture. The right to demand sacrifices commensurate with the provisions of the contract would then crystallize and create corresponding duties and obligations.

No embryo has a right to sustain its life, maintain, or prolong it at its mother's expense. This is true regardless of how insignificant the sacrifice required of her is.

Yet, by knowingly and intentionally conceiving the embryo, the mother can be said to have signed a contract with it. The contract causes the right of the embryo to demand such sacrifices from his mother to crystallize. It also creates corresponding duties and obligations of the mother towards her embryo.

We often find ourselves in a situation where we do not have a given right against other individuals - but we do possess this very same right against society. Society owes us what no constituent-individual does.

Thus, we all have a right to sustain our lives, maintain, prolong, or even improve them at society's expense - no matter how major and significant the resources required. Public hospitals, state pension schemes, and police forces may be needed in order to fulfill society's obligations to prolong, maintain, and improve our lives - but fulfill them it must.

Still, each one of us can sign a contract with society - implicitly or explicitly - and abrogate this right. One can volunteer to join the army. Such an act constitutes a

contract in which the individual assumes the duty or obligation to give up his or her life.

The Right not to be Killed

It is commonly agreed that every person has the right not to be killed unjustly. Admittedly, what is just and what is unjust is determined by an ethical calculus or a social contract - both constantly in flux.

Still, even if we assume an Archimedean immutable point of moral reference - does A's right not to be killed mean that third parties are to refrain from enforcing the rights of other people against A? What if the only way to right wrongs committed by A against others - was to kill A? The moral obligation to right wrongs is about restoring the rights of the wronged.

If the continued existence of A is predicated on the repeated and continuous violation of the rights of others - and these other people object to it - then A must be killed if that is the only way to right the wrong and re-assert the rights of A's victims.

The Right to have One's Life Saved

There is no such right because there is no moral obligation or duty to save a life. That people believe otherwise demonstrates the muddle between the morally commendable, desirable, and decent ("ought", "should") and the morally obligatory, the result of other people's rights ("must"). In some countries, the obligation to save a life is codified in the law of the land. But legal rights and obligations do not always correspond to moral rights and obligations, or give rise to them.

The Right to Save One's Own Life

One has a right to save one's life by exercising self-defence or otherwise, by taking certain actions or by avoiding them. Judaism - as well as other religious, moral, and legal systems - accept that one has the right to kill a pursuer who knowingly and intentionally is bent on taking one's life. Hunting down Osama bin-Laden in the wilds of Afghanistan is, therefore, morally acceptable (though not morally mandatory).

But does one have the right to kill an innocent person who unknowingly and unintentionally threatens to take one's life? An embryo sometimes threatens the life of the mother. Does she have a right to take its life? What about an unwitting carrier of the Ebola virus - do we have a right to terminate her life? For that matter, do we have a right to terminate her life even if there is nothing she could have done about it had she known about her condition?

The Right to Terminate One's Life

There are many ways to terminate one's life: self sacrifice, avoidable martyrdom, engaging in life risking activities, refusal to prolong one's life through medical treatment, euthanasia, overdosing and self inflicted death that is the result of coercion. Like suicide, in all these - bar the last - a foreknowledge of the risk of death is present coupled with its acceptance. Does one have a right to take one's life?

The answer is: it depends. Certain cultures and societies encourage suicide. Both Japanese kamikaze and Jewish martyrs were extolled for their suicidal actions. Certain professions are knowingly life-threatening - soldiers, firemen, policemen. Certain industries - like the manufacture of armaments, cigarettes, and alcohol - boost overall mortality rates.

In general, suicide is commended when it serves social ends, enhances the cohesion of the group, upholds its values, multiplies its wealth, or defends it from external and internal threats. Social structures and human collectives - empires, countries, firms, bands, institutions - often commit suicide. This is considered to be a healthy process.

Thus, suicide came to be perceived as a social act. The flip-side of this perception is that life is communal property. Society has appropriated the right to foster suicide or to prevent it. It condemns individual suicidal entrepreneurship. Suicide, according to Thomas Aquinas, is unnatural. It harms the community and violates God's property rights.

In Judeo-Christian tradition, God is the owner of all souls. The soul is on deposit with us. The very right to use it, for however short a period, is a divine gift. Suicide, therefore, amounts to an abuse of God's possession. Blackstone, the venerable codifier of British Law, concurred. The state, according to him, has a right to prevent and to punish suicide and attempted suicide. Suicide is self-murder, he wrote, and, therefore, a grave felony. In certain paternalistic countries, this still is the case.

The Right to Have One's Life Terminated

The right to have one's life terminated at will (euthanasia), is subject to social, ethical, and legal strictures. In some countries - such as the Netherlands - it is legal (and socially acceptable) to have one's life terminated with the help of third parties given a sufficient deterioration in the quality of life and given the imminence of death. One has to be of sound mind and will one's death knowingly, intentionally, repeatedly, and forcefully.

II. Issues in the Calculus of Rights

The Hierarchy of Rights

The right to life supersedes - in Western moral and legal systems - all other rights. It overrules the right to one's body, to comfort, to the avoidance of pain, or to ownership of property. Given such lack of equivocation, the amount of dilemmas and controversies surrounding the right to life is, therefore, surprising.

When there is a clash between equally potent rights - for instance, the conflicting rights to life of two people - we can decide among them randomly (by flipping a coin, or casting dice). Alternatively, we can add and subtract rights in a somewhat macabre arithmetic.

Thus, if the continued life of an embryo or a fetus threatens the mother's life - that is, assuming, controversially, that both of them have an equal right to life - we can decide to kill the fetus. By adding to the mother's right to life her right to her own body we

outweigh the fetus' right to life.

The Difference between Killing and Letting Die

Counterintuitively, there is a moral gulf between killing (taking a life) and letting die (not saving a life). The right not to be killed is undisputed. There is no right to have one's own life saved. Where there is a right - and only where there is one - there is an obligation. Thus, while there is an obligation not to kill - there is no obligation to save a life.

Killing the Innocent

The life of a Victim (V) is sometimes threatened by the continued existence of an innocent person (IP), a person who cannot be held guilty of V's ultimate death even though he caused it. IP is not guilty of dispatching V because he hasn't intended to kill V, nor was he aware that V will die due to his actions or continued existence.

Again, it boils down to ghastly arithmetic. We definitely should kill IP to prevent V's death if IP is going to die anyway - and shortly. The remaining life of V, if saved, should exceed the remaining life of IP, if not killed. If these conditions are not met, the rights of IP and V should be weighted and calculated to yield a decision (See "Abortion and the Sanctity of Human Life" by Baruch A. Brody).

Utilitarianism - a form of crass moral calculus - calls for the maximization of utility (life, happiness, pleasure). The lives, happiness, or pleasure of the many outweigh the life, happiness, or pleasure of the few. If by killing IP we save the lives of two or more people and there is no other way to save their lives - it is morally permissible.

But surely V has right to self defence, regardless of any moral calculus of rights? Not so. Taking another's life to save one's own is rarely justified, though such behaviour cannot be condemned. Here we have the flip side of the confusion we opened with: understandable and perhaps inevitable behaviour (self defence) is mistaken for a moral right.

If I were V, I would kill IP unhesitatingly. Moreover, I would have the understanding and sympathy of everyone. But this does not mean that I had a right to kill IP.

Which brings us to September 11.

Collateral Damage

What should prevail: the imperative to spare the lives of innocent civilians - or the need to safeguard the lives of fighter pilots? Precision bombing puts such pilots at great risk. Avoiding this risk usually results in civilian casualties ("collateral damage").

This moral dilemma is often "solved" by applying - explicitly or implicitly - the principle of "over-riding affiliation". We find the two facets of this principle in Jewish sacred texts: "One is close to oneself" and "Your city's poor denizens come first (with regards to charity)".

Some moral obligations are universal - thou shalt not kill. They are related to one's position as a human being. Other moral values and obligations arise from one's affiliations. Yet, there is a hierarchy of moral values and obligations. The ones related to one's position as a human being are, actually, the weakest.

They are overruled by moral values and obligations related to one's affiliations. The imperative "thou shalt not kill (another human being)" is easily over-ruled by the moral obligation to kill for one's country. The imperative "thou shalt not steal" is superseded by one's moral obligation to spy for one's nation.

This leads to another startling conclusion:

There is no such thing as a self-consistent moral system. Moral values and obligations often contradict each other and almost always conflict with universal moral values and obligations.

In the examples above, killing (for one's country) and stealing (for one's nation) are moral obligations. Yet, they contradict the universal moral value of the sanctity of life and the universal moral obligation not to kill. Far from being a fundamental and immutable principle - the right to life, it would seem, is merely a convenient implement in the hands of society.

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The 10 Myths of Successful Selling

By John Mitchell

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Myth #1 You should close early and often

Myth #2 Sell features to get a higher price

Myth #3 There's no methodology to selling - it's pure art

Myth #4 Objections are a sign of customer interest

Myth #5 Open questions are better than closed questions

Myth #6 You can't teach a person to sell

Myth #7 You have to understand the difference between wants and needs

Myth #8 Great products sell themselves

Myth #9 Making a benefit statement is the best way to open a sales call

Myth #10 All customers make up their minds in the first 4 minutes

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John Mitchell is President and CEO of Inclusive, a company providing sales and marketing outsourcing in the UK and USA. He was a top performer in IBM sales for 5 consecutive years; Chief Marketing Officer of a Fortune 500 company; and CEO of a NASDAQ listed consulting company. John has written for the London Economist and has been guest lecturer at NYU, London Business School and Swiss Banking School.

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