

**Life and Death
with
Liberty and Justice**

A Contribution to the Euthanasia Debate

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This book is dedicated to

MARIE RITA GRISEZ, R.N. (1913–1936)

and to

MARY MCGUCKIN DEAN, R.N. (1898–1976)

and to all of the other members of the nursing profession who help persons who are ill, declining, and wretched to live with dignity even as they die.

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Preface with Acknowledgments

In 1970 one of the authors of this book, Germain Grisez, published a work on abortion: *Abortion: The Myths, the Realities, and the Arguments*. In some respects the present work updates and extends the earlier one. However, the euthanasia debate is far more complex than that concerning abortion. The chief contribution we hope to make by means of the present book is to clarify the issues and examine the arguments in the rather confused euthanasia debate.

We hope that this book will contribute to the protection of life. At present there is considerable confusion among the friends of life; to some extent they are working at cross purposes. We hope that our work will provide a unified strategy for defending human life as effectively as possible: with a jurisprudence basing its arguments squarely upon liberty as well as upon justice, in accord with the American ideal of liberty and justice for all.

This book is complicated in various ways, and so readers may find parts of the work useful even if they do not wish to study the whole of it. Many different topics are treated. The table of contents together with the index will help locate topics in which a particular reader is interested. Topics dealt with in a jurisprudential mode in chapters three through nine are considered again from an ethical point of view in chapter twelve.

In the jurisprudential chapters the question toward which inquiry focuses is: What ought the law to be on this matter? Topics are considered systematically, beginning with a clarification of the issue, a criticism of various positions, formulation of criteria for a sound resolution, and—in many chapters—very specific proposals concerning what we think the resolution ought to be. Some readers might be interested in little more than our criticisms of other positions; others will press further with us. We believe that few who are interested in the subject matter will find the book wholly disappointing, although we do not expect anyone to be completely satisfied with it. We are not *completely* satisfied with it ourselves.

There are many questions in the fields of medical law and medical ethics which we consider outside the field of this study. We are not concerned with

problems concerning experimentation, with issues concerning honest communication between physicians and patients, with the fairness of the health-care system as such, or with problems about the nonmedical care of dependent persons. The problem of legal competency is relevant to this study, but a good treatment of it would take us too far afield, and so we decided to leave this topic to others. Our central concern is with euthanasia. We consider other matters only insofar as they relate in one or another way to euthanasia.

Research on this book was substantially completed by August 1, 1977. Few new items were examined after that date. Moreover, the volume of materials covered was so great that in many cases we found it necessary to set limits to our research which will strike specialists in a given area as quite arbitrary. Our only apology is that this book is the first really comprehensive examination of the whole set of issues in the euthanasia debate.

Readers may wish to know which of the coauthors contributed what to this book. The project originated in a contribution which Grisez wrote by himself for the anthology edited by Dennis Horan and David Mall: *Death, Dying, and Euthanasia*. After completing his own essay and reading the anthology as a whole, Grisez decided that a more adequate, systematic treatment of the jurisprudence and ethics of euthanasia and related questions is badly needed. After collecting much material and forming some initial ideas, but with little plan for the organization of the book, Grisez sought Boyle's help in working out the outline and all the main arguments of the book. This was done in a fully collaborative effort. Since the primary business of philosophers is to argue issues, the work became a collaboration at this point.

Grisez then completed almost all of the research and much of the drafting by himself, although Boyle gave a substantial assist to drafting chapters eleven and twelve, and to redrafting certain other chapters and sections. The coauthors worked together over the first draft of chapters one through ten. At this point, the rectification of mistakes and the amendment of arguments was fully collaborative, with a more substantial contribution by Boyle. Finally, Grisez put the manuscript into shape for publication. Boyle did not examine the final version, which embodies some minor changes, before it went to press. Thus, while both coauthors share responsibility for the work as a whole, some propositions and arguments in it were not authored by Boyle; for them Grisez alone is responsible.

The debts incurred in the production of a work of this sort are many and various. The Canada Council and Campion College provided generous financial support for the research. Campion College also permitted extensive use, without charge, of stationary and copying facilities.

Joseph McPherson, a very capable student of law at Georgetown University, provided law-clerking assistance. Many individuals gave advice, provided materials, or contributed helpful comments on one or another chapter

or section. Among them were Carl Anderson, William B. Ball, Virgil Blum, Robert M. Byrn, Francis Canavan, Philip Devine, Randy Engel, John M. Finnis, James McHugh, Robert G. Marshall, Marjory Mecklenburg, Albert Moracezewski, Richard Stith, and Robert M. Veatch.

The librarians at the University of Regina, Georgetown University, Georgetown Law Library, Catholic University Law Library, Library of Congress, and the specialized library of the Kennedy Center for Bioethics at Georgetown were very helpful. Of all the librarians those who staff the interlibrary loan service of University of Regina are most to be commended. Without their very efficient work this volume simply could not have been done. The MEDLARS service of National Library of Medicine also made an important contribution to the research.

Last but not least, Barbara Boyle and Jeannette Grisez supported the project in many ways and suffered it with nearly inexhaustible patience. The latter also typed the final manuscript, helped to prepare the index, and helped with proofreading.

Germain Grisez has enjoyed the friendship and support of Campion College and all its members since 1972. This will be his last publication as a member of this community of scholars. He hopes that his colleagues will find enjoyment and profit in this work, which their friendship did much to nurture and encourage.

Campion College, University of Regina
8 May 1978