

Respect for Life: The Foundation of Law



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Background

This article discusses some of the basic building blocks for the understanding of law and politics and the language that pro-lifers need to use in talking about subjects such as abortion and euthanasia. Human beings and the things that are good for human beings are very different. It is essential that pro-lifers not use the same language for both -- but we do. For example, pro-lifers may use the word "value" and argue that human beings have value. We also argue that things have value. The purpose of this article is to attempt to point out that this is a very serious mistake.

The Goal of Law

Law exists for the benefit of human beings. The goal or result of law is thus to produce and preserve whatever is of benefit (or of "value") for human beings. Human beings themselves are not the goal or the result of law, but its starting point. The individuals who form our community are neither an end nor a means but a beginning. Since the individuals are a given, the law does not ask whether they are of "value;" law should ask only "What is of value for them?" Human beings generate the values -- they are the sources from which we understand what is valuable and what is not valuable. They are not themselves valued.

Why is this important? It is important because in the structure of political thought, things that are valued are fungible, things are interchangeable. Things are not inviolable. For example, since "security" is of value for people, the law should facilitate the construction and conservation of housing. But particular houses do not thereby become inviolable. These houses can be torn down and new ones built without going against the aim and value of security. The Inviolable Human Being

However, the human beings with which the law begins are not fungible, but inviolable. They have individual dignity in a stronger way than can ever be possessed by things of value. We can never purposely sacrifice

some of our neighbors, even in a good cause, because it is only the givenness of our neighbors which lets us know which causes are good. Human beings are not so much to be valued as to be sources of value. They are not themselves of value, but they tell us what is of value.

Human Beings Have Individual Dignity Which Is Inviolable

However, contemporary discourse often erroneously lumps people and things together and says that people, too, are of "value." Sometimes this is said directly, for example, in the frequent pro-life claim that each of us is infinitely valuable. More often it is said indirectly, by making the claim that someone's "life" has more or less value. But, in this world, being and organic life are the same thing. To say that a person's life has little value is to say that there is little value in the person being there at all.

The idea of value to express human dignity is very dangerous.

Trying to use the idea of "value" to express the special dignity of human beings is very dangerous. Even the feel of "value" is degrading. Contrast "I love my wife" with "I value my wife." The second puts me above her as her evaluator, and makes her something to be priced. Even a high price does not undo her degradation: to say "my wife has intrinsic value" is still less than to say "I love her." In fact, the point of my love is that I will care for her even if she ceases to have value in any objective sense.

The Danger of Cost-Benefit Analysis

There are times when human beings and human life do, in fact, have little value for us. Families and nations may decide that they do not wish an ever-expanding membership. A dying person may feel that a few additional weeks or months of life has not enough value to justify an "extraordinary" or "heroic" heart operation. If only life's value is at stake, deliberate killing of infants or the sick is justified whenever other costs outweigh the low benefit of more life. This is frequently pointed out by those who support abortion.

Even if we say that human beings have "infinite value," we might be led to kill. For example, if two siblings will die unless a third is killed for his organs, some would say that the high value of life demands that he be killed. One response could be that the organ transplant would result in no net gain, in that one infinity is as much as two infinities. But then there would be nothing wrong with killing two to save one as an infinity of value would still remain. Either way one argues, even infinite value does not stop killing.

The Worth of Each Individual

The problem with saying every human being has "value," even infinite value, is that we have not explained why the individual matters simply by being human. No amount of valuing of human beings can do this because particular instances of things of value are always fungible. We don't need this house; we only need some house. If the price of sheep skyrockets, the sheep owner will be more, not less, ready to kill infertile ewes.

We need a word to express individual dignity ... it is "Respect."

Thus, we need a word and an attitude which can express the individual dignity which we all feel, and which is a starting place for the law. This attitude should treat people not as things of value but as sources of value; not as ends or means, but as beginnings. One such word and attitude is "respect." Another word would be

"reverence" but this may sound too religious. The idea of respect is not so much to produce or preserve its object as to acknowledge and defer to its object, to let it be. Because we must step back before that which we respect, we must step back before every individual instance of it. Respecting human beings thus requires treating them as inviolable in a way that valuing does not. It thus matches up better than value both with our intuitions and with the political theory with which we started.

There is an equality of respect for human life.

We can now make sense of some of the apparent contradictions encountered earlier in this paper. How can we sometimes omit producing more children and yet never consider a lethal act aimed at killing them once they are conceived? Obviously, in such a situation we do not highly value additional human beings, but we still respect them once they exist. Why do we not expend extraordinary effort in keeping someone alive, and yet refuse to kill him? We may simply think that our costly efforts are of little benefit to him. This does not mean that he himself has become expendable in our eyes; that his being is no longer an inviolable principle of our reasoning.

But every omission is not permitted. The members of our human community are a given; their destruction must therefore be unthinkable in the sense of unplannable. Although we are not able to benefit everyone at all times, we must never intentionally seek to destroy anyone, even by omission.

All Human Rights May Well Be Derivable From the Fact That People Are Sources of Value Rather Than Mere Things of Value

This has wider implications of respect for human life as a starting point. Only an attitude such as respect, which seeks to respond to something, necessarily has regard for every individual example of the object of its concern. All human rights may well be derivable from the fact that people are sources of value rather than mere things of value. The derivation is from the fundamental requirement that we not intentionally reduce human beings to means or even to ends, but let them be beginnings.

Safeguarding Democracy

So, too, inviolability can bring democracy. Because we cannot destroy those who oppose our plans, we must seek their consent. The equality of respect for human life leads logically to the equality of the vote. This Pope has made much of the fact that abortion and euthanasia destroy the basis for democracy.

We cannot destroy those who oppose, but rather seek their consent.

Respect for life not only does not correspond to life's value, but also tends to exclude a consideration of its value. Value is preferring; preferring is choosing. All valuation implies the possibility of an alternative to the thing valued. To allow killing leads us to evaluate and so to devalue those whom we might kill, even if we do not do so. To take others as given, despite all their imperfections, lets them be the possible objects of delight and love and respects them in a fundamental way.