

Confucian Ethic of Death with Dignity and Its Contemporary Relevance

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Abstract

This paper advances three claims. First, according to contemporary Western advocates of physician-assisted-suicide and voluntary euthanasia, “death with dignity” is understood negatively as bringing about death to avoid or prevent indignity, that is, to avoid a degrading existence. Second, there is a similar morally affirmative view on death with dignity in ancient China, in classical Confucianism in particular. Third, there is consonance as well as dissonance between these two ethics of death with dignity, such that the Confucian perspective would regard the argument for physician-assisted-suicide and voluntary euthanasia as less than compelling because of the latter’s impoverished vision of human life.

Introduction

I want to make three claims in this paper. To begin with, there are several major arguments in favor of physician-assisted suicide and voluntary euthanasia (abbreviated as PAS and VE below) in the contemporary debate in the West. There is much discussion on the arguments from autonomy and from compassion, but not much on the argument from death with dignity as an independent argument. I submit that according to the advocates of PAS and VE, to be explained in a later section, “death with dignity” is to be understood negatively as bringing about death to avoid or prevent indignity, that is, to avoid extreme humiliation or a degrading existence. This is the first claim. The second is that

there is a similar morally affirmative view on death with dignity in ancient China, in classical Confucianism in particular. The third claim is that there is consonance as well as dissonance between these two ethics of death with dignity and that the Confucian perspective would deem the PAS and VE death with dignity argument as less than compelling because of its impoverished vision of human life.

A few qualifications are in order before I proceed. First, in discussing PAS and VE my major concern is not with public policy or law, which involve factors other than the moral status of the acts of PAS and VE. In this paper I will focus on the right-making and wrong-making characteristics of these acts in their proper circumstances. Second, this is not an essay in comparative religious ethics or comparative bioethics. My aim is to explore how a religious or quasi-religious tradition very different from Christianity would assess the morality of PAS and VE. Hence in the first part of this essay I will articulate descriptive analyses, and in the second part I will propose certain normative claims.

Confucian Ethic of “Death with Dignity”¹

Early Confucian Ethic of Suicide

Early Confucian ethics emphasizes that biological life is not of the highest value. As Confucius (551–479 BCE) says:

For gentlemen of purpose and men of *ren* [benevolence or supreme virtue] while it is inconceivable that they should seek to stay alive at the expense of *ren*, it may happen that they have to accept death in order to have *ren* accomplished.²

Likewise, Mencius (372–289 BCE), the second most famous Confucian after Confucius,³ explains in a famous passage:

Fish is what I want; bear’s palm is also what I want. If I cannot have both, I would rather take bear’s palm than fish. Life is what I want; *yi* [justice or dutifulness] is also what I want. If I cannot have both, I would rather take *yi* than life. On the one hand, though life is what I want, there is something I want more than life. That is why I do not cling to life at all cost. On the other hand, though death is what I loathe, there is something I loathe more than death. That is why there are dangers I do not avoid Yet there are ways of remaining alive and ways of avoiding death to which a person will not resort. In other words, there are things a person wants more than life and there are also things he or

she loathes more than death. This is an attitude not confined to the moral person but common to all persons. The moral person simply never loses it.⁴

These two discourses together became the *locus classicus* of the Confucian view on the value of human life, and have been tremendously influential down the ages. According to this classical view, the preservation of our biological life is a good, but not the supreme good; death is an evil, but not the supreme evil. Since the cardinal moral values of *ren* and *yi* (benevolence and justice) are the supreme good, it is morally wrong for one to preserve one's own life at the expense of ignoring *ren* and *yi*. Rather, one should sacrifice one's life, either passively or actively, in order to uphold *ren* and *yi*.⁵ The failure to follow *ren* and *yi* is ethically worse than death. Hence suicide is morally permissible, and even praiseworthy, if it is done for the sake of *ren* and *yi*. In some circumstances, furthermore, committing suicide is more than supererogatory; it is even obligatory. There is a doctrine of the sanctity of moral values, but not a doctrine of the sanctity of human life. Sheer living has no intrinsic moral value; to live as a virtuous person does have such value. There is no unconditional duty to preserve and continue life, but there is an unconditional duty to uphold *ren* and *yi*. For convenience sake, I shall summarize this classical Confucian view as Confucian Thesis I: **One should give up one's life, if necessary, either passively or actively, for the sake of upholding the cardinal moral values of *ren* and *yi*.**

There are numerous expositions of this thesis in the history of interpretation. I will summarize only two such expositions here. The first one is articulated by Wen Tianxiang (1236–1282 CE), who points out that since one has to die one way or another, one should die in such a way that renders one's life meaningful or honorable. In other words, though death is the termination of life, dying is still part of life. "How one dies" is part of "how one lives." Hence dying should serve life. To take charge of one's life implies taking charge of one's dying. To secure a noble and honorable life implies that one should secure a noble and honorable dying. To live meaningfully implies managing the time and circumstances of one's dying in such a way that one can also die meaningfully. What matters is not life's quantity (its length), but its quality, which is defined morally with reference to *ren* and *yi*. In order to secure a high quality of life, in some circumstances one has to be prepared to die, lest what transpires in a prolonged life decreases the quality of life.⁶

Another famous interpreter of Confucian Thesis I is Sima Qian (c.190–145 BCE), who explains that though all people have to die, the value of their dying is not necessarily the same. Some deaths are good while others are of no value or even bad. The degree of value depends on the circumstances of the death. If committing suicide can be of significant value, then one ought to do it. One ought not to commit a suicide, however, that will have little significance. In other words, according to Sima Qian, dying is not a bare biological event as far as human

beings are concerned. The time and circumstance of one's death have moral significance. The moral issue is not whether one can commit suicide or not, since there is no strict prohibition against it. Rather, the issue is for what kind of reason (trivial or substantial) suicide is committed, and what kind of impact it will produce.⁷

This Confucian teaching of "dying to achieve *ren* (*shashen chengren*)" (Confucius) and of "laying down one's life for a cause of *yi* (*shesheng quyì*)" (Mencius) not only have inspired innumerable Chinese to risk and sacrifice their lives for noble causes, but also have motivated many Chinese to commit suicide for noble causes. When people committed suicide for noble reasons, they were not condemned; rather, they were praised for their aspiration and dedication to *ren* and *yi*.⁸ This moral view prevails even as late as the early twentieth century.⁹

Furthermore, in the Chinese language these acts were not called "suicide" in the pejorative sense of "self-destruction" or "self-slaughter." A different set of phrases, usually a combination of another word with *xun* (sacrifice) or *jie* (moral integrity), with the connotation of praiseworthiness, were used instead.¹⁰ Hence such suicides were not deemed acts of self-destruction, but rather, acts of moral "construction" or affirmation. Tang Jungyi, a prominent contemporary neo-Confucian, compares such suicide of *xun* and *jie* to the death of martyrs in early Christianity. Just as these Christian martyrs were prepared to endure anything, even death, for the sake of upholding faith, Confucian men and women of integrity (*qijie*) were also prepared to endure anything, even death, for the sake of upholding *ren* and *yi*. The distinction between letting oneself be killed and actively killing oneself does not make any moral difference here. Tang Jungyi adds that the religiosity (absolute devotion, unconditional dedication, ultimate commitment) of these men and women cannot not be denied.¹¹

There were, of course, many suicides in premodern China that were not deemed suicides for the sake of *ren* and *yi*. Most self-regarding suicides—for example, suicide as a result of being tired of life, suicide as a solution to one's troubles or failures (financial or marital), suicide as a solution to chronic depression, suicide as an expiation of one's wrongdoing, suicide out of fear of punishment or public mockery—were not included. These people were both pitied and deplored. Their suicides were evaluated as "self-destruction" or "self-slaughter," and many of them were deemed wrong primarily because of another important Confucian value, namely, *xiao* or filial piety. Committing suicide was deemed contrary to filial piety not because of the trivial reason that it would cause grief to one's parents.¹² Confucian filial piety required that sons and daughters attend to their parents' daily needs throughout life. Terminating one's life would render one unable to fulfill this important filial duty. Furthermore, Confucian literature on filial piety argued that children were permanently indebted to their parents because children owe their very existence to the parents. If one is not the author of one's biological life, then how can one have the authority to dispose of one's life as one wishes? Suicide was then understood as usurping the authority of

parents.¹³ In short, unless filial piety was outweighed by another moral value such as *ren* or *yi*, the former was usually a moral reason strong enough to forbid suicide.

The Emergence of the Ethic of Death with Dignity

Most self-regarding suicides were regarded as morally wrong in ancient China, and no one felt the need to discuss them. There was one kind of self-regarding suicide, however, that did evoke some discussion, and it can be conveniently called, in modern idiom, “death with dignity.” In the former Han Dynasty (206 BCE–8 CE) Confucianism was elevated to the role of the established ideology of the empire. The Confucian instrumental in bringing this about was Dong Zhongshu (c.179–c.104 BCE). Though modern Chinese philosophers often consider him of minor philosophical significance, historically he was of the utmost importance. The imperial policy, advocated by Dong, of establishing the supremacy of Confucianism to the exclusion of other schools of thought, was adopted in 136 BCE and was continued until 1905.¹⁴ Dong has been widely acknowledged as the most religious thinker in the history of Confucianism because he elevated “Heaven” to a personal God in his political theory.

One should note that it was not the original classical Confucianism that was honored in the Han Dynasty, but rather Dong’s creative synthesis of various streams of Confucianism together with other schools of thought. Dong’s masterpiece was entitled *Chunqiu fanlou* (*Exuberant Dew of the Spring and Autumn*), which was an exposition of the thought of the *Spring and Autumn Annals*, the authorship of which was attributed to Confucius. Dong regarded the *Spring and Autumn Annals* as the canon within the Confucian canon.¹⁵ In one chapter of his work, Dong eloquently elaborated a variation of Confucian Thesis I, which was shared by other Confucian writings around the same time in the early Han Dynasty.

In Chapter 8 (“Zhulin”) of his *Exuberant Dew of the Spring and Autumn*, Dong discussed a certain king and his adviser who lived several hundred years before his time. King Qing of Qi was in a battle with his enemies, and lost. The enemies surrounded his armies, and it was highly likely that he would be captured and killed. His adviser Choufu happened to look quite like him and therefore offered to exchange clothing with him so that the king could escape unnoticed. The strategy succeeded. King Qing escaped and returned to his kingdom in civilian clothing, while Choufu was mistaken as the king, captured, and killed.

Rather than praising Choufu’s ingenuity, dedication, and sacrifice, Dong condemned his action. To have a king dress as an ordinary citizen and escape surreptitiously, according to Dong, was to subject a dignitary to an undignified treatment. Such humiliation should not be tolerated, even if it could save life. This was because, Dong argued, “to survive through accepting a great humiliation is joyless, thus wise people refrain from doing it A person who has a sense of

shame does not live in dishonor.” Citing other Confucian writings of the early Han Dynasty, Dong implied that his ethics of suicide was derived from the Confucian canon. “If a dishonor is avoidable, avoid it; if it is unavoidable, *junzi* [a man of noble character] sees death as his destiny [that is, he embraces death with courage] A *ru* [Confucian] prefers death to humiliation.”¹⁶ Dong therefore argued that the morally right thing for Choufu to have done was to have told King Qing, “To bear humiliation and yet refuse to commit suicide is shameless. I shall therefore commit suicide with you.” At that moment, for both of them, death was better than staying alive, as “a *junzi* [man of noble character] should prefer dying in honor to surviving in dishonor.”

In short, according to Confucianism in the early Han Dynasty, biological life is valuable, but there are self-regarding states of affairs more valuable than biological life, namely, a life with honor and dignity. Although death is undesirable, there are self-regarding states of affairs more undesirable than death, namely, to suffer disgrace, dishonor, and humiliation in life. One should choose death in order to avoid undergoing undignified treatment; and it is honorable, even obligatory, to make such a choice. Such a suicide is honorable because it is a suicide for the sake of *ren* and *yi*. This view is a variation and elaboration of Confucian Thesis I, with the focus shifted from other-regarding concerns to self-regarding concerns. I shall call it Confucian Thesis II: **One should actively terminate one’s life for the sake of preventing indignity.**

I suggest that we can use the phrase “death with dignity” to describe the kind of death recommended by Confucian Thesis II. Though Dong did not use the Chinese term for “dignity” in his discussions, the opposite words, such as “indignity,” “humiliation,” “disgrace,” and “dishonor,” were frequently used by him. In other words, this Confucian “death with dignity” is to be understood negatively as “death to prevent indignity.”

The idea of “death with dignity” was quite common in ancient China and many examples can be found in the *Records of the Historian (Shiji)* by Sima Qian (c.190–145 BCE),¹⁷ the greatest historian of ancient China, and a younger contemporary of Dong Zhongshu. This work records many suicides, often with approval. Among these suicides two types are particularly noteworthy for our purposes. The first type involves those where death is unavoidable in the near future: one hears or predicts that one will be executed by the government, and so commits suicide; suicide after a military defeat (otherwise the defeated general will be killed by his conqueror); and suicide after a failed *coup d’etat* attempt (which means that execution is waiting for the rebel). What is common in all these three cases is that the agents consider the fate of execution a humiliation, a dishonor, and a disgrace. Hence it is better to kill oneself than to be killed by others. Committing suicide is therefore a means of avoiding undignified treatment.

The second noteworthy type of suicide involves those where there is no known threat to one’s life: a literati-official commits suicide in order to avoid the

indignity of being tried in court, regardless of whether he is guilty or innocent; a literati-official commits suicide in order to avoid the indignity of imprisonment. In these cases, the literati-officials firmly believe that to be tried in court and/or to be imprisoned, even if one is innocent, is a humiliation, a dishonor, and a disgrace. Hence it is better to kill oneself than to suffer such an undignified treatment. Committing suicide is therefore a means of preventing indignity.

In short, both of these types of suicide are instances of Confucian “death with dignity,” and they confirm that the Confucian ethic of death with dignity was widely accepted in Chinese antiquity.¹⁸

A Dissenting Ethic

Although Confucian Thesis II was the mainstream view during Dong’s time, a dissenting view soon emerged. Sima Qian, the Grand Historian, who approved so many “death with dignity” suicides in his *Records of the Historian*, ironically rejected this option when he himself was put in the predicament of an extremely undignified treatment: he suffered castration in prison. This treatment stemmed from his defense of a general who surrendered to the “barbarians” after a military defeat. Subsequent events convinced the emperor that the general was a traitor, and the emperor punished all those who had pleaded for the general. Sima Qian was therefore imprisoned and further punished with castration. The Grand Historian considered this punishment an utmost humiliation and understood that his peers expected him to commit suicide in order to avoid undignified treatment. After much struggle, however, Sima Qian refused to commit suicide and decided to bear this unbearable indignity in order to complete his half-finished masterpiece, the *Shiji*. He understood very well that he had a duty to commit suicide, but he considered it more important to discharge his weightier duty of writing a grand historical book. His *A Letter to Ren An* can be read as the account of a tormented soul urging his contemporaries to excuse him for *not* committing suicide.¹⁹

In short, in the midst of undignified treatment, death with dignity is not the only option. One can continue to live on with a modicum of dignity by fulfilling one’s vocation. There are many historical examples of this nature, as Sima Qian also noted in the *Letter*. Sima Qian’s decision of not committing suicide has also been influential in the subsequent development of Chinese thought.

Dialectic Balance of these Two Ethics During the “Cultural Revolution”

It is noteworthy that both the Confucian ethic of “death with dignity” and the dissenting ethic have their respective followers even among the contemporary intellectuals in China. During the “Cultural Revolution” (1966–1976) many university professors, literati, and public intellectuals were publicly tortured, brutalized, and humiliated. Many of them committed suicide (e.g. Fu Lei, Lao

She).²⁰ While some terminated their lives because they could not stand the physical and emotional suffering, others chose to die because they refused to accept the humiliation. In the case of Lao She, at least two contemporary mainland Chinese writers have used the maxim “*literati prefer death to humiliation*” to explain his suicide.²¹ Whether or not Lao She in fact drowned himself with this motivation is not indisputable.²² The fact that these writers employed this maxim to explain the suicide shows, however, that the maxim remains persuasive to contemporary Chinese.²³ In 1993, a famous senior philosophy professor at Peking University told me of a colleague who, during the “Cultural Revolution,” calmly accepted the purges levied against him. One morning, however, he discovered on his front door an accusation poster written by his students. He was so deeply hurt that he left a note, “*literati prefer death to humiliation*,” and then committed suicide. This further indicates that the Confucian ethic of “death with dignity” is accepted by some contemporary Chinese.²⁴

On the other hand, many survivors of the “Cultural Revolution” invoke the dissenting ethic to justify their refusal to commit suicide, appealing to the precedent of Sima Qian. They admit, however, that the tension between the ethic of “death with dignity” and the dissenting view provides a helpful check and balance. If all intellectuals rushed to embrace “death with dignity,” there would be nobody left to rebuild the country when the political storm was over. If all intellectuals invoked the dissenting ethic and stayed alive, there would be no witness of blood telling society at that time that the indignity they experienced was totally unacceptable.

In other words, the Confucian “death with dignity” is not a uniform moral consensus among either ancient Chinese or contemporary Chinese. This lack of consensus notwithstanding, my claim is that Confucian “death with dignity” is morally persuasive to a significant number of Chinese. This claim is an adequate basis for the next major question of this paper. Given its sympathy to the idea of “death with dignity,” would Confucianism endorse the “death with dignity” argument in favor of PAS and VE? Before I turn to that question, however, I want to further analyze ethically the Confucian notion of death with dignity and examine its normative significance.

Further Ethical Analysis of Confucian “Death with Dignity” And Its Normative Significance

As Leon Kass points out, etymologically central to the notion of “dignity” in English and “*dignitas*” in Latin is the notion of “worthiness, elevation, honor, nobility, height—in short, of excellence or virtue Dignity is, in principle, aristocratic.”²⁵ The same is true in Chinese culture. The ethic of “death with dignity” articulated by Dong Zhongshu was not meant to be binding on all

Chinese. In the beginning, it applied only to the nobility and dignitaries, a class comprised exclusively of royalty. Gradually the literati-officials, who assisted the royalty in running the government, were elevated to the class of nobility and dignitary. For a literati-official to have been tried in court or imprisoned would have meant that he would be treated as a commoner, and that would have been degrading and humiliating. Hence he had to kill himself rather than undergoing such humiliation. This was, however, only a superficial reason for committing suicide.

There was a weightier reason for committing this kind of suicide. When an educated person entered public service, becoming a literati-official, in addition to acquiring a higher social status, he also accepted a noble vocation or office in life. He therefore had to live a life worthy of his new station and duty, a life commensurate with his vocation. There was a stronger sense of accountability correlative with this higher status. Out of respect for one's vocation and calling, one should rather die than let the office/vocation be dishonored, despised, and mocked. Hence choosing death to prevent indignity was not solely expressive of a self-regarding concern, but also done from a concern to maintain the dignity of one's office.

There is an ancient Chinese saying that summarizes well the ethic of "death with dignity" in both ancient and contemporary China: "rather be a shattered vessel of jade than an unbroken piece of pottery," which means, "better to die in glory or dignity than live or survive in dishonor." Its ethic of life and death is clear: mere biological life is not intrinsically valuable; there is no sanctity of biological life. When a life in its fullness is irreversibly reduced to an unacceptably low or degrading state, then that life is no longer worth living. This saying is taken further to mean that there is a purpose or vocation in life higher than preserving one's own life: the fulfillment of *ren* and *yi*, or the aspiration for moral sagehood. When one can no longer serve that vocation and is even forced to go against it (to violate *ren* and *yi*, and to descend to immorality), life becomes degraded and one should rather die. To die in this way is analogous to martyrdom—one dies rather than betraying a worthy cause in life; one dies as a witness to the worthy cause. (For example, during the "Cultural Revolution," many people, especially those who enjoyed social esteem, were forced to live the life of a liar, to be a part of the propaganda machinery of the Communist Party, to be an accomplice of the party to destroy its "enemies." Some intellectuals found this kind of life too degrading to live and therefore committed suicide to resist such an indignity.)

We should note that when it is said that "the humiliation, dishonor, disgrace, or degradation is too much to bear and one would rather die than drag on," a normative ideal is being expressed. In fact the state of affairs could be made bearable if one changed one's vocation ("Forget about aspiring to be a vessel of jade, just be happy to be a piece of pottery!"). It is not a matter of "can," but "should." In other words, the claim is that the degradation involved is so serious

that one would be forced to betray one's vocation if one continued to live under these circumstances. One should not do this, because one should not trade *ren* and *yi* or moral sagehood for biological life, which is not intrinsically valuable. Death is not the *summum malum*; the betrayal of one's vocation is. Hence, as a last resort, it is morally permissible and even obligatory to bring about one's death in order to resist the true *summum malum*. What matters is not life's quantity (its length), but its quality, which is defined morally with reference to the cardinal Confucian virtues. In order to secure a high quality of life, in some circumstances one has to be prepared to die, lest what transpires decreases the moral quality of life.

The Nature of "Death with Dignity" In Contemporary Western Discussions

I will now analyze the "death with dignity" argument in favor of PAS and VE in contemporary Western society. Though this argument is not developed as thoroughly as the arguments from compassion (that PAS and VE are the only effective way of relieving patients' intractable pain near life's end) and from autonomy (that self-determination includes deciding the time and manner of one's death), it has much persuasive power. I submit that the argument that PAS and VE are "death with dignity" is more than mere rhetoric and is an argument independent of the arguments from autonomy and compassion. This interpretation needs some substantiation because it is not that widely recognized. Hence my analysis of this argument below will include a number of salient quotations from the pro-PAS and pro-VE literature.

To begin, when Californians debated California Proposition 161 ("Death with Dignity Act") in 1992, a group called Californians against Human Suffering published a pamphlet entitled *Questions and Answers on the California Death with Dignity Act*. Question 9 in this pamphlet asks, "Shouldn't the law be restricted to those who are [in] intractable pain?" The answer provided is as follows:

No! The *loss of personal dignity* may be as intolerable to a patient as horrific pain. Many are willing to fight back against their terminal disease as long as they can maintain a minimally acceptable quality of life, but many of us do not wish to *live like a zombie*, which is often the result of adequate pain control. For others whose *bodily functions fail* and are *confined to bed, totally dependent on others for every aspect of existence*, their life has become unbearable even if their pain is being controlled.²⁶

This passage makes three significant points: (1) the argument of “death with dignity” is distinct from the argument from compassion (the elimination of pain); (2) the concern is negative (the loss of dignity) rather than positive (the conferral of dignity); and (3) indignity happens because of failing health and of the side-effect of large doses of pain-killing medicine.²⁷

This abhorrence of failing health seems to suggest an aversion to and rejection of the natural cycle of life, which starts from the dependence of infancy, moves on to the independence of adulthood, and then concludes with the dependence of failing health in old age. As some judges in the United States Court of Appeals for the Ninth Circuit argued in 1996:

Like the decision of whether or not to have an abortion, the decision how and when to die is one of “the most intimate and personal choices a person may make in a lifetime,” a choice “central to *personal dignity* and autonomy.” A competent terminally ill adult, having lived nearly the full measure of his life, has a strong liberty interest in choosing a *dignified and humane death* rather than being reduced at the end of his existence to a *childlike state of helplessness, diapered, sedated, incontinent*.²⁸

Some people seem to blame this utter dependence of the dying elderly on the relatively long dying process of modern patients. For example, it is reported by a Canadian Senate committee on euthanasia:

Some witness told the Committee that a *prolonged dying process* can cause a *loss of dignity*. Furthermore, it can lead to a *loss of independence and control over their lives* which for them, is paramount.²⁹

This concern is echoed in the Ninth Circuit decision mentioned above:

As a result, Americans are living longer, and when they finally succumb to illness, *lingering longer*, either in greater pain or in a stuporous, semi-comatose condition that results from the infusion of vast amounts of pain killing medications. Despite the marvels of technology, Americans frequently *die with less dignity than they did in the days when ravaging diseases typically ended their lives quickly* . . . One result has been a growing movement to restore humanity and dignity to the process by which Americans die.³⁰

Perhaps being mindful that the “dignity-talk” can be over-used and sound hollow, some authors choose different terms to describe the utterly unpleasant condition of the dying. For example, the Ontario Medical Association states in a recent publication on euthanasia:

There are concerns about *loss of dignity* and the occurrence of symptoms of situations which are perceived by the individual as *demeaning or degrading*. These concerns are raised by a number of patients but are particularly common in Alzheimer's disease and AIDS. Patients with Alzheimer's disease may perceive euthanasia as a welcome release from the relentless progressive loss of intellectual faculties and worsening physical status which ultimately result in a *completely dependent and institutionalized state*. Similarly, the final stages of AIDS may be extremely unpleasant and unattractive and it has been argued by a number of AIDS groups that euthanasia is a needed option for patients who wish to forgo this *degradation*.³¹

Finally, I want to quote one more passage that contains almost all the ingredients of the argument of "death with dignity" analyzed above. This passage is from a book entitled *Death and Dignity*, authored by Dr. Timothy Quill, a leading physician-spokesperson and activist of the PAS movement in the U. S.:

Despite the effectiveness of the hospice program, Diane still feared being *out of control, bedbound, and totally dependent*. She had an extreme aversion to *lying passively in bed, to being unable to attend to her basic bodily functions, or to being sedated or confused while she waited for death* For some people, such *prolongation of dying* might have a purpose; for others, it is meaningless and even cruel For those who place extreme value on their physical and intellectual integrity, living out their final time with the progressive dementia associated with HIV can be far worse than death. "*What dignity can be found dying demented, lying in my own feces, unaware of my surroundings?*" they ask a "natural" death that they would find *humiliating*.³²

I think that a sympathetic reading of the pro-PAS and pro-VE literature supports the claim that the argument of death with dignity is an independent argument. It is more about the process of dying than about the state of death.³³ According to this argument, our biological condition can deteriorate so badly (e.g., incontinence, being brought back to the state of infancy, total dependence on others, entirely bedbound, progressive dementia, disability, comatose, sedated to a semi-conscious state) that the relatively long dying process can be utterly undignified, humiliating, disgraceful, dishonorable, and degrading.³⁴ Such an indignity can be more intolerable than physical pain. PAS and VE can therefore save people from such an undignified state of existence. In other words, PAS and

VE, as death with dignity, while not positively conferring dignity upon a person when s/he dies, negatively prevent a person from falling into an undignified state of existence.³⁵

Consonance and Dissonance

The final task of this paper involves examining whether the Confucian conception of “death with dignity” might lend support to the death with dignity position of contemporary PAS and VE. There is consonance as well as dissonance between these two ethics.

Regarding consonance: First, neither ethic deems suicide intrinsically immoral, and both agree that human beings should take full charge of their lives, of which dying is a part. Second, both ethics accept some kind of quality of life consideration, and make a distinction between an acceptable quality of life and an unacceptably low quality of life. Third, both agree that there are cases in which the quality of life is so low that to continue in such a state would be worse than death. When life is too degrading to go on living, to terminate one’s biological life boldly is a morally acceptable option. Bringing about death to prevent indignity is morally permissible.

There is dissonance as well. First, the crucial difference is the criterion for unacceptable degradation—what constitutes an indignity so serious and so grave that it is worse than death? For Confucianism, the criterion is always moral, not physiological-psychological. Confucian quality of life considerations are always quality of moral life considerations. Indignity, humiliation, dishonor, disgrace, and degradation are all conceived with reference to one’s moral life rather than one’s biological life. The metaphor of jade vessel and pottery, for example, is not to be understood physiologically with reference to one’s health condition, but with reference to one’s moral character. This is because Confucianism has a definite theory of good and evil. Biological life is a good, but it is not the highest good; the *summum bonum* is moral sagehood. Biological death is an evil, but it is not the worst evil; the *summum malum* is moral depravity. Hence an authentic human life is an ascent to moral sagehood, and an inauthentic human life a descent into immorality (or in Confucian idiom, a descent from the human to the beastly). Exaltation and degradation in human existence are to be understood as moral ascent and moral depravity. Since the degradation and indignity are seated in a person’s moral soul rather than in the human body, the circumstances that constitute “death with dignity” (i.e., death to prevent indignity) in Confucianism are quite different from that in contemporary pro-PAS and pro-VE movement.

Second, accordingly, it is not immediately clear in Confucianism that deteriorating biological conditions (e.g., incontinence, being brought back to the state of infancy, total dependence on others, entirely bedbound, progressive dementia, disability, comatose, sedated to a semi-conscious state) are so degrading

that to stay in these conditions is worse than death. It may be disturbing to see one's health deteriorate, but this biological circumstance does not degrade human existence. It is probable that Confucianism accepts the idea that "finitude is no disgrace,"³⁶ because it proffers only a naturalistic account of death—the genesis, growth, decay, and perishing of biological life are phenomena common to all living organisms, including human beings. One should therefore accept pre-death decay with serenity. That one's biological health is deteriorating does not indicate that one's moral health is in jeopardy too.

Third, Confucian "death with dignity" is deemed morally commendable because it is one manifestation of suicide for the sake of *ren* and *yi*. Though biological life is not the highest good, it is the highest price one can pay for a worthy cause,³⁷ and *ren* and *yi* are such worthy causes. Hence a suicide for the sake of *ren* and *yi* is a sacrificing witness to a worthy cause. One yields one's biological life for the sake of cultivating one's moral life. Biological destruction is brought about for the sake of moral construction. A Confucian "death to prevent indignity" is a morally constructive act because it prevents moral degradation. An act of PAS and VE on grounds of deteriorating biological condition, however, cannot be interpreted as an act of moral construction.³⁸

Fourth, it should also be noted that in all the examples of "death with dignity" in ancient and contemporary China, the unacceptable humiliation and degradation stem from unstoppable hostile forces and circumstances. There is no palliation or relief of any kind. In such a case the disjunction of either committing suicide or submitting to humiliation and degradation is more plausible. Hence unless disease, sickness, and degeneration are interpreted as hostile enemies,³⁹ or corporal punishments or tortures from fate, or malicious assaults from nature, there is another dissonance between these two ethics of "death with dignity."

Fifth, given these differences of the two ethics of "death with dignity," it will not be surprising to note that in contemporary Chinese arguments in favor of PAS and VE, the argument of "death with dignity" is conspicuously absent. This absence is not the result of a weak movement in favor of the decriminalization of PAS and VE in China; quite the contrary, in the larger cities many intellectuals are in its favor, and the pro-PAS and pro-VE literature far exceeds the opposite side in scholarly and professional journals. I suspect that the argument of "death with dignity" is not present because most Chinese, still under some influence of Confucianism, have a different understanding of dignity and indignity, of the quality of life and its degradation.⁴⁰

To conclude, "death with dignity" in the Confucian sense is recommended by Confucian ethics because of "the priority of the moral over the biological." In common with other major world religions, Confucianism acknowledges that there is much more in human life than biological health, which is only a perishable good. One should strive hard to resist the *summum malum*, even at the expense of terminating one's biological life, and the *summum malum* in this case is much more than biological. By contrast, "death with dignity" in PAS and VE remains

within the realm of the biological. Deteriorating health is deemed the *summum malum* so that one should prevent it from happening even at the expense of biological life. The goal of such suicide does not go beyond the biological; it seeks only to overcome our actual imperfect and finite biological condition through the annihilation of biological life. From the perspective of Confucianism and other world religions, such an understanding of the *summum malum* suffers from a very narrow vision of life. In virtue of its preoccupation with biological health, such an understanding misplaces the source of indignity and degradation in the physical and the corporeal (body, health), and loses sight of the soul or spirit (moral life in Confucianism). To accept PAS and VE as “death with dignity” will render a Confucian “death with dignity” unintelligible because, in the former, exaltation and degradation in human life are confined to the biological dimension. It reduces the human person to the one-dimensional existence of the biological-physical.

What may be more worrisome is that the arguments for, and the practice of, PAS and VE are no longer restricted to the last phase of a terminal illness.⁴¹ Their argument of “death with dignity” is being offered not only as a solution to a problem concerning the manner of dying, but also as a solution to existential problems in human life, namely, mortality, corruptibility, failing health, frailty of human body and mind, and finitude. The superficiality of this latter solution is obvious; it stems from discussing PAS and VE in the absence of comprehensive visions of life, such as provided by Confucianism and many other religious traditions.⁴²

NOTES

¹ For a fuller discussion of the analysis in this section, see Ping-cheung Lo, “Confucian Values of Life and Death and Euthanasia,” (in Chinese) *Chinese & International Philosophy of Medicine* 1:1 (Feb 1998): 35–73, and Ping-cheung Lo, “Confucian Views On Suicide and Their Implications For Euthanasia,” in *Confucian Bioethics*, ed. Ruiping Fan (Dordrecht: Kluwer Academic Publishers, 1999), 69–101.

² *Analects*, trans. D. C. Lau, second edition, (Hong Kong: Chinese University Press, 1992), XV:9D, translation modified.

³ Mencius to Confucius is comparable with Paul to Jesus in Christianity

⁴ *Mencius*, trans. D. C. Lau, (Hong Kong: Chinese University Press, 1984), VI A:10, translation modified.

⁵ Both *ren* and *yi* have a narrow and a wide sense. In the narrow sense, as the first two of the four cardinal virtues, *ren* means benevolence, and *yi* means justice. In the wide sense, however, both words, especially when they are used together, can mean supreme virtue or morality (cf. David S. Nivison, “Jen and I,” in *Encyclopedia of Religion*, ed. Mircea Eliade, volume 7, [New York: Macmillan, 1987], 566–567). In the context of “dying to achieve *ren*” and “laying down one’s life for a cause of *yi*,” *ren* and *yi* were usually understood in the wide sense. One should note, however,

since the Han Dynasty morality or *ren* and *yi* have been conceived of manifesting themselves in particular human relationships, rather than in a universal and general way. In other words, *ren* and *yi* were understood not through universal love or duty to society in general, but through interpersonal commitments such as loyalty (in the emperor-subject relationship), filial piety (in the parent-child relationship), chastity (in the husband-wife relationship), and faithfulness (in friendship). In other words, *ren* and *yi* are virtues of other-regarding morality, mediated through concrete familial, social, and political relationships.

⁶ See the brief biography of Wen Tianxiang in *Song Shi (History of Song Dynasty)*, biography number 177.

⁷ See Sima Qian, "Bao Ren An Shu" (Letter to Ren An). For a free English translation, see *Anthology of Chinese Literature: From Early Times to the Fourteenth Century*, ed. Cyril Birch (New York: Grove Press, 1965), 95–102.

⁸ For detailed historical illustrations of this thesis see my essay, "Confucian Views On Suicide and Their Implications for Euthanasia." For now, it must suffice to cite an illustration that is not entirely unfamiliar in the western world. During the Yuan Dynasty (1279–1368 AD) there was a famous opera entitled *The Orphan of Zhao* (for a complete English translation, see Chun-hsiang Chi, "The Orphan of Chao," in *Six Yuan Plays*, trans. Liu Jung-en [New York: Penguin Books, 1972], 41–81), whose plot was based on accounts in historical books. The Jesuit missionaries in China later brought this opera to Europe. It was immensely popular and was translated into English, French, and German (cf. Adrian Hsia, 'The Orphan of the House Zhao in French, English, German, and Hong Kong Literature,' *Comparative Literature Studies*, 25:4 [1988]: 335–351. Voltaire not only rendered it into a drama, with the name changed to *L'Orphelin de la Chine*, but also staged it successfully in Paris. The German philosopher Arthur Schopenhauer also mentioned this play with admiration in his essay "On Suicide" (Arthur Schopenhauer, "On Suicide," *The Essential Schopenhauer* [English selections of *Paralipomena*], [London: Allen & Unwin, 1962], 99). The story is about a family of nobility being persecuted by its political enemies, and everybody in the family is killed except a baby. Some friends of the family try their best to save the life of this orphan. In the process, all the noble characters who take part in the saving effort commit suicide, mostly for the reason of ensuring the success of the rescue effort. These are altruistic suicides. At the end of the story, after the rescued orphan has grown up and avenged his father, the architect of the rescue and vengeance, Cheng Ying, also commits suicide for the reason of going to the underworld to tell all the related suicide committers that their deaths were worthwhile.

⁹ It seems to me that the Western philosopher who comes closest to this classical Confucian view is Immanuel Kant. In his lecture on suicide, he emphasizes repeatedly that "life is not to be highly regarded for its own sake. I should endeavour to preserve my own life only so far as I am worthy to live Yet there is much in the world far more important than life. To observe morality is far more important. It is better to sacrifice one's life than one's morality. To live is not a necessity; but to live honourably while life lasts is a necessity" (Immanuel Kant, *Lectures on Ethics*, trans. Louis Infield [London: Methuen & Co., 1930], 150–152). Accordingly, though

Kant firmly opposes suicide in the sense of self-destruction, he commends self-sacrifice highly. Risking one's life and willing to be killed for the sake of others' good are praiseworthy. Furthermore, altruistic suicide, i.e., actively to kill oneself for others' sake, is also noble, as in the example of Cato the Younger (95–46 BCE), who "knew that the entire Roman nation relied upon him in their resistance to Caesar, but he found that he could not prevent himself from falling into Caesar's hands. What was he to do? If he, the champion of freedom, submitted, every one would say, 'If Cato himself submits, what else can we do?' If, on the other hand, he killed himself, his death might spur on the Romans to fight to the bitter end in defense of their freedom. So he killed himself. He thought that it was necessary for him to die. He thought that if he could not go on living as Cato, he could not go on living at all. It must certainly be admitted that in a case such as this, where suicide is a virtue, appearances are in its favour" (Kant, *Lectures on Ethics*, 149). This high regard for altruistic suicide notwithstanding, one should not overlook that immediately after the this passage, Kant cautions, "But this is the only example which has given the world the opportunity of defending suicide. It is the only example of its kind and there has been no similar case since" (*Ibid.*).

¹⁰ It is noteworthy that even the Protestant theologian Karl Barth, who articulates a vigorous theological argument against suicide, makes the distinction between "self-destruction" and "self-offering." In an intriguing passage he says, "While there can be no doubt about this, we must not forget the exceptional case. Not every act of self-destruction is as such suicide in this sense. Self-destruction does not have to be the taking of one's own life. Its meaning and intention might well be a definite if extreme form of the self-offering required of man Who can say that it is absolutely impossible for the gracious God Himself to help a man in affliction by telling him to take this way out? In some cases perhaps a man can and must choose and do this in the freedom given him by God and not therefore in false sovereignty, in despair at the futility of his existence, of in final, supreme and masterful self-assertion, but in obedience Can we, therefore make a simple equation of self-destruction with self-murder? Have we not to take into account the possibility that suicide might not be committed as a crime and therefore as murder, but in faith and therefore in peace with God?" (Karl Barth, *Church Dogmatics*, volume III, *The Doctrine of Creation*, part 4, trans. A.T. MacKay et al. [Edinburgh: T. & T. Clark 1961], 410). Here we can see the convergence of Christian and Confucian ethics of suicide.

¹¹ Jun-yi Tang, "Zhongguo wenhua yu shijie (A Manifesto for a Re-appraisal of Sinology and Reconstruction of Chinese Culture)," *Shuo zhonghua minzu zhi huaguo piaoling (On the Diaspora of the Chinese)* (Taipei: Sanmin Press, 1974), 144.

¹² Cf. Margaret Pabst Battin, *The Death Debate: Ethical Issues in Suicide*, (Upper Saddle River, New Jersey: Prentice-Hall, 1996), 67–68.

¹³ As a famous line from Chapter One of *Xiaojing (Book of Filial Piety*; a Confucian text that was composed in the first century BCE) puts it, "Our body, limbs, hair, and skin all originated from our parents. We should hold them in respect and guard them against injury. This is the beginning of filial piety."

¹⁴ It should be noted that although Daoism and Buddhism were not established religions, they flourished in Chinese society. The persecution of non-established religions and ideologies occurred only infrequently in China.

¹⁵ For a sampling of passages from *Chunqiu fanlou* see *A Source Book in Chinese Philosophy*, trans. and compiled by Wing-tsit Chan (Princeton: Princeton University Press, 1963), chapter 14. For a brief overview of his thought, see “Tung Chung-shu,” in *The Encyclopedia of Religion*, vol. 15, ed. Mircea Eliade (New York: Macmillan), 81–83. Dong’s ethic of “death with dignity,” however, does not receive any attention in these general accounts.

¹⁶ These two passages are taken from *Liji* (The Book of Rites).

¹⁷ For an abridged English translation, see *Records of the Grand Historian of China*, two volumes, trans. Burton Watson (New York: Columbia University Press, 1961).

¹⁸ Again, Kant’s idea on self-regarding duty comes very close to Confucian Thesis II. “We are in duty bound to take care of our life; but in this connexion it must be remarked that life, in and for itself, is not the greatest of the gifts entrusted to our keeping and of which we must take care. There are duties which are far greater than life and which can often be fulfilled only by sacrificing life If a man cannot preserve his life except by dishonouring his humanity, he ought rather to sacrifice it It is not his life that he loses, but only the prolongation of his years, for nature has already decreed that he must die at some time; what matters is that, so long as he lives, man should live honourably and should not disgrace the dignity of humanity If, then, I cannot preserve my life except by disgraceful conduct, virtue relieves me of this duty because a higher duty here comes into play and commands me to sacrifice my life” (Kant, *Lectures on Ethics*, 154–157). Accordingly, Kant thinks that in the case of an innocent man wrongly accused of treachery, if he is given the choice of death or penal servitude for life, he should choose the former. Similarly, a woman should prefer to be killed to being violated by a man. Kant, however, stops short of recommending suicide in order to avoid such dishonor. Battin therefore points out, I think correctly, that Kant is inconsistent here. If our self-regarding duty of avoiding moral degradation is of such paramount importance, “and if death—the only possibility for nondegradation—is the only morally acceptable alternative, the only way to achieve this alternative would be to take death upon oneself” (Battin, *The Death Debate*, 109). In other words, as an eminent contemporary Kantian scholar argues, the spirit of Kant’s ethics should permit some self-regarding suicides (Thomas E. Hill, “Self-Regarding Suicide: A Modified Kantian View,” in *Suicide and Ethics: A Special Issue of Suicide and Life-Threatening Behavior*, ed. Margaret P. Battin and Ronald W. Maris [New York: Human Sciences Press, 1983], 254–275).

¹⁹ Sima, “Bao Ren An Shu” (Letter to Ren An), 95–102.

²⁰ For stimulating discussions on the suicide of these two intellectuals, see Ziping Huang, “Qiangu jiannan wei yisi: tan jibu xie Lao She, Fu Lei zhi si de xiaoshuo (Death as a Difficult Task since Time Immemorial: On Some Novels on the Death of Lao She and Fu Lei),” *Dushu (Reading)* 4 (April 1989): 53–63; Cengqi Wang, “Bayue jiaoyang (Bright Sunshine in August),” *Renmin wenxue (People’s Literature)* 9 (1986): 17–21; Cun Chen, “Si: gei ‘wenge’ (Death: For the ‘Cultural Revolution’),”

Shanghai wenxue (Literature in Shanghai) 9 (1986): 4–11; Shuyang Su, “Lao She zhi si (Death of Lao She),” *Renmin wenxue (People’s Literature)* 8 (1986): 22–34.

²¹ Su, “Lao She zhi xi”; Wang, “Bayue jiaoyang.”

²² For example, see Huang, “Qiangu jiannan we yisi.”

²³ Though Huang doubts that this maxim provides the most plausible explanation of the suicide of Lao She, he nonetheless uses this maxim to reflect on the suicide of Fu Lei. See *ibid.*

²⁴ The Japanese term (which is in Chinese characters) for euthanasia used to be one which means “a peaceful and happy death” (*anraku-shi*); it is now replaced by another term which means “death with dignity” (*songen-shi*). Since Confucianism has been very influential in Japanese culture, this change of terminology probably indicates the pervasive influence of the Confucian ethic of “death with dignity” in Japan. See Shigeru Kato, “Japanese Perspectives on Euthanasia,” in *To Die or Not to Die? Cross-Disciplinary, Cultural, and Legal Perspectives on the Right to Choose Death*, ed. Arthur S. Berger and Joyce Berger (New York: Praeger, 1990), 67–82.

²⁵ Leon R. Kass, “Death with Dignity and the Sanctity of Life,” in *A Time to be Born and a Time to Die: The Ethics of Choice*, ed. Barry S. Kogan (Hawthorne, New York: Aldine DeGruyter, 1991), 133.

²⁶ Californians against Human Suffering, *Questions and Answers on the California Death with Dignity Act* (1992), emphasis added.

²⁷ Likewise, in Holland, when the Dutch Parliament finally approved a law permitting euthanasia in 1993, the *New York Times* reported that “In Dr. Cohen’s experience the main motive for requesting death is not only a question of physical suffering. ‘Generally, *personal dignity* plays an important role,’ he said. ‘People don’t want to *live on machines*, someone may be *half paralyzed, incontinent*. This can be harder to bear than pain.’” (Marlise Simons, “Dutch Parliament Approves Law Permitting Euthanasia,” *The New York Times* [February 10, 1993]: A10; emphasis added.) Besides, when Oregonians debated the Oregon Ballot Measure 16 (Death with Dignity Act, 1994), John A. Pridonhoff, then Executive Director of The Hemlock Society, USA, explains in an essay, “And for some people, the *loss of dignity* and self-respect amid chronic suffering, where the *loss of mental competence and control of bodily functions* are definite prospects, is enough to make some people choose to take control of the time and manner of their death.” (John A. Pridonhoff, “Right to Die and Hospice,” in *Physician-Assisted Suicide: Report of the Ethics Task Force*, ed. Oregon Hospice Association [1994], 49; emphasis added.)

²⁸ *Compassion in Dying v. State of Washington*, 1996, Majority Opinion, Section IV (“Is There a Liberty Interest?”), subsection F (“Liberty Interest under Casey”); emphasis added. Ronald Dworkin also argues in a similar manner in his book, “many people, as I said, think it *undignified* or bad in some other way to live under certain conditions, however they might feel if they feel at all. Many people do not want to be remembered living in those circumstances; others think it *degrading to be wholly dependent*, or to be the object of continuing anguish.... At least part of what people fear about dependence is its impact not on those responsible for their care, but on their own *dignity*.” (Ronald Dworkin, *Life’s Dominion* [New York: Vintage Books, 1994], 209–210, emphasis added.)

²⁹ Special [Canada] Senate Committee on Euthanasia and Assisted Suicide, *Of Life and Death—Final Report* (June 1995, <http://www.parl.gc.ca/english/senate/com-e/euth-e/rep-e/lad-tc-e.htm>), chapter VII, emphasis added.

³⁰ *Compassion in Dying v. State of Washington*, Section IV, subsection D, emphasis added.

³¹ Ontario Medical Association, *Euthanasia and the Role of Medicine: A Discussion Paper* (Toronto, 1991), 11; emphasis added.

³² Timothy E. Quill, *Death and Dignity: Making Choices and Taking Charge* (New York: W. W. Norton, 1993), 105–107; emphasis added.

³³I fully acknowledge that the advocates of PAS and VE as “death with dignity” are not univocal in their arguments, and that some of them indeed employ the phrase “death with dignity” mainly rhetorically without advancing an additional argument. However, I do want to reconstruct their argument as sympathetically as possible, and there is a large amount of literature to substantiate my claim.

³⁴ Catholic theologian Hans Küng also entitled his book on this subject *Dignified Death (Dying with Dignity* in English translation). His identification of the source of indignity in dying, however, is restricted only to the side effects of sedation. “As a result of the tremendous success of modern medicine and eugenics, people today have been given what is in fact a new period of life, often lasting more than twenty years. In certain cases, however, this can lead to an *undignified decline into vegetation*, frequently over many years. In such cases of intolerable suffering it should be possible to help people to ensure that their deaths are not dragged out endlessly and that they can *die a dignified death*—if that is what they want Palliative medicine has made most welcome progress However, it is not the answer to all the questions of life and death. All doctors know this: no therapy to relieve pain is possible without sedation. And the higher the dose (and it must often constantly be increased) and the more it relieves pain, the more sedative its effect is. That means that normally *the vigilance, the wakefulness, the spiritual presence of the patient is all the weaker*. So our question is: is a person obliged to live away the last ‘artificial’ phase of his or her life, perfectly ‘tranquillized,’ in some circumstances for weeks, months or even years, *dosing away in a twilight state?*” (Hans Küng and Walter Jens, *Dying with Dignity: A Plea for Personal Responsibility*, trans. John Bowden [New York: Continuum, 1995], 119–120; emphasis added.)

³⁵ Accordingly, some theological argument against death with dignity (such as Paul Ramsey’s famous article, “The Indignity of ‘Death with Dignity,’” *Hastings Center Studies* 2:2 [May 1974]: 47–62) is misdirected, and the charge that the phrase “death with dignity” is an oxymoron (Kass, “Death with Dignity and the Sanctity of Life.” p.132) is unjustified.

³⁶ Kass, “Death with Dignity and the Sanctity of Life,” 141.

³⁷ Barth, *Church Dogmatics*, III/4, 402.

³⁸ However, as one commentator puts it, “if there is reason to think that physical or mental infirmity will diminish [one’s] adherence to the moral law—a risk presumably especially great in diseases which involve progressive mental deterioration” (Battin, *The Death Debate*, 112), a preemptive suicide can be considered “death with dignity” in the Confucian sense. I am not sure that human moral health declines with human biological health as this commentator suggests. But

if it happens, the dissonance between these two ethics of "death with dignity" may disappear.

³⁹ As suggested in Carl B. Becker, "Buddhist Views of Suicide and Euthanasia," *Philosophy East and West* 40:4 (October 1990): 551–552.

⁴⁰ It goes without saying, then, that Confucianism's rejection of "death with dignity" argument for PAS and VE does not imply that Confucianism will necessarily reject other arguments for PAS and VE. Whether Confucianism will reject them are topics for other papers (for a brief treatment, see my paper in Chinese, "Confucian Values of Life and Death and Euthanasia").

⁴¹ As early as 1979 Peter Singer defines euthanasia as "the killing of those who are incurably ill and in great pain or distress in order to spare them further suffering" (Peter Singer, *Practical Ethics* [Cambridge: Cambridge University Press, 1979], 127). What is noticeable is the replacement of "the incurably ill" for "the terminally ill." Hence the endorsement of the euthanasia of newborns with severe defects (*ibid.*, 131–138). Furthermore, in the Netherlands, since 1973 the courts have dropped the condition of being in the terminal phase of an illness from the prerequisites of permissible PAS and VE. See John Griffiths, Alex Bood, and Heleen Weyers, *Euthanasia and Law in the Netherlands* (Amsterdam: Amsterdam University Press, 1998), 52.

⁴² This article is part of a research project funded by the Research Grant Council of Hong Kong 1995–1996 Earmarked Research Grant (RGC/95–96/26) and has been assisted by Miss Lee Wing Yi. I am grateful to them for their respective contributions. Some of the research on "death with dignity" in contemporary bioethics was carried out in the Hastings Center and the Kennedy Institute of Ethics. I want to thank them for allowing me to do research in their excellent libraries. I also want to thank Sumner B. Twiss and two anonymous reviewers of *The Annual of the Society of Christian Ethics* for their helpful comments on an earlier version of this essay.