Christopher Kaczor


Dignity has gotten a lot of attention in bioethics the last decade since the publication of Ruth Macklin’s provocative article entitled, helpfully enough, “Dignity Is a Useless Concept” (*BMJ* 327 (2003): 1419–1420). According to Macklin, dignity reduces to “respect for persons or their autonomy” and so “can be eliminated without any loss of content.” Ironically, however, according to another article published a year later by M. Therese Lysaught, respect has likewise been largely emptied of content in bioethical discourse, reduced to non-interference with autonomy ("Respect: Or, How Respect for Persons Became Respect for Autonomy," *Journal of Medicine and Philosophy* 29 (2004): 665–680). But this line of thought goes nowhere fast. A lurid case in Germany, once more from a decade ago, may serve as an example: to quote the title of a newspaper article reporting on it, “Victim of Cannibal Agreed To Be Eaten.” Dignity and respect do appear to be closely related concepts, but this case suggests that respect for persons cannot rightly be reduced to respect for autonomy. Though the cannibal secured his victim’s consent and fulfilled his will, it would be preposterous to say that he showed his victim respect.

Christopher Kaczor’s latest book – a collection of his essays, many originating as “Philosophy and Theology Notes” written for the *National Catholic Bioethics Quarterly* – has as its thesis that “the concept of dignity does a better job than the concept of autonomy in describing and accounting for the intrinsic value of every human being” (p. 6). Kaczor himself occasionally presents respect for a person’s autonomy as tantamount to respect for a person’s dignity (see for example p. 139, dismissing objections to kidney donations); but what these small slips really show is the power of the concept of autonomy in present-day bioethics.

The book has twelve chapters on a variety of subjects: among others, the relevance of species membership to moral standing; whether all persons have equal right of access to fertility treatments; the untoward implications of the principle of procreative beneficence; the ethics of embryo adoption and the use of artificial wombs; the status of different methods of remedying ectopic pregnancy; the ethics of fetal surgery, more precisely umbilical cord occlusion to prevent one dying twin from precipitating the death of its healthy sibling; physician-assisted suicide; organ donation after cardiac death; and the rights of conscience.
Some of the chapters are much more developed than others. This book could be useful in an undergraduate ethics or bioethics course, most likely in a Catholic setting; but it would probably make more sense to assign select chapters rather than the book as a whole. Chapter 5, “Embryo Adoption and Artificial Wombs,” and chapter 6, “The Ethics of Ectopic Pregnancy,” count as the book’s strongest chapters; chapter 7, “The Ethics of Fetal Surgery,” is thought-provoking if brief.

Kaczor operates within a more or less Kantian framework: early in the book, Patrick Kain’s paper “Kant’s Defense of Human Moral Status” (Journal of the History of Moral Philosophy 47 (2009): 59–102) does the work for him of Shakespeare’s bear, clearing the stage so that it might be peopled anew (pp. 22–23). John Finnis and his fellow new natural lawyers thereafter figure frequently in both the text and notes, in particular in arguments deploying double-effect reasoning, of which there are many.

Kaczor’s book abounds in fine distinctions and careful observations. Arguably, however, double-effect reasoning now and again is called on to do more justificatory work than it can in fact handle. By way of example, Kaczor apparently agrees with a seventeenth-century Jesuit cited in his text that a horseman fleeing an unjust aggressor may permissibly trample a child playing on a narrow bridge should there be no other means of escape (p. 78). He also claims, following another seventeenth-century Jesuit, that “a person may defend himself against the attack of [an unjust aggressor] by...throwing a javelin through [a] human shield in order to kill the aggressor” (p. 83). Readers familiar with contemporary literature on self-defense, and challenges to the new natural lawyers’ accounts of action and intention, will feel uneasy here, as they likely will with Kaczor’s arguments in support of both salpingostomy – removal of the embryo while leaving the fallopian tube intact – and the administration of methotrexate – which terminates a pregnancy by stopping protein synthesis of the trophoblast, the forerunner to the placenta (pp. 71–85). In any event, these arguments warrant close attention.

Kaczor’s argument concerning umbilical cord occlusion to prevent one dying twin from precipitating the death of its healthy sibling is more tentative. On the one hand, he appears to agree with the new natural lawyers that the relevant point of view, for moral assessment, is that of the acting person, not that of the observer who sees only the physical behavior and can only infer, perhaps mistakenly, the intention that forms the action. Yet he leaves open the possibility that, while it is a mistake to reduce the object of an action to what is physically done, it is equally a mistake to reduce the object of an action to what the agent proposes to do, as if the specification of the object depended solely on the agent’s purpose. In Kaczor’s words: