Causing Death and Saving Lives
Jonathan Glover
(Pp 327, £1.25)

Jonathan Glover’s book is an excellent example of the way in which moral philosophy can illuminate, and be illuminated by, practical problems. After a brief introduction on the scope and limits of moral argument, Glover examines the basic ideas to which appeal is often made in discussions of the morality of killing. He begins his examination by making a distinction between direct objections to killing, which relate to the person killed, and side-effects, relating to the effect on others of killing him. Glover rejects the view that human life as such, or even human consciousness as such, are sacred in themselves, and instead defends the theses that it is wrong to destroy worthwhile human life and to go against the desire of particular individuals to go on living. This view implies that consideration of the consequences should play a dominant role in taking decisions about killing. Glover is happy with this implication, and rejects two doctrines, often invoked in these contexts, which would make the connexion between the morality of an act and its consequences more indirect: ‘double effect’, which rests on a distinction between intended and foreseen consequences, and the doctrine that acts with bad consequences are always worse than omissions with the same consequences. The chapter against the latter doctrine is especially powerful, concluding that if omission can be as blameworthy as actions, our failure to save lives (for example by contributing to famine relief) may be in the same league as murder. Glover ends this section by reminding us that he has mainly been considering direct objections to killing. In most cases there would also be many objections resting on side-effects; but there are exceptional cases where the effects on others of killing someone would be good, and there is then the problem of balancing direct and indirect considerations.

Glover then applies this general theory to a series of controversies about the morality of killing, of which the most relevant to medicine are those concerning abortion, infanticide and euthanasia. It is difficult in this brief space to do justice to the complexity and sensitivity of the discussions, especially as some of the most telling material is in the quotations. I will try to illustrate Glover’s method with reference to the discussion of abortion, which is particularly full, with two chapters discussing respectively the attempt to lay down a boundary point at which a fetus becomes a person and the attempt to depict abortion as something to which women have some kind of right. Glover’s own view, based on his general principles, is that abortion is in itself on a level with contraception (the differences concern effects on people other than the fetus or potential fetus). Since the fetus cannot be said to have a desire to go on living, the relevant principle is that concerning worthwhile human life. In terms of this principle both contraception and abortion are justifiable to avoid the consequence of producing a life which is not worthwhile either because the child is not wanted or because it will be severely handicapped. In the latter case it is argued that there may indeed be a duty to have an abortion, though Glover does not crudely equate physical handicap with lack of a worthwhile life, and includes a sensitive discussion of the relationship between the two.

In all Glover’s arguments there is considerable detail and complexity, but he is always lucid and never gives the feeling that he is embarking on logic-chopping unrelated to the real moral issues. He also manages to be impassioned without ever becoming strident – a rare feat in this kind of sphere. I am sure many readers will remain unconvinced by the book’s basic assumptions, but I think that all doctors (and all moral philosophers) could gain much from studying it with the care it deserves.

ELIZABETH TELFER

La Responsabilite Medicale
(5th Edn)
Jean Penneau
(Pp 342)

This French book examines an important area of medical law, namely, medical liability. More specifically it provides an exposition and discussion of some of the legal obligations and liabilities which attach to members of the medical profession in carrying out their day-to-day work. It should be said that the author, M Jean Penneau, is ideally qualified to speak on the subject of medical liability: he has not only practised medicine for 20 years; he also possesses a doctorate in law.

The book is divided into two parts: Part 1 deals with some of the traditional aspects of medical liability. Accordingly, as one would expect, a fairly full discussion is given of the circumstances in which a doctor may find himself civilly liable in damages for acts of omission and commission resulting in harm to his patient. Here, and indeed throughout the book, the author makes excellent use of reported court cases (of which there seem to be not a few) to illustrate and support his statements. Consideration is also given to a doctor’s potential liabilities under the criminal law. In this regard it is interesting to note that under Article 63 of the French Penal Code it is a crime in certain circumstances (punishable by fine/imprisonment) for any person to fail to give assistance to somebody in danger, provided such assistance is possible and ‘sans risque pour lui ou pour les tiers’. The relevance of this provision to a doctor who refused to go to a