

Why Did the Journal Publish an Article Defending Infanticide?

I am personally opposed to the legalisation of infanticide. However, as the Editor of the Journal I would like to explain why the Journal would publish an article defending infanticide.

The ethical discussion of infanticide dates back several thousand years. At least 100 articles have been published on infanticide in the Journal over its history, with articles both for and many against it. Some of the world's most famous living philosophers have written about its merits and justification over the last 40 years, including Michael Tooley,[1] Jonathan Glover,[2] Peter Singer,[3] [4] Jeff McMahan,[5,6] and John Harris,[7] some in this Journal. McMahan argues that the permissibility of infanticide is not only implied by certain theories, but by beliefs that are widely held and difficult to reject [5].

Infanticide is currently legal in the Netherlands. The “Groningen Protocol” allows doctors to kill neonates at the request of their parents if they are experiencing unbearable suffering.

The active withdrawal of medical care (an intentional act that kills) is a standard part of care of newborns with severe disability and suffering in the UK, US, rest of Europe and nearly all of the world. This is sometimes called passive euthanasia.¹

Over the last 40 years, there has been an active debate on the ethics of killing or allowing severely ill or disabled newborns to die. Jonathan Glover's landmark *Causing Death and Saving Lives* notes that “Dr Francis Crick [the Nobel Laureate who discovered DNA with Jim Watson in 1956] once proposed a two-day period for detecting abnormalities, after which infanticide would not be permissible” [2] (p.168).

In the case of abortion, termination of pregnancy is permissible in most countries not only for severe disability but also for reasons of maternal welfare (or other reasons). Giubilini and Minerva extend the long running debate on infanticide to ask: if abortion is permissible both for social as well as medical reasons, why is infanticide permissible only for medical reasons? They ask: what is the moral difference between a fetus and a neonate? They point out that both have similar capacities and if one is permissible, why not the other?

This extension of the existing debate around infanticide from medical indications to social indications is relatively novel. I don't personally agree with it. But their arguments – based on the similar moral status of the fetus and neonate – call for rebuttal.

¹ Young argues that the reason it is not classified as murder in England is because of a technical legal judgement in the case of Tony Bland that redefined the act of withdrawing a life-prolonging medical treatment as an “omission.” If the act of withdrawing a life-preserving feeding tube (or other medical treatment) had been properly described as an act, then it would constitute intentional killing and would have been murder. Young argues this was a convenient legal redescription to protect doctors from charges of murder [8].

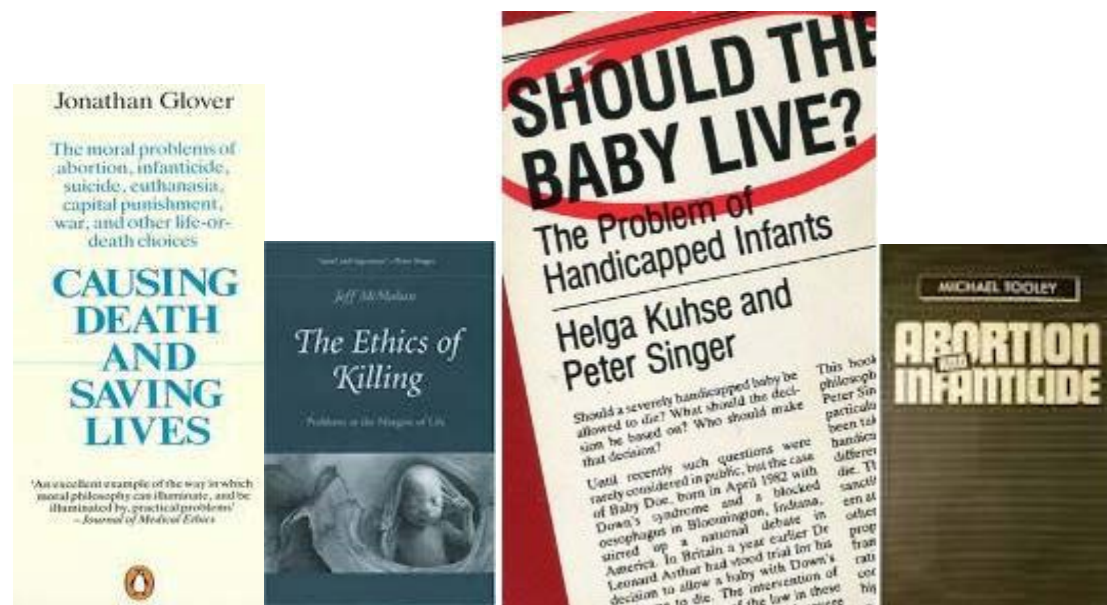
This paper was scrutinised by 3 peer reviewers and revised in light of their comments. The Journal does not publish or not publish articles because of the controversial nature of their conclusion, but rather on the quality of the argument. If an argument was based on clearly and obviously mistaken premises, then we would reject it. But in this case, there has been a long and ongoing debate on the moral status of early human life – embryos, fetuses and neonates, as the above literature attests.

The Journal is publishing opposing views to accompany this controversial article.

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References

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