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An Unjust Sacrifice

By Robert A. Sirico

A GRAND RAPIDS, Mich. appeals court in London has made a Solomon-like ruling, deciding that 8-week-old twins joined at the pelvis must be separated.

In effect, one twin, known as Mary, is to be sacrificed to save the other, known as Jodie, in an operation the babies' parents oppose.

The judges invoked a utilitarian rationale, justified on the basis of medical testimony. The specialists agreed that there is an 80 to 90 percent chance that the strong and alert Jodie could not survive more than a few months if she continued to support the weak heart and lungs of Mary, whose brain is underdeveloped.

This is a heartbreaking case, and the decision of the court was not arrived at lightly. But even the best of intentions, on the part of the state or the parents, is no substitute for sound moral reasoning. Utilitarian considerations like Mary's quality of life are not the issue. Nor should doctors' expert testimony, which is subject to error, be considered decisive.

Here, as in the case of abortion, one simple principle applies: There is no justification for deliberately destroying innocent life. In this case, the court has turned its back on a tenet that the West has stood by:

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Life, no matter how limited, should be protected.

While this case is so far unique, there are guidelines that must be followed. No human being, for instance, can be coerced into donating an organ — even if the individual donating the organ is unlikely to be harmed and the individual receiving the organ could be saved. In principle, no person should ever be forced to volunteer his own body to save another's life, even if that individual is a newborn baby.

To understand the gravity of the court's error, consider the parents' point of view. They are from Gozo, an island in Malta. After being told of

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their daughters' condition, while the twins were in utero, they went to Manchester, England, seeking out the best possible medical care. Yet, after the birth on Aug. 8, the parents were told that they needed to separate the twins, which would be fatal for Mary.

They protested, telling the court: "We cannot begin to accept or contemplate that one of our children should die to enable the other one to survive. That is not God's will. Everyone has a right to life, so why should we kill one of our daughters to enable the other one to survive?"

And yet, a court in a country in which they sought refuge has overruled their wishes. This is a clear evil: coercion against the parents and coercion against their child, justified in the name of a speculative medical calculus.

The parents' phrase "God's will" is easily caricatured, as if they believed divine revelation were guiding them to ignore science. In fact, they believe in the merit of science, or they would not have gone to Britain for help in the first place.

But utilitarian rationality has overtaken their case. The lawyer appointed by the court to represent Jodie insisted that Mary's was "a futile life." That is a dangerous statement — sending us down a slippery slope where lives can be measured for their supposed value and discarded if deemed not useful enough.

Some might argue that in thinking about the twins, we should apply the philosophical principle known as "double effect," which, in some circumstances, permits the loss of a life when it is an unintended consequence of saving another. But in this case, ending Mary's life would be a deliberate decision, not an unintended effect.

Can we ever take one life in favor of another? No, not even in this case, however fateful the consequences. □

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