

A Protocol for Medical Murder

Stephen Vincent

It might have been called “A Modest Proposal,” recalling as it did Swift’s satire proposing the eating of infants to solve the hunger problem. Yet this recent article was no satire. Tucked unassumingly into the slick pages of a New York *Times Magazine* opinion column, amid the usual array of soft porn fashion ads, it was a trial balloon floated over the culture on a sleepy summer Sunday. Let’s talk about—mind you, just talk about, dear reasonable reader—*ethanizing* infants, suggested *Times* writer Jim Holt on July 10.

He is frank, honest, engaging, and lets us know right from the start that this is a *serious* discussion. After all, the article is titled “Euthanasia for Babies?” which does sort of cause the morning coffee to jump in the stomach. The author lays out the shocking proposal and even argues against it himself, asking how a culture based on rights and freedom and compassion for the helpless could even contemplate killing its innocent infants. How would such an idea fly, Holt asks his refined readers, at that ultimate venue of civilized debate—the dinner party? He does not hasten to the answer, letting the reader form an instinctive repulsion to the idea, then softly draws out his trump card designed to make us feel a bit foolish for going with our gut reaction. After all, Holt explains, we are talking about killing newborns for *their own good*, to put them out of excruciating pain, under controlled clinical conditions. We all have aversion to this horrible-sounding task, he humbly admits, but we must suck in the gut, take another sip of coffee, get the sleepy sentiments out of our heads and be brave for the sake of the children who must be killed. They need us to do what they cannot do for themselves, and what responsible adult would refuse?

In this way, the author introduces the topsy-turvey world of the Groningen protocol. Killing is called euthanasia (“good death”). Pain and suffering are the ultimate enemies to be fought at all costs to the foundations of our culture and our conscience. Evil is dressed in the raiment of good. In the time it takes Holt to dismiss “a dubious distinction between ‘killing’ and ‘letting nature take its course,’” he has taken readers through the thickets of Christian culture, scaled a mountain of legal impediments, leaped a chasm of biblical commandments and forded a river called Styx to arrive at the ancient pagan culture of Rome, where “reason” prevails over “sentiment” and the “unflinching honesty” of the paterfamilias prevails over the “moral

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sentiments” of anyone objecting to the wails of the abandoned baby in the woods. Though you don’t know it, dear reader, you are the barbarian at the gate of this classic culture, banging away with your millennia of Western Christian culture that would seek to keep alive this infant who would suffer a short life of howling pain to satisfy your soft conscience.

The author is quite clear that the biblical religions must go, or at least acquiesce, if “progress” is to be made, if we are to answer yes to the question he would raise at a dinner party: “Are we humans getting more decent over time?” Holt writes that infanticide has been common throughout most of human history. In some societies, like the Eskimos, the Kung in Africa and 18th-century Japan, it served as a form of birth control when food supplies were limited. In others, like the Greek city-states and ancient Rome, it was a way of getting rid of deformed babies. (Plato was an ardent advocate of infanticide for eugenic purposes.) *But the three great monotheistic religions, Judaism, Christianity and Islam, all condemned infanticide as murder, holding that only God has the right to take innocent human life.* Consequently, the practice has long been outlawed in every Western nation.

Everything was fine, evidently, in Alaska and Africa and even in the Greco-Roman seedbed of the West until the children of Abraham came along with their unbending belief in one God and His authority over all created things. Notice also that Holt slips a radical redefinition into his breezy historical survey. Killing a child already born is not what most people mean by the term *birth control*, which is usually reserved for various forms of contraceptives or abortion before the child is out of the womb. What Holt refers to is more accurately called *population control*, but he purposely avoids that term for the more accepted birth control, which is practiced by the large majority of Americans on a daily basis. Here we have an instance of what the late Cardinal John O’Connor often warned about: a change in morals is always preceded by a change in language. Perhaps fellow *Times* magazine columnist William Safire will write an “On Language” article on the first use of *birth control* to mean *infanticide*.

Holt’s version of *birth control* may pop up in a Planned Parenthood press release touting the clinically caring way to liberate women and fight poverty by euthanizing newborns. Then may come the term *post-natal fetus*. The word *baby*, with its cuddly connotations, will be kept from public view. Holt also provides the legal industry with a handy term when he asserts that “to keep alive an infant whose short life expectancy will be dominated by pain—pain that it can neither bear nor comprehend—is, it might be argued, to do that infant a *continuous injury*.” Look for that term, which I have italicized, in future legal proceedings *in re Groningen protocol*.

Holt additionally assures us that in our advanced, technological culture, infanticide is not as bad as it sounds, and would surely not involve infants flailing in the fire or wailing in the woods. The little ones would be sent off to infinite sleep by an overdose of morphine and midazolam introduced to their I.V. bottles. A few seconds, and their bony, bird-cage chests would rise no more. Though it may not *seem* so at first, this act is actually an advance in the moral structure of our culture. It is scientific, and done only under the most stringent of conditions to guarantee that this act of killing babies, which sounds so horrible, will be performed only in the worst cases and with full consent of doctors and parents. There will be no slippery slope, Holt insists. Only babies with intractable, incurable pain who everyone involved really wants dead will be killed.

Nazi Undertones

Any “protocol” with a German-sounding name that proposes for any purpose the killing of innocents should raise a big red flag in our post-Nazi era. Yet how can our post-*Roe* regime resist? After swallowing the camel of killing healthy babies on the verge of being born, are we to strain out the gnat by rejecting the idea of killing grossly deformed *born* babies for their own good?

As Holt helpfully points out, the protocol is named after the city where it was developed in the Netherlands, “the very heart of civilized Europe,” and news of it was published last March in the prestigious *New England Journal of Medicine*. He doesn’t note, though, that the Netherlands already is well along the slippery slope he assures us does not lay ahead, having years ago legalized physician-assisted suicide for the old and incurable, under so-called stringent conditions. Dutch authorities have admitted, though, that countless numbers of patients (Hitler’s “worthless eaters”) have been “euthanized” without their consent, and none of the death doctors has been prosecuted for murder.

The doctors of the Groningen protocol also have not been prosecuted, he points out, though the practice of overdosing newborns is technically illegal in the Netherlands. One of the authors of the medical journal article, Dr. Eduard Verhagen, admits to “presiding over the killing of four babies in the last three years.” When you’re well down a slippery slope, evidently it’s difficult to tell which way is up.

For Holt to tell us about the obscure practices of the Eskimos and the Kung, and not alert us to the forced euthanasia going on today in the country he’s studying reveals his agenda. He’s stumping for a cause, not presenting the facts.

Soon after the *Times* article appeared, the Dutch government released a

study on the deaths of 64 children which found that doctors had hastened the death of 42 of them. Old people already think twice before entering a hospital or nursing home in the Netherlands for fear of being killed without consent. Will parents now fear to take a severely sick child to a doctor?

Reason v. Sentiment

Holt attempts to frame the debate in terms of the excessive sentiments and religious sensibilities of the “right-to-life” absolutists versus the clinical reason and technical expertise of the Groningen protocol. Yet the sides are not so easily separated. Right-to-life advocates also have claim to reason by the application of the natural law, which defines some acts as evil in themselves regardless of circumstances, and the solid science of genetics that shows each human to be unique and unrepeatably. The Groningen advocates, on the other hand, may be overly swayed by an emotional response to the clinical experience of seeing newborns suffer.

Holt cites the case of a Dutch baby girl named Sanne, who was born with a severe form of the rare skin disease, Hallopeau-Siemens syndrome. Sanne’s skin “would literally come off if anyone touched her, leaving painful scar tissue in its place.” Her parents asked doctors to “put an end to her ordeal.” The doctors refused, fearing criminal charges, but the child died a few months later of pneumonia.

The question is compelling. How do we deal with the cries of a baby who cannot be touched and will never interact throughout her abbreviated life? The tables, in a sense, are turned on pro-lifers because hers are not the cries of a child exposed in the wilderness. They are the cries of a child kept alive by adherence to the sanctity of life and the agency of modern medicine. The Groningen protocol is a response to this emotionally wrenching situation. In the case of baby Sanne, reasoned appeals to the right to life, a slippery slope and the good of society may come off as heartless as the above question lingers. It is a question akin to the one pro-lifers often pose at the doors of abortion clinics: Don’t talk about world poverty or population, what about *this* baby who is suffering now?

City of God

We need to formulate an answer based not on what is expedient or emotionally satisfying, but on what is good and what is evil. We must reclaim the moral tenets of the Christian West.

As Holt advocates the ancient practice of infanticide, he also revives some of the old Roman critiques of Christianity, which was accused of causing the empire’s decline by preaching love of enemy and forgiveness to an im-

practical degree. Christianity, some Romans railed, had given voice to weak feminine sentiment, forbidding the exposure of infants, thus filling the empire with cripples and imbeciles. St. Augustine wrote his massive *The City of God*, in part, to refute the claim that Christianity had brought the fall of the classical culture as the fifth-century empire lay in ruins around him. Pagan culture, by its worship of false gods and moral decadence (the circus in those days was filled with bloody displays not painted clowns), sowed the seeds of its own destruction, Augustine insisted. Christianity, on the other hand, opened the way to a true and lasting civilization worthy of the more noble Roman ideals. In reality, the saint said, there is not Greek, Roman or barbarian, but the City of God and the city of the evil one, and each person, made in the image of God and regardless of earthly citizenship, belongs to one city or the other based on whether he or she chooses good or evil. In a world locked in an ideology of determinism and weary of capricious gods and debauched emperors of imputed divine descent, Augustine claimed that human free will was the engine of history. Each individual, from peasant to patrician, could determine his own fate and eternal abode by choosing good and rejecting evil.

As he wrote, Augustine could not see hordes of barbarian races Christianized and civilized, cathedral spires rising from the rubble of the Dark Ages or monastic chants and scriptoria preserving not only the sacred texts but the best thinking of Greece and Rome.

Yet today, in civilized areas such as the Netherlands, pagan practices are regaining ground under the guise of medical necessity. Christian culture seems exhausted, in need of an infusion of good news. What we need is another Augustine to tease out the threads of Christian truth and beauty in a European culture that refuses even to acknowledge its Christian roots. Or, as Pope Benedict XVI has written, we need another St. Benedict, innovator of the monastic movement that built the West, to re-evangelize Europe according to the modern forms of association, technology and communication. Augustine's tale of two cities holds true. The seeds of civilization lie in the heart of each one of us, and we determine our citizenship as we choose good or evil.

Malum in Se

The slippery slope has always seemed to me to be the weakest of all moral arguments. If our only objection is that the Groningen protocol would set us on a slope to moral decay, what would we say if we could absolutely guarantee that it would never be pushed beyond its limits? Could we argue that it is *malum in se*, evil in itself? Tough cases may make for bad law, but they

also make us think deeply about the facts of the tough cases. Does our rejection of killing innocents really wear away at the edges of difficult medical realities, as Holt claims? Are the sanctity of life and the slippery slope only invoked to protect the broad middle of Americans from lethal medical expedience, while we turn our thoughts from the tough decisions doctors make each day about the quality of life and the killing of incurable patients? Is Holt really the honest one by equating what he calls “passive euthanasia” (the denial of life-sustaining treatment for incurable patients) and real euthanasia, which involves an act and intention to cause a patient’s death? Do we really prefer putting babies like Sanne to sleep permanently, as her parents did, rather than letting them live in horrible pain? Is such a practice, in fact, more humane? Are we getting more decent over time?

Holt has identified a fine line, but it is no less bright for being thin. Christian ethics has contended with such issues and come to some conclusions that we push aside at our peril. You must never act to directly cause the death of a human person, nor may you intend directly his or her death. *First, do no harm* is a medical dictate that Christians preserved from the ancient culture Holt extols. The underlying assumption, difficult for some “realists” to accept, is that life is a good in itself, and pain and suffering are not the ultimate evils, to be avoided at all costs. The good news is that pain may be treated with strong medicines such as morphine, even up to the point of hastening a patient’s death, as long as the intention is to treat the pain, not to kill the patient to end the pain. Here we enter the sometimes gray area of intention, but we must not do away with the *Do no harm* rule because it is sometimes difficult to discern or apply. That would be, to use an especially appropriate saying, throwing out the baby with the bath water.

It is possible to see the bright line without religious faith, though faith certainly highlights it. Christian tradition insists that pain and suffering are what happen to people as a result of the human condition, including original sin, and they can always be directed toward a good purpose or intention. In the case of a baby Sanne, who cannot make sense of the pain, doctors can treat the pain aggressively, and possibly hasten death as an unintended second effect. And parents can see through their grief to view the good of their child’s life in itself. Would life be better if we had never seen Sanne or heard her cry of life in this fallen world? Do we do her and ourselves well to effect her death with a lethal act?

Good and evil, as Augustine stated at the beginning of the Christian era, are choices that people make, and they determine the direction of our lives and the thrust of history.

The point is portrayed dramatically in the movie “Judgment At

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Nuremberg,” when the judge played by Spencer Tracy confronts his Nazi colleague pleading pathetically that he did not realize how far his unjust decisions would go. Tracy replies with simple eloquence that the Nazi judge had gone too far the first time he condemned a man he knew was innocent. The same can be said for the killing of innocent children in the Groningen protocol. We don’t need to argue the slippery slope. This is evil in itself, and must be stopped in its tracks.