

Assisted Suicide and Euthanasia: Arguing for a Distinction

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ABSTRACT

In this essay, I will try to analyze the problems of assisted suicide and euthanasia by using the Joel Feinberg's analysis of the so-called 'right to life' and the Wesley Hohfeld's legal terminology. Through Feinberg's analysis I will trace a conceptual and normative distinction between assisted suicide and euthanasia; through the Wesley Hohfeld's legal terminology I will develop this distinction to show where the distinction precisely arises. My conclusion will be that the problem of permissibility of assisted suicide is conceptually and normatively different from the problem of permissibility of euthanasia.

In bioethics it is quite usual to consider assisted suicide and euthanasia as connected issues and think that permissibility for the former imply permissibility for (or a *prima facie* presumption in favour of) the latter. I think this view is incorrect. I believe that there is an important conceptual difference that marks an important normative difference. In this paper I will try to show what is this difference and where the distinction between assisted suicide and euthanasia arises. An implication of my argument is that a justification (or a refusal) of the former does not imply a justification (or a refusal) of the latter; that is, the problem of permissibility of assisted suicide is conceptually and normatively different from the problem of permissibility of euthanasia. I will proceed as follows. In section 1, I will try to frame these problems (assisted suicide and euthanasia) by offering some preliminary definitions and delimiting their area of application. In section 2 I will use the Joel Feinberg's analysis of the so-called 'right to life'. Feinberg's analysis provides us the elements required to trace a conceptual and normative distinction between assisted suicide and euthanasia. I will develop this distinction in a more detailed way in section 4, using Wesley Hohfeld's legal terminology (which I will present in section 3). My idea is that the application of the Hohfeldian scheme to Feinberg's concept of right to life enables us to find the distinctive feature between assisted suicide and euthanasia, and this allow us to set up the issues involved in these practices in a particular way.

1. Preliminary definitions

In this section I will start with some preliminary definitions, that will be modified later in this paper. At a very general level, we say that *assisted suicide* is the act through which a person takes his/her life through means furnished by another person (whereas the suicide *tout court* is the act of killing oneself *without* others' help). The classic example is someone who swallows a lethal pill another person has provided him with. The provider is not necessarily a physician (for example, he/she could be a relative). Therefore assisted suicide is a wider concept than physician-assisted suicide; however, in this paper I will ignore the difference and I will use assisted suicide, without any other specifications, to refer to physician-assisted suicide. Again, at a very general level, we say that *euthanasia* is the act of killing someone for his good. In this case, the classic example is someone, typically a physician, who gives a lethal injection to another person (from now on, I will also consider euthanasia as a problem located in the physician/patient therapeutic relation).

There are at least three possible cases of euthanasia: *voluntary* euthanasia, when the lethal injection is given according to the patient's genuine, explicit, constant and well-considered request; *non-voluntary* euthanasia, when the lethal injection is given *without* the patient's consent (because he is not able to express it; for example, when he is in permanent vegetative state); *involuntary* euthanasia, when the lethal injection is made *against* the patient's will. It is worth noting that considerations about the patient's good determine the conceptual difference between euthanasia and *murder*: although both acts cause the patient's death, euthanasia is made for the patient's good, whereas murder is made without any consideration of it. In order to complete the picture, we finally say that withdrawing life-sustaining treatment is the act of letting the patient die by stopping a particular medical treatment. An example of withdrawing life-sustaining treatment is the interruption of a pharmacological therapy that allows the disease to go on and, therefore, lead the patient to death more quickly. Another example is the interruption of hydration and feeding in permanent vegetative state patients, who will consequently die of starvation.

Therefore, at a *conceptual* level, we have five possible situations connected with dying (suicide, assisted suicide, withdrawing life-sustaining treatment, euthanasia, murder); and one of them (euthanasia), as we have seen, can be voluntary, involuntary and non-voluntary. Let us omit murder, which does not regard directly the topic of this paper and focus on the other four situations. Before proceeding, it is however useful to point out two specifications (I will refer to the case of euthanasia, but the same can also be said for suicide – assisted or not –, and withdrawing life-sustaining treatment). First specification: it is necessary to keep in mind that the legal issue (i.e., if the legal system foresees or should foresee, and under which conditions, euthanasia) and the moral issue (i.e., whether there could be or not a moral justification for euthanasia, whatever the legal system provides) are two distinct issues. This specification, very obvious indeed, is useful when we consider that in several countries, judges have been often pronounce sentences about the permissibility of euthanasia and related practices. Their sentences on specific cases and in specific contexts have circulated in the bioethical debate and

this has in fact contributed to mix moral reasoning and legal reasoning, whereas the limits of what is morally permissible are clearly different from the limits of what is legally permissible. Second specification: assuming that the moral permissibility of euthanasia, if any, should be translated (according to appropriate procedures) into a legally recognized permissibility, it is necessary to consider four different ways in which this translation could be made. First, we could consider euthanasia as a crime but at the same time encourage judges not to prosecute it; or, we could consider euthanasia as a crime but admit that it is not punishable in some circumstances (for example, when euthanasia concerns seriously suffering and terminally ill patients); still, we could maintain the crime but make extenuating some reasons and/or circumstances (for example, serious suffering and terminal illness); finally, we could, abolish the crime and legalize euthanasia, perhaps (and favourably) conditioning the way of its application . In this paper, I am not interested, if not incidentally, in the legal aspects of the problem, nor I will inquire what is the more correct way to translate moral permissibility into legal permissibility. I will focus my attention on moral permissibility, without considering its actual or potential legal implementation.

2. Suicide, euthanasia and right to life

In order to discuss the issue on euthanasia I think it is useful to analyze what Joel Feinberg has said about the so-called 'right to life'.⁽¹⁾ Feinberg shows that the complex and controversial concept of 'right to life' involves at least two ideas: first, people have a right not to be killed (call this D_1); second, people have a right to be rescued from impending death (call this D_2). If we summarize our preliminary definitions, we can see that euthanasia, withdrawing life-sustaining treatment and assisted suicide violate ($D_1 + D_2$): more specifically, euthanasia violates D_1 , withdrawing life-sustaining treatment and the assisted suicide violate D_2 . However, the issue is a little more complex. Intuitively, it seems to me implausible to think that withdrawing life-sustaining treatment or attending the suicide of a terminally ill patient can be easily put on the same side, for example, of refusing to throw a life belt to a person who is drowning; in fact, the violation of D_2 seems morally important only in the latter case, whereas it seems implausible this violation will morally interest us in the case of withdrawing life-sustaining treatment or attendance to a suicide of a terminally ill patient (arguments *against* these practices are others than the violation of the right to life). Therefore, it can be assumed that the right of being rescued from impending death is to be better specified, as a right to be rescued from starting an irreversible process of death (call this right D_3), and therefore the interpretation of the right to life must be corrected as ($D_1 + D_3$). Withdrawing life-sustaining treatment and attending the suicide of a terminally ill patient clearly do not violate D_3 , because the irreversible process of death is not started (although it is accelerated) by withdrawing or attendance; and given that withdrawing life-sustaining treatment and attending the suicide do not violate D_1 , we can assert that both are coherent with ($D_1 + D_3$).

In what follows I would like to examine the implications that the idea of a right to life may have for the issues of assisted suicide and euthanasia (hereafter I will consider only D_1 , assuming that there are no conflicts between D_1 and D_3 , or, if there are, they can be solved). In order to do this, we have to go back to Feinberg and his argument of *the alienability* of the right to life. According to Feinberg we usually think that a right is alienable if the holder can (not in an empirical but in a normative sense) resign it; if not, we characterize the right as an *inalienable right*.⁽²⁾ The interesting point is that it is not always clear, when people discuss about euthanasia or assisted suicide, if the alienability (or the inalienability) in question concerns *life* or *the right to life*.⁽³⁾ These are two different questions: if *life* is alienable, I am allowed to kill myself, but other people are not allowed to do it; if *the right to life* is alienable (under particular circumstances), others are allowed (if the particular circumstances occur and I alienate the right effectively and correctly) to kill me. In the same way, if life is not alienable, I am not allowed to kill myself; if the right to life is not alienable, others are not allowed to kill me.

From these considerations we can begin to see the feature that generates conceptual discontinuity between assisted suicide and euthanasia: if the alienability of the right to life is a different issue from the alienability of life, then euthanasia must be distinguished from suicide, being the former a matter of alienability of the right to life, and the latter a matter of the alienability of life. However, to completely identify this feature we have to address Wesley Hohfeld's analysis on legal concepts and consider the issues of the alienability of life and the alienability of the right to life using his terminology.⁽⁴⁾

3. Hohfeld and fundamental legal concepts

According to Wesley Hohfeld, for a proper representation of the legal space, it is enough to use eight concepts: right (or claim), privilege (or liberty), power, immunity, duty, no-right, liability,⁽⁵⁾ inability. Among these concepts there are relations of *correlation* (which reproduce the legal relation between two subjects)⁽⁶⁾ and *opposition* (which are merely semantic). The following table shows these relationships.

	1	2	3	4
<i>Types</i>	Claim-Right	Privilege (liberty)	Power	Immunity
<i>Correlatives</i>	Duty	No-right	Liability	Disability
<i>Opposites</i>	No-right	Duty	Disability	Liability

According to Hohfeld, the concepts inserted into the row 'types' express, four different types of legal advantage that are usually summarised under the generic expression *right*; using them in an appropriate way (i.e., respecting the logical relations of correlation and opposition existing among them), we can achieve an analytical purification that, according to Hohfeld, will allow us to avoid terminological confusions in the realm of

legal language. In what follows we will analyse these concepts and their respective relations of correlation and opposition (numbers correspond to the columns of the table).

1) Rights in the strict sense are *claims* against other people concerning some actions or some states of affairs. Having a claim-right means that others have a correlative duty. So,

If Adam has a claim-right that Barbara do x, Barbara has a duty to make x.

Example: if Adam has a claim-right to have money from Barbara, Barbara has a duty to give money to him.

If Adam has a claim-right to x, any other people have a correlative duty towards Adam on x.

Example: if Adam has a claim-right not to be killed, any other people have the duty not to kill Barbara.

Hohfeld defines *no-right* the absence of a claim-right: therefore no-right is, the opposite of a claim-right. In this category, we can distinguish *positive* rights (which impose positive actions upon the other party, as, for example, the right of citizens to be protected from violence by the State) and *negative* rights (which demand only non-interference, as the right not to be assaulted), or rights *in personam* (which are held against a specific person or group), and rights *in rem* (which are held against people at large).

2) Privileges are *liberties*. If I have a *liberty-right*, I have no constraint set up by other people's rights. So,

If Barbara has a liberty-right towards Adam not to do x, Adam has a *no-right* that Barbara does x.

Example: if Barbara has a liberty-right not to give money to Adam, Adam does not have any right to have money from her.

If Barbara has a liberty-right to do x, any other people do not have any right that Barbara does not do x.

Example: if Barbara has a liberty to kill any other people, none has any right that Barbara does not kill them.

However, as we have seen at 1, if there is a *claim-right*, Barbara *has* a duty to give money to Adam and *has* a duty not to kill anybody. Moreover, as the table above shows, the opposite of a claim-right is a no-right and the opposite of a liberty-right is a duty. So, it is not true that liberty-rights require correlative duties: if I have a liberty-right to do something, it does not follow that other people have a duty not to prevent me from doing it. Duty is *the opposite* of liberty, not its correlative (which is no-right). Therefore, if a soccer player has the liberty to score a goal, it does *not* follow that the players of the opponent team have a duty to allow him to do it; rather, they have an analogous liberty

to prevent him from scoring, respecting the rules of the game (not, for example, tripping up).(7)

Confusion arises because people usually hold *liberty-rights* within a context of *claim-rights*; the latter, as Hart famously said, constitute the “protective perimeter” of the formers (this is the reason why Hart speaks of *vested liberties*).(8) Therefore, in the example above, the liberty of the player to score a goal is protected by a perimeter of *claim-rights* that prohibits other people to prevent him in not prescribed ways to score. This coexistence of *claim-rights* and *liberty-rights* is not necessary from a pure logical point of view, because we can imagine situations where there are liberties without any protection provided by *claim-rights* (in this case Hart speaks of *naked liberties*).(9) Take, for example, the Hobbesian state of nature: all liberties are naked, because no duty to others exists (neither, obviously, some correlative *claim-right*), and people have the liberty to do all what they judge useful for the preservation of their life, and resources (and others’ bodies too) belong to those that can get them, and for so long as they can keep them.(10) The conceptual separation between *liberty-rights* and *claim-rights* can be illustrated more clearly by making reference to freedom of expression: it is a *liberty-right* insofar as it attributes the liberty to express his or her ideas to his/her holder; it is, instead, a *claim-right* insofar as it states what others have the duty to do or not to do towards him or her (for example, not to gag him or her, not to do noise while he or she speaks, to allow him or her to have access to the media etc). As Jones says, we can affirm that “from the perspective of the right-holder, liberty-rights are ‘active’ in that they concern what the right-holder is himself entitled to do or not to do, [...] claim-rights are ‘passive’ in that they concern what *others* are obliged to do or not to do in respect of the right-holder”.(11)

3) Power is the legal ability to change a legal relation. From this point of view,

If Adam has a power to force Barbara to change from legal relation r_1 to legal relation r_2 , Barbara is subjected to that change.

Example: if Adam has a power to exempt Barbara from the duty to give him money, Barbara is subjected to this power of exemption held by Adam \square if Adam exercises it, Barbara has no duty to give money to Adam anymore, and Adam has no claim-right to Barbara’s money anymore.

If Adam has a power to force any other people to change from legal relation r_1 to legal relation r_2 concerning x , everyone are subjected to this change to r_2 concerning x .

Example: if Adam has the power to extinguish his right not to be killed, any other people are subjected to this extinction \square if Adam exercises it, he has no claim-right not to be killed anymore and any other people have no correlative duty not to kill him anymore.

In the Hohfeldian scheme, therefore liability is correlative of power. Lack of power constitutes disability, which is opposite of power.

4) Immunity is not being subjected to another's power to change a legal relation. So,

If Barbara has an immunity concerning the Adam's power to change from legal relation r_1 to legal relation r_2 , Adam has the disability to change from r_1 to r_2 .

Example: if Barbara has an immunity from Adam concerning her claim-right of having money, Adam does not have the power to deprive Barbara of this right \square Barbara continues to have the right to receive money and Adam the duty to give money to her.

If Barbara has an immunity concerning legal relation r_1 , any other people do not have the power to oblige Barbara to change to r_2 .

Example: if Barbara has an immunity about the extinction of the claim-right not to be killed, any other people have the power to extinguish it \square Barbara continues to have the right not to be killed and any other people their correlative duties.

Therefore the correlative of immunity is disability. On the contrary, if Adam has this ability, then Barbara is subjected to Adam's power; therefore, being subjected to someone is the opposite of immunity. Examples of *immunity-rights* are civil rights (freedom of expression, press, religion etc.) normally protected in liberal democracies from the interference of political power. However, we have to distinguish between *immunity-rights* and *liberty-rights*: having an immunity regarding x means that other people have no power over x , while having a liberty-right on x means that other people cannot advance any claim on x .[\(12\)](#)

Hohfeld's classification would deserve many considerations, but only two are interesting for us.[\(13\)](#) First, it should be clear that the Hohfeldian scheme is purely formal, so it works independently from the content of the single concepts constituting it, that is to say it works independently from what particular claims, liberties, powers, immunities, duties, no-rights, liabilities and disabilities are recognised by a legal system. Let us consider, for example, *claim-rights*: someone might believe that only civil and political rights are rights in a proper sense, while another might believe that "social rights" should be included in this category (the right to a job, to a pension, to free health care); and some other people think that group rights (right of self determination, for example) should be recognized. The Hohfeldian scheme is indifferent about these issues: in fact, it limits itself to assume that the acknowledgment of a right implies the imposition of a correlative duty, but it does not say anything about the problem of establishing *whether* such a right is morally justified. From Hohfeld we can gather, for example, that Andrew has the duty to give a job to Barbara if she has the right to have a job from Andrew, but we cannot deduce anything about the moral foundation of her right.

Secondly, it is virtually possible to extend (and it is, indeed, what I am doing in this paper) the Hohfeldian concepts from the legal to the moral sphere, insofar as these concepts would not simply serve to describe a series of actual legal relations, but, rather,

they would define the moral permissibility of the actions of individuals and the constraints posed on them by other individuals or the State.(14)

4. *Assisted suicide and euthanasia: a conceptual distinction*

Let us go back to the concept of the right to life and Feinberg's distinction between the renunciation of life and the renunciation of the right to life, and restate all this in the Hohfeldian terminology. To affirm that I have a *right to life*, i.e. I have a right not to be killed, is equivalent, by correlation, to affirm that other people have a *duty* not to kill me (that is, by opposition, they do not have the liberty to kill me). If my right to life is alienable, then I have *the power* to modify the relation that exists between me and other people, i.e. I have the power to resign my right not to be killed. In that case, if I exercise my power, other people, by correlation, are *subject* to my renunciation; moreover, I do *not* have the *right* not to be killed anymore and other people, again by correlation, do not have the duty not to kill me (that is, by opposition, they have the *freedom* to kill me). Vice versa, if my right to life is *not* alienable, I do not have the power to resign my right not to be killed: therefore, I still have my *right* not to be killed and other people, by correlation, have the *duty* not to kill me (that is, by opposition, they still do not have the liberty to kill me). Voluntary euthanasia is a case of renunciation of the right to life (indeed, I resign the right not to be killed), so it is permitted in circumstances in which this renunciation is allowed.

The case of renunciation of life is different. If my life is alienable, I have the *liberty* to renounce life, but *I do not have* the power to resign the right not to be killed; and other people, by correlation, do not have rights against my renunciation of life, even if they still have the duty not to kill me (that is, by opposition, they do not have the liberty to kill me). Vice versa, if my life is not alienable, then I do not have the liberty to renounce life, but, by opposition, I have the duty not to do it. (Assisted) suicide is a case of renunciation of life (I do not resign the right not to be killed), so it is allowed in circumstances in which this renunciation is permitted.

At this point we can modify the preliminary definitions from which we started. Notice that we do this not because those definitions were wrong, but only because they did not identify the difference between assisted suicide and euthanasia that is instead essential for our aim. From the list of modified definitions that I am going to provide, the following difference would emerge.

1. Suicide = renunciation of life made without anybody's help.
2. Withdrawing life-sustaining treatment = renunciation of life made though renouncing some specific medical treatment.(15)
3. (Physician-)assisted suicide = renunciation of life made with somebody's help.
4. Euthanasia
 - 4.1 Voluntary = renunciation of the right to life.
 - 4.2 Non-voluntary = violation of the right to life in the interest of the victim, who is in the condition neither for renouncing it nor for not renouncing it.

- 4.3 Involuntary = violation of the right to life in the interest of the victim, who does not want to renounce it.
5. Murder = violation of the right to life against, or without considering, the interest of the victim.

The important difference existing between cases 1-3 on one hand and 4-5 on the other one is the following: cases 1-3 concern the liberty to renounce life, whereas cases 4-5 concern the power to renounce the right to life. Note that this is a conceptual difference and not a moral difference, although, as I will try to prove, this conceptual difference is important for the elaboration of a moral argument.

We omit 4.2, 4.3 and 5 (all they deal with *the violation* of the right to life), and we focus on cases 1-3 from one part and 4.1 from the other. At least two points are made clear by the conceptual difference above. First, suicide, withdrawing life-sustaining treatment and assisted suicide are on the same side of the dividing line that we traced; therefore, the possible permissibility of one of these, at least *prima facie*, would involve the permissibility of the other two. From this point of view, admitting the permissibility of suicide (without any other argument) implies to admit also the permissibility of assisted suicide. Second, assisted suicide and euthanasia are not on the same side of the line; therefore the possible permissibility of one of them does not have consequences for the permissibility of the other. Admitting the permissibility of assisted suicide does not force us to admit the permissibility of voluntary euthanasia as a logical consequence; then, you can argue that voluntary euthanasia should be permitted only using *a different* argument from that you would have possibly used in order to admit the permissibility of assisted suicide.⁽¹⁶⁾ The same applies to withdrawing life-sustaining treatment.

People thinking euthanasia should be permitted and recognized by law will find this a discouraging outcome. To put euthanasia on the same side of suicide seems to confer normative force to euthanasia, since we usually think that nothing is morally wrong in suicide *itself* (although there are certain situations in which it should be considered morally wrong, for example if we have an obligation or responsibility for someone); it is not without reason, it seems to me, that we usually reserve *mercy*, not blame, to the suicides. From this point of view, then, separating suicide and euthanasia seems to be, at best, a way for ‘saving’ assisted suicide and renouncing the fight for the more difficult battle in favour of euthanasia. But it could also introduce an argument to distinguish between suicide *tout court* and assisted suicide, excluding therefore also assisted suicide from the list of legitimate practices after having previously discarded euthanasia. For example, it could be objected that suicide is lawful, but *the attendance* to suicide is not. Therefore, when the physician supplies the patient with the lethal pill, it could be asserted that the patient is allowed to take the pill, but that the physician is not allowed to give it to him.

I do not want to insist on this point, but I think it is possible here to suggest a couple of shortcomings. In the first place, it is not clear why, *if* suicide is not morally wrong (at least under some specific conditions), to help someone to do it (at least under some specific conditions) should be morally wrong. Second, the physician participating in the killing plan is not the causal factor of the patient’s death, but he/she is only part of the

causal process that brings about the patient's renunciation of life, like the producer of the lethal pill or the supplier that brought it into the hospital (if nobody had produced the pill or had transported it into the hospital, the patient's renunciation of life would not have been possible, at least with these modalities).

Obviously, this does not exhaust the argument in favour of assisted suicide; I do not deny, of course, that other arguments are available to people who want to contrast this practice.⁽¹⁷⁾ However, my aim here was to focus on the separation between the issue of assisted suicide and the issue of euthanasia.

5. Conclusions

In this paper I have tried to show that there is an important conceptual difference between assisted suicide and euthanasia. This means that the justification (or the refusal) of the former does not imply the justification (or the refusal) of the latter. From this point of view, therefore, the problem of the permissibility of assisted suicide is a different conceptual and normative problem from the one of the permissibility of euthanasia. In this paper I was not arguing for or against assisted suicide and euthanasia. Rather I was trying to offer a possible (and, I hope, original) guideline useful to explore a very controversial topic.

Note

⁽¹⁾ Joel Feinberg, *Voluntary Euthanasia and the Inalienable Right to Life*, «Philosophy and Public Affairs», 7 (1978), 2, pp. 93-123, 94.

⁽²⁾ Feinberg, *Voluntary Euthanasia and the Inalienable Right to Life* cit., pp. 112-4.

⁽³⁾ Feinberg, *Voluntary Euthanasia and the Inalienable Right to Life* cit., pp. 114-5. Following raws make explicit and partially restate Feinberg's reasoning.

⁽⁴⁾ Hereafter, I will use 'renunciation' instead of alienability, being alienability an option open to the agent and renunciation the realization of this option.

⁽⁵⁾ Wesley N. Hohfeld, *Some Fundamental Legal Conceptions as Applied in Legal Reasoning. I*, «Yale Law Journal», 23 (1913), 1, pp. 16-59, edited by W. Cook in Id., *Fundamental Legal Conceptions as Applied in Legal Reasoning and other Legal Essays*, New Haven, Yale University Press, 1923, pp. 3-64. See also Wesley N. Hohfeld, *Fundamental Legal Conceptions as Applied in Legal Reasoning. II*, «Yale Law Journal», 26 (1917), 8, pp. 710-70, edited by W. Cook in Id., *Fundamental Legal Conceptions as Applied in Legal Reasoning and other Legal Essays*, cit., pp. 65-114.

⁽⁶⁾ The Hohfeldian scheme states that every jural position is necessarily relational and this relation is necessarily dual.

⁽⁷⁾ Peter Jones, *Rights*, Basingstoke, MacMillan, 1994, pp. 19-20.

⁽⁸⁾ Herbert L.A. Hart, *Essays on Bentham*, Oxford, Clarendon Press, 1982, pp. 171-3.

⁽⁹⁾ *Ibidem*.

- (10) Thomas Hobbes, *Leviathan, or the Matter, Form and Power of a Commonwealth Ecclesiasticall and Civill*, edited by C.B. Mac Pherson, Harmondsworth, 1968. Notice that Hobbes says ‘right of nature’ to indicate an Hohfeldian liberty and not a claim-right.
- (11) Jones, *Rights*, cit., p. 21.
- (12) I assume it is clear that a distinction exists between concepts of columns 1 and 2 and 3 and 4. This distinction depends on the fact that power and immunity (and their correlatives) describe *procedural* or *second-order relations*, that is they state whether it is (legally) possible or not to change *first-order relations* (as those identified by claim-rights and liberty-rights, and their correlatives) and/or other second-order relations.
- (13) The most recent and systematic analysis of the Hohfeldian scheme can be found in Matthew H. Kramer, ‘Rights Without Trimmings’, in Id. e altri, *A Debate over Rights*, Oxford, Clarendon Press, 1998, pp. 7-111, 7-60.
- (14) See, for example, David Miller *Social Justice*, Oxford, Clarendon Press, 1976, pp. 52-82 and Hillel Steiner, *An Essay on Rights*, Oxford, Blackwell, 1994, pp. 59-108. A discussion of this problem can be found also in Jones, *Rights*, cit., pp. 12-25.
- (15) This is true assuming that the right to life is $(D_1 + D_3)$. Instead, if we define the right to life $(D_1 + D_2)$, withdrawing life-sustaining treatment would be a case of renunciation of the right to life.
- (16) From now, without any other specification, I will use ‘euthanasia’, but I will refer to ‘voluntary euthanasia’.
- (17) These are basically consequentialist objections regarding the negative effects that the permissibility of assisted suicide might cause.