I’m a Hazard to Myself: on justifiable limits (if any) on what I may do to my own body

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Extended abstract:
Should I be allowed to do whatever I want to do to my own body? Should I be allowed to mutilate my own body, for example, amputate my healthy left arm, because I do not like it? Or maybe get my breast or lips enlarged to a great extend because I believe it would make my prettier? If these acts are autonomously chosen and my beliefs about the goals behind the acts are not forced or manipulated, then why not? Isn’t it the case that our autonomous behaviour ought only to be limited by the concerns of the wellbeing of other people or are there actually justifiable limits on what I may do to my own body?

If there are no limits on what I may do to my own body, I may bring havoc to my own wellbeing and/or future autonomy. Therefore, it is at least relevant to explore whether such limits are justifiable and, if they are, what the nature of these limits is. One way of addressing this question is to focus on whether I have duties to myself with respect to what I may or may not do to my own body. Victor Tadros has recently proposed a novel theory of the contents of self-regarding duties, where his basic idea is that self-regarding duties emanates from autonomy, wellbeing and the sacredness of our bodies and lives. At least three principles for justifiable limits on what one may do to one’s own body spring from this theory. The three principles are:

1) The Autonomy-principle: You should never erode or destroy your own autonomy

2) The Wellbeing-principle: You should never harm yourself for a lesser good unless the goal behind the act is of great significance to you or the harms are trivial

3) The Respect-principle: You should always treat your life and body with respect

It is an open question to what extent the duties are enforceable by others (especially by the state). In spite of an act being morally wrong in the sense of violating a self-regarding duty, the act may nonetheless not be enforceable by others. Indeed, Kant and others have taken self-regarding duties to be characterized by them not being enforceable. As indicated by the types of questions I asked

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1 Tadros, 2011
2 Tadros, 2011: 34
3 Tadros, 2011: 37
4 Tadros, 2011: 38-43
above I am especially interested in scrutinizing potential limits regarding what we may do to our own body. This focus may bring up some special issues concerning self-ownership and autonomy, which might limit the extent to which it is permissible to enforce self-regarding duties.

To explore the question of enforceability I am going to address two theses (actually undertaking the investigation of these theses is something that I have yet to do):

**Self-ownership versus future autonomy:** In the case of an autonomous self-harming act, a consideration of self-ownership might imply that others are not allowed to make decisions regarding a person’s body and what this person does to it. A person’s self-ownership may be seen to imply that she has right to be free from unwanted bodily incursions. Hence other cannot enforce self-regarding duties that this person may have. She has a right to do wrong.

However, if self-ownership are important because of autonomy, there might be problems of letting people do whatever they want with their bodies, because respecting self-ownership are not always consistent with promoting autonomy. Sometimes restrictions on self-ownership may be the best way to preserve what really matters—living an autonomous life.

Enforcing self-regarding duties with the purpose of promoting people’s autonomy may sometimes be permissible perhaps even mandatory.

**The nature and significance of the goal behind a person’s self-regarding act:** Maybe the limits of the enforceability of self-regarding duties are determined by the significance of the act from the perspective of the ultimate goals and values of the person who perform it. The distinction between

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5 Maybe there are special moral arguments of respecting self-ownership when we are considering cases of bodily harm compared to cases of ownership of external resources (see Lippert-Rasmussen, 2008: 88-89, The Asymmetry Thesis).

6 See for example Lippert-Rasmussen, Against Self-Ownership: There Are No Fact-Insensitive Ownership Rights own One’s Body, 2008: 109: “... it is possible to imagine worlds in which forced donations of one’s organs need in no way undermine one’s ability to control one’s life. We can even imagine possible ... worlds in which people’s bodies are such that they have no ability to control their life and in which the forced donation of most of a person’s body will actually enhance his autonomy.” Lippert-Rasmussen gives an example where people are born with huge bodies with 200 arms and legs, and where they are only able on controlling 1 % of their bodies. His basic idea is, that forcing donation of 99 % of these people’s bodies (so that they would end up with “normal” human bodies), would enhancing their autonomy because then they would be able to control their whole bodies. In regards of preventing people from harming their bodies in ways, that might jeopardize their autonomy, the same argument could apply. Saying that if people wants to harm their bodies (for example amputate both their healthy arms) it might undermine their autonomy in ways that justify a restriction on self-ownership.

7 This is in line with Lippert-Rasmussen, 2008: 109, where he writes: “It might be objected that in very special cases, in which people’s plans concern their own bodies, a person will plan, not merely to have a body of a certain sort, but to make his or hers body a body of a certain sort. Although it might be true that the absence of self-ownership prevents people from realizing such plans, it does not prevent them from controlling and planning their lives in general, and this is what matters.”
the self-regarding actions that we should not interfere with and those we should interfere with may not be determined by the content of the act in question, but by the reasons behind the act and how close the act are connected to people’s rational life plans. A person’s basic or fundamental freedoms may not be interfered with even if their exercise would mean that self-regarding duties are violated. Non-fundamental freedom may, in contrast, be interfered with on these grounds. For example, some controversial choices such as the amputation of healthy limbs may be closely connected to a person’s rational life plan, and therefore, the person’s life would be of much lesser value if he or she were not allowed to do so. Imagine a person, whose life revolves around the ambition of becoming a brilliant pianist. Say he is in an accident and the circumstances are such that the rescue team can either save him by cutting off his two fingers or both his legs. The pianist prefers the latter. Intuitively, most people would choose to save their legs, but for the piano player it might be a great loss of value to his life if he was not able to continue playing the piano, and therefore he prefers that his legs be cut off. Even though the man might violate a self-regarding duty by cutting off his legs, it would be a too restricting intervention in the man’s rational life plan to enforce it, and therefore, the duty is not enforceable by others.

Applying the theory
Dependent on what the conclusion of enforceability is, this might suggest another avenue through which we can intervene in people’s behaviour for their own benefit. At the end of the paper, I want to apply my findings to different kinds of bodily self-harming behaviour (cutting, amputation of healthy limbs, smoking and cosmetic surgery). I want to explore what kinds of state policies there could be justified in regards of these different cases.

References:

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8 De Marneffe, 2006
9 This is in line with what Julian Savulescu proposes in his chapter Autonomy, the Good Life, and Controversial Choices, in The Blackwell Guide to Medical Ethics edited by Rhodes R, Francis LP and Silvers A, 2007. Savulescu defends a position where if the controversial choice is an expression of critical evaluation and competent decision-making, plus there is a plausible reason behind, then the choice – even if it is a destructive and harmful one – can be the essence of that person’s good and self-constructed life.
10 The example is inspired by the case of the piano player in Jospeh Raz, The Morality of Freedom, 1986: 153
