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2582-6433 is an Online Journal is Monthly, Peer Review, Academic Journal, Published online, that seeks to provide an interactive platform for the publication of Short Articles, Long Articles, Book Review, Case Comments, Research Papers, Essay in the field of Law & Multidisciplinary issue. Our aim is to upgrade the level of interaction and discourse about contemporary issues of law. We are eager to become a highly cited academic publication, through quality contributions from students, academics, professionals from the industry, the bar and the bench. INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS ISSN 2582-6433 welcomes contributions from all legal branches, as long as the work is original, unpublished and is in consonance with the submission guidelines.

# Is it Ethically Normal to kill someone while protecting Personal Life ?

Authored by - Tanmay Anant

According to Kantian ethics, taking human life has always been immoral. Kant believed that every human life should be respected and that no one should ever be murdered at any cause, regardless of whether another person is putting one's life in danger. Nevertheless, some individuals advocate that the preservation of innocence requires the slaughter of someone. Depending on that, this viewpoint supposition: Individuals have an ethical duty to defend all innocent life, such as their own lives. This reasoning seems reasonable at first glance. However, if we look at it in detail, it is evident that it causes violence. To put it another way, the primary objection to this claim is that once the human killing is permitted, violence tends to produce greater violence.

The moral cruelty of executing an individual and causing harm is engraved in a particular person's moral grounds' having strict moral obligations against these particular acts. If harming someone is at least subsequently allowed, a proper explanation of its proportion and rationality must be provided.

**Bentham** once opined, "*This particular prerogative of defence is entirely indispensable. The cautiousness of the Magistrates is not enough to pay for the activity of every individual on their grounds. The legitimate section can never bind awful beings effectively as the fear of the aggregate to a particular being resistance. If we withdraw this benefit and are an associate of every individual who has executed awful deeds.*"

Ondich, J. (2018, April 23). *Jeremy Bentham*. Words of Wisdom Intro to Philosophy. Retrieved November 20, 2022, from <https://mlpp.pressbooks.pub/introphil/chapter/jeremy-bentham-hedonic-calculus/>

"Justifiable homicide", you cannot abide murder, it states that it will try one's hardest "to push you off the cliff, to the apogee where, if you want to protect yourself shoot-kill-escape will help, it is fundamental, you will find this as a loophole to state is as your right

The legitimate case on self-defence will establish that homicide in the situation of

"Apprehension from homicide" is allowed.

Then too, exists a little debate on why and how we can execute for ourselves or another, not talking about the circumstances that can be avoided.

"Explanation provided by Thomson and Uniacke of why a person can kill in self-defence."

They elaborate that "Reasons of persisting rights" explain why you can kill someone by describing how other threats meet the ambit of the "Right condition", too, for example.

A tornado is approaching the sufferer's town, hurling towards it, safe oneself only way is to vaporize it -kill it;

the only existing escape for him is to land on the sufferer safely to continue its wrath. The only option left with the defender is to kill him.

They argue that if we are under threat or someone is posing harm to us, it is not complete until the threat meets the "Right's condition. "It is vital to see that threat is ethically responsible for the situation where you landed.

*Discussion in defense of permissible killing - JSTOR.* (n.d.). Retrieved November 20, 2022, from <https://www.jstor.org/stable/3505214>

It establishes it is foothold if we are stuck in a situation where we are under threat; there is a possibility that we can cause harm to a random being,

for example, if we are hurled in the air by a tornado to save the victim by reflex action, we put a weak, thin guy, a passerby, in it to deflect it;

doing so will end him but not our cause; this establishes a death of an innocent used as a human shield. Was it imperative?

Rights do not imply we can kill an innocent to save oneself or another right does not provide proper reasoning for us to exercise self-defence."

Sometimes RIGHTS provides a few cases where a death is caused in self-defence to save someone's life that cannot be explained, like during Planned Bombing: Bomber combats for

the right side that exists in his opinion. He bombs a weaponry area to save his people, but they cannot target bombs exactly where they are targeted, and while dealing with it, bombs kill civilians too; they fight back and again, he kills.

"Thomson" thinks that both sides, bombers and civilians have the Right to save themselves and not be killed if they act permissibly, so according to "Thompson", "Rights are not the absolute theory justified for your actions in self-defence."

Although bombing and other cases may vary as emergencies can change considering the well-being of many in reference with one to maintain the balance."

In cases with no emergency, causing death is the only way to save oneself.

"RIGHTS act as Thomson's complete theory of why you can cause death in self-defence."<sup>e1</sup>

Nevertheless, still, it is not able to provide a justifiable reason for using a person as a "human shield", giving multiple reasons why you cannot, as he also had a right to live.

"Ironically, you can be killed like a helpless man trapped in the wind. Thomson and Uniacke believe we can kill this individual because he will cause harm if we fail to protect ourselves, violating our Right to life, which results in our being deprived of our own. As it does not disrupt our Rights, we cannot kill him.

Thomson and Uniacke's said, "RIGHTS that are granted should be lived, he says, but culpability is a necessity for a right to be violated. It can be justified that the "Murderer is culpable" for the unreasonable harm to your being or another, violating your rights.

Therefore, no defence is granted to be saved and not be killed, so our human shield cannot fall in this ambit, and they are not culpable for the proceeding threat. Hence it cannot be treated as a defence."

The idea of minuscule destruction and loss about a significant catastrophe is always favourable, no matter how it will still be safer.

To kill a person to save a life is not denied if the proportion is maintained, as it is impossible to let a being suffer under an attack. At the same time, we are merely a sector in that show, like army veterans do to protect the people they engage in war, and if they let that hostile life, it will kill not only him but other people too.

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<sup>1</sup> staff, K. G. (2011, March 5). *Our turn co lumn: Is it ever ethical t0 kill one persOn to save thousands?* mlive. Retrieved October 7, 2022, from <https://www.mlive.c0m> /opinion/kalamazoo

"Martyrdom" is the only other situation where it is ethical. If we are sacrificing oneself to save others, then that it cannot be denied, but sometimes there are people who defend that killing a person to save an innocent is indeed correct based on assuming that people do have an obligation or a "Right to protect an innocent or themselves against any deadly harm. This theory may seem reasonable at first, but after examination, it promotes violence, undermining the expected cause.

"As violence tends to breed more violence", and if it is allowed, it cannot be imagined how catastrophic it may be even in defence of the innocent creating a never-ending loop.

It takes place in reference to religion and war; to save someone's life, as mentioned, proportion, restrictions and cause and effect are needed. An innocent life must be saved if a defence granted must be used in accordance with the prevailing law to avoid violence promoting violence; a proper balance needs to exist in the question of saving a life. It cannot be granted as a right but as a duty to avoid more significant harm to protect and preserve, not to violate and disturb, for a reasonable person in a proper manner, correct proportion, and without malice Intentions, it cannot be denied either legally not ethically.

To conclude, many situations may exist, but they have different aspects attached to them. Both of these can lead to morality that prohibits the taking of life or one that is promoted as a necessity to save a person from more significant harm.

"The theory of minuscule catastrophe and loss as compared to a mass movement and a more prominent cause of disappointment will be considered a valid rationale. Not considering the path in accordance to which it is acted upon, adverse reactions and debates will always follow this peculiar quandary.

Every individual carries his ethical rights and has a right to be defended against his violation. Nevertheless, it does not establish that they can kill others while exercising it without maintaining proper equilibrium.

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<sup>2</sup> Iafor. (2022, October 3). *The IAFOR Journal of Ethics, religion & philosophy*. The International Academic Forum (IAFOR). Retrieved October 7, 2022, from <https://iafor.org/journal/iafor-journal-of-ethics-religion-and-philosophy/>