

Does a right to assisted death entail a responsibility on others to kill?

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IN THE passionate argument about euthanasia and the law, the thing most immediate to many — perhaps most — people's minds is the extreme nature of the human suffering for which euthanasia is claimed as the best and most compassionate solution. This is not unfamiliar territory for those who oppose euthanasia on religious grounds. The continuing and costly investment of many religious bodies in palliative care, as well as the day-to-day experience of the priest or pastor alongside the dying, means that they know as well as anyone what sort of circumstances are being discussed.

Yet there are other factors at work in this argument. Ten years ago, an American court ruled that a terminally-ill adult possessed a "constitutionally guaranteed right" to receive medical assistance in ending his life. Interestingly, the court cited discussion about the abortion debate in support, treating the question of assisted dying as a similar example of decisions affecting "personal dignity and autonomy" which the law should make possible.

The ruling was overturned finally, but the language was revealing. Religious opposition to the possibility of medically assisted dying is often seen simply as blind adherence to an absolute prohibition on killing, insensitive to the obvious requirements of compassion. In this connection, though, religious opposition appears also as deaf to the appeal to a basic right, the freedom to enjoy the maximum control over your circumstances.

Thinking about the issue in relation to arguments over rights may help us to see more clearly some of the pitfalls. Do I have a right to die? Religious believers answer for themselves that they do not. For a believer to say: "The time could come when I find myself in a situation that has no meaning, and I reserve the right to end my life in such a situation," would be to say that there is some aspect of human life where God cannot break through. It would be to say that when I as an individual can no longer give meaning to my life, it has no value, and human dignity is best served by ending it.

That would be in the eyes of most traditional believers, Christian or otherwise, an admission that faith had failed. It would imply that life at a certain level of suffering or incapacity could no longer be lived in relation to God.

Now it is obviously true that for someone who does not share any such belief there is bound to be a different set of values at work. Why should religious people seek to impose their views by holding back a change in the law that respects a significant right and takes wholly seriously the gravity of suffering that cannot be remedied or alleviated?

Apart from the obvious answer that no one is seeking to impose anything, simply to persuade legislators in a continuing debate, there is a serious point to register here that does not

concern religious believers alone. The religious attitude I have described is a much sharpened acknowledgement of something that everyone, religious or not, needs to reflect about, but which is badly obscured by the language of individual "rights".

What anyone's life means is not exclusively his own affair. He lives in relation — to others and to a society. At the simplest level, what often most shocks and grieves people who have been close to a suicide is the feeling that someone who has killed himself did not know what he really meant to his friends or family, did not know that he was loved and valued. And even when someone who contemplates suicide is confident that he has no friends or family to hurt, we can hardly say that his life is without significance just because he says so; the society he lives in has a view about the worth of human life which cannot be mortgaged to how any individual feels.

This argument begins to bite in the present debate because assisted dying involves others in an act of suicide. Someone else has to accept your decision that prolonged life could have no meaning, and to act on that decision. We rightly talk a good deal about the dangers of the elderly and dying being pressurised by relatives or hospitals to take a quick way out that is convenient for others. What about the pressure a sick person who is determined to die places on those around them?

Rights create responsibilities, we often like to say. Does the recognition of a legal right to assisted dying entail a responsibility on others to kill? This is not an academic question. What legal implications could arise about the deliberate frustration of someone's legally secured rights, if relatives or physicians refused to act? And even if it were a matter of complete consent between patient, family and physicians, we should have given legal sanction to the assumption that the meaning of a life is no more than what an individual or a group of individuals decides to give it — an assumption that has wide repercussions for law and culture. The appeal to our sense of compassion in order to justify a change in our legal practice is wholly understandable; but could it end up undermining just that broad sense of unconditional human worth and value in which compassion itself is grounded?

Euthanasia is best defined as the initiating of a process whose explicit primary aim is to end life. It is not the same as continuing a medical process whose long-term effect may reduce the span of life, nor is it the same as embarking on a treatment that offers short-term relief at the cost of possibly accelerating overall decline. These are the commonplaces of palliative medicine. The right to be spared avoidable pain is beyond debate — as is the right to say yes or no to certain treatments in the knowledge of factors such as these. But once that has mutated into a right to expect assistance in dying, the responsibility of others is involved, as is the whole question of what society is saying about life and its possible meanings. Legislation ignores these issues to its cost.

