

MARCH 2016

**ASSISTED
SUICIDE**

**ANWAR
ODURO-KWARTENG
& MARIA O'CONNOR**



MOTION:

**“PHYSICIAN
ASSISTED SUICIDE
SHOULD BE
LEGALISED”**

ORGANISED BY

Institute of Ideas



ANGLO-ISRAEL ASSOCIATION

IN PARTNERSHIP WITH

הספרייה הלאומית
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CONTENTS

Introduction

Key terms

The Assisted Suicide debate in context

Essential reading

Backgrounders

Organisations

In the news

KEY TERMS

[ALS](#)

[Assisted Suicide](#)

[Autonomy](#)

[Euthanasia](#)

INTRODUCTION

1 of 6

NOTES

1 On 8 June 2014, MK Ofer Shelah proposed an addition to the ‘Law for the Terminally ill Patient: Death by Physician’s Prescription’, with The Ministerial Committee on Legislation approving the motion by eight votes to two – reigniting the debate about assisted physician suicide in Israel [Ref: [Ynet news](#)].

1 As well as this, the issue was brought to a head in 2015, when

2 the Tel Aviv District Court allowed a patient with terminal ALS to end his life, something which some argue “advanced the rights of an individual vis-a-vis his life and death, above and beyond the 2005 Dying Patient Law” [Ref: [Ha’aretz](#)]. For supporters of physician assisted suicide, the proposed legislation would put Israel at the forefront of “enlightened countries”, because:

4 “The bill respects the patient’s right of control over his body” [Ref: [Ynet news](#)] and allows them to maintain dignity in death.

5 Critics however suggest that legalising physician assisted suicide would lead to a decline in respect for the value of life, and the creation of a ‘slippery slope’ towards euthanasia as practised in countries such as Belgium. Opinion on this emotive subject is sharply polarised, with important moral questions of individual autonomy, dignity and choice, clashing with concerns about the wider societal consequences of formally involving the State and doctors in the suicide of individuals. Will legalising assisted suicide for the terminally ill mark the top of a slippery slope, and set a precedent with worrying consequences for us all? Or is it an enlightened and compassionate attempt to give choice to the dying, allowing them to end their lives with dignity and without pain? Should we legalise physician assisted suicide?

5

6

THE ASSISTED SUICIDE DEBATE IN CONTEXT

2 of 6

NOTES

What would a change in law mean?

As it stands, the current 2005 'Dying Patient Law' achieves a delicate balance of allowing a terminally ill patient a degree of autonomy, whilst not permitting doctors to aid their death in any way [Ref: [The Dying Patient Law 2005](#)]. As a result of this ruling: "When a competent terminally ill patient does not want his life prolonged, his wish should be respected and his medical treatment withheld" [Ref: [The Dying Patient Law 2005](#)]. However, the law is clear that the aim is not to assist in the patient's death, and any action that could be seen as contributing directly and knowingly to their death is prohibited. The new assisted suicide bill proposes an extension to this - it would formally allow doctors to prescribe a lethal dose of anaesthesia to terminally ill patients who have less than 6 months to live, provided they have been an Israeli citizen for at least 5 years and are of sound mind [Ref: [Israel Hayom.com](#)]. This proposal marks a huge cultural and ethical shift, with supporters and critics debating what effect this could have on Israeli society.

Sanctity of life Vs dignity in death

Israel is not the only country to be considering a law on assisted suicide. Last year, the UK Parliament rejected proposals for a law very similar to that being discussed in Israel [Ref: [BBC News](#)], and at the end of 2015 the American State of California approved 'The End of Life Option Act' [Ref: [L.A Times](#)]. In all of these cases, much of the argument for physician assisted suicide focusses on choice, dignity and autonomy of the individual. And the majority of the proposed Israeli bill is based on the 'Death with dignity Act' in the American State of Oregon [Ref: [Oregon.Gov](#)], which

is often seen by advocates as a model of how legislation on this difficult issue can work. During the debate on the UK assisted suicide bill, supporter Desmond Tutu argued that a change in the law would not degrade the sanctity of human life, but instead, would recognise the right of individuals to have, "autonomy and dignity" in death [Ref: [Guardian](#)]. Furthermore, other advocates say that ultimately, it is about choice – giving those who want the option to end their lives when they are terminally ill, the ability to do so. Echoing these sentiments, Professor Avrianoam Reches concludes that, "there is no principle or belief that can coerce a person to continue to suffer without hope." [Ref: [Ha'aretz](#)] Others are critical of these claims however, asserting that to legalise assisted suicide would be to legitimate the idea that some lives are of less value than others. Academic Dr Kevin Yuill for instance compares the ethical implications of the death penalty with physician assisted suicide, and suggests that morally they are no different – both diminish the sanctity of life. He argues that: "If we are to place value on even the most wretched of human lives – an important marker of civilisation – neither the death penalty or assisted suicide can be justified." [Ref: [Independent](#)] In addition, Justin Welby Archbishop of Canterbury, questions whether assisted suicide is truly compassionate, arguing that instead of relieving people of suffering, compassion is actually, "a commitment to sharing in the suffering of others....(and) offering hope, even in the darkest of circumstances" [Ref: [The Times](#)]. These views are supported by one Jewish writer who notes that: "While advocates for physician assisted suicide argue that a life of pain and suffering is not worth living, our tradition teaches us that even the last few moments of life are of immeasurable worth." [Ref: [Jerusalem Post](#)] Some also worry about the role of doctors in the process of

THE ASSISTED SUICIDE DEBATE IN CONTEXT CONTINUED

3 of 6

NOTES

physician assisted suicide, with UK writer Melanie Phillips arguing that a change in the law would potentially, “turn doctors into executioners” [Ref: [The Times](#)].

A slippery slope?

Critic Melanie McDonagh maintains that physician assisted suicide proposals amount to, “an open door, waiting to be pushed open further” [Ref: [Spectator](#)], a worry that many opponents of any proposed law have. Some point to the recent law which legalises euthanasia for children in Belgium, 11 years after the same law was passed for adults [Ref: [Telegraph](#)] as evidence of where legislation in this area can eventually lead to. Others are anxious about the message it sends out to the disabled or mentally ill, with one campaigner outlining that in time, it could be used to justify the assisted suicide of other vulnerable groups [Ref: [Huffington Post](#)], because the new law suggests that: “Life that doesn’t meet certain conditions, is worthy of no respect at all” [Ref: [The Times](#)]. However, although supporters caution that: “Gradualism...is warranted” [Ref: [Economist](#)], they nonetheless disagree with the slippery slope arguments employed by critics. Professor Raymond Tallis cites the American state of Oregon which passed the Death With Dignity Act 17 years ago, and yet the proportion of overall deaths which are physician assisted has never been more than 0.25% [Ref: [Independent](#)], showing that the law hasn’t opened the ethical floodgates, but has offered those who wish to choose it, an option to end their lives on their own terms. Columnist Polly Toynbee, states that arguments about the uncertainty of where physician assisted suicide could lead are used inappropriately, because: “In the end, our bodies are our own, our lives are

our own, and it threatens no one else to shorten the time of our dying.” [Ref: [Guardian](#)] So, are critics right that legalising physician assisted suicide “brutalises society” [Ref: [The Times](#)], ultimately changing the way in which we view death and dying? Or would legalising physician assisted suicide be an expression of compassion and enlightenment, recognising the dignity and autonomy of the individual, because, “any meaningful right to life entails the right to choose how we die” [Ref: [Huffington Post](#)]?

ESSENTIAL READING

4 of 6

NOTES

[The Dying Patient Act, 2005: Israeli Innovative Legislation](#)

A.Steinberg & C.L.Sprung *Israel Medical Association* July 2007

[The Dying Patient Law 2005](#)

[Oregon Death with Dignity Act 1997](#)

Oregon.Gov

FOR

[Israelis must not stop fighting for physician-assisted suicide](#)

Avinoam Reches *Ha'aretz* 6 January 2015

[Easeful Death](#)

Economist 19 July 2014

[Believe in the sanctity of life? Then legalise the right to die](#)

Carol Midgley *The Times* 16 July 2014

[A dignified death is a right: I'm in favour of assisted dying](#)

Desmond Tutu *Guardian* 12 July 2014

AGAINST

[Assisted dying would turn doctors into executioners](#)

Kevin Yuill *Independent* 18 July 2014

[Lord Carey is wrong: assisted dying is anti-Christian](#)

Tim Stanley *Telegraph* 12 July 2014

[Assisted dying transforms doctors into killers](#)

Melanie Phillips *The Times* 7 July 2014

[Physician-assisted suicide and the struggle for the soul of the State of Israel](#)

Shimshon Hakohen Nadel *Jerusalem Post* 18 June 2014

BACKGROUNDERS

5 of 6

NOTES

[Guidelines issued for California's assisted suicide law](#)

Patrick McGreevy *L.A Times* 19 January 2016

[Assisted dying is an act of kindness we all might need](#)

Polly Toynbee *Guardian* 7 November 2014

[Falconer Bill: A step in the right direction](#)

Pavan Dhawali *Huffington Post* 18 July 2014

[5 reasons the Assisted dying Bill is long overdue](#)

Kieran Turner-Dave *Huffington Post* 17 July 2014

[Assisted dying: This Bill has so many flaws I don't know where to start](#)

Tanni Grey-Thompson *Telegraph* 17 July 2014

[Why we should allow assisted dying: compassion, safety and choice](#)

Raymond Tallis *Independent* 17 July 2014

[Give me the right to live, not die](#)

Simon Stevens *Huffington Post* 15 July 2014

[Helping people to die is not truly compassionate](#)

Justin Welby *The Times* 12 July 2014

[George Carey's thoughtless contribution to the assisted dying debate](#)

Melanie McDonagh *Spectator* 12 July 2014

[The State should not be the God of death](#)

Jon Holbrook *spiked* 3 July 2014

[Why I'm opposed to assisted suicide](#)

Matthew Parris *The Times* 1 August 2009

ORGANISATIONS

[Dignity in Dying](#)

[The World Federation of Right to Die Societies](#)

IN THE NEWS

6 of 6

NOTES

[Assisted Dying Bill: MP's reject 'right to die' law](#)

BBC News 11 September 2015

['Assisted dying Bill 'unethical and uncontrollable'](#)

BBC News 22 October 2014

[Physician-assisted-suicide' bill passes first hurdle](#)

Ynet News 6 August 2014

[Assisted dying Bill would lessen suffering says Lord Falconer](#)

BBC News 18 July 2014

[Ministers' decision on assisted suicide sparks storm](#)

Israel Hayom 9 June 2014

[Belgium to legalise euthanasia for children](#)

Telegraph 12 February 2014

[Knesset approves Passive Euthanasia Law](#)

Ynet News 12 July 2005

ADVICE FOR DEBATING MATTERS



FOR STUDENTS

READ EVERYTHING

In the Topic Guide and in the news - not just your side of the argument either.

STATISTICS ARE GOOD BUT.....

Your opponents will have their own too. They'll support your points but they aren't a substitute for them.

BE BOLD

Get straight to the point but don't rush into things: make sure you aren't falling back on earlier assertions because interpreting a debate too narrowly might show a lack of understanding or confidence.

DON'T BACK DOWN

Try to take your case to its logical conclusion before trying to seem 'balanced' - your ability to challenge fundamental principles will be rewarded - even if you personally disagree with your arguments.

DON'T PANIC

Never assume you've lost because every question is an opportunity to explain what you know. Don't try to answer every question but don't avoid the tough ones either.

FOR TEACHERS

Hoping to start a debating club? Looking for ways to give your debaters more experience? Debating Matters have a wide range of resources to help develop a culture of debate in your school and many more Topic Guides like this one to bring out the best in your students. For these and details of how to enter a team for the Debating Matters Competition visit our website, www.debatingmatters.com

FOR JUDGES

Judges are asked to consider whether students have been brave enough to address the difficult questions asked of them. Clever semantics might demonstrate an acrobatic mind but are also likely to hinder a serious discussion by changing the terms and parameters of the debate itself.

Whilst a team might demonstrate considerable knowledge and familiarity with the topic, evading difficult issues and failing to address the main substance of the debate misses the point of the competition. Judges are therefore encouraged to consider how far students have gone in defending their side of the motion, to what extent students have taken up the more challenging parts of the debate and how far the teams were able to respond to and challenge their opponents.

As one judge remarked *'These are not debates won simply by the rather technical rules of schools competitive debating. The challenge is to dig in to the real issues.'* This assessment seems to grasp the point and is worth bearing in mind when sitting on a judging panel.



**“A COMPLEX
WORLD REQUIRES
THE CAPACITY
TO MARSHALL
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AND ARGUMENTS”**

**LORD BOATENG, FORMER BRITISH HIGH
COMMISSIONER TO SOUTH AFRICA**