

Opinion | Canada is edging toward creating a right to suicide



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January 23, 2023 at 8:00 a.m. EST



(Chloe Cushman for The Washington Post)

Shortly after Robin Williams died by suicide on Aug. 11, 2014, the Academy of Motion Picture Arts and Sciences tweeted an image of [Aladdin tearfully hugging](#) Williams's character from the iconic Disney film. "Genie, you're free," read the caption. The tweet, as The Post's Caitlin Dewey [noted at the time](#), carried the "implication that suicide is somehow a liberating option" was promptly blasted by the American Foundation for Suicide Prevention, whose chief medical officer warned "suicide should never be presented as an option."

In Canada, however, consensus seems to be consolidating around a different conclusion: Suicide is, in fact, a liberating, acceptable option for whoever wants it.

[Medical assistance in dying \(MAID\)](#) is legal in Canada thanks to the country's mercurial judiciary, which has, over the years, slowly constructed a constitutional right for Canadians to die by suicide.

In 1972, Canada's laws criminalizing attempted suicide were quietly rescinded by Parliament, though the legislators' motivations were debated: Was Parliament saying suicide was not morally worthy of being a crime, or was the ban just too impractical to enforce? Evidence against the former was found in

the fact that prohibitions against encouraging or “aiding” a suicide [remained on the books](#), along with an explicit provision that no right existed to “[consent](#)” to one’s death at the hands of another.

In 1993, following a high-profile case involving a terminally ill woman who wished to obtain legal permission for a doctor-assisted death, the Supreme Court of Canada [ruled 5-4 in favor](#) of upholding these prohibitions, declaring that “seeking to control the manner and timing of one’s death constitutes a conscious choice of death over life” and a “right to life” is guaranteed by the Canadian constitution. “Parliament’s repeal of the offence of attempted suicide from the Criminal Code,” said the majority, “was not a recognition that suicide was to be accepted within Canadian society.”

In 2015, however, the court [reversed itself](#) in a unanimous decision, embracing the argument of the 1993 dissenters that the constitution’s right to life did not mandate a “duty to live” but instead “encompasses life, liberty and security of the person during the passage to death.” The court ordered Parliament to pass a new law, and Prime Minister Justin Trudeau’s Liberal majority obliged, crafting a narrow right to medically assisted death for Canadians in an “advanced state of irreversible decline” with “reasonable foreseeability of natural death.” The stipulations helped enshrine assisted suicide as a tool to expedite the “passage” to death, as the court described — not to instigate it unprovoked.

The rigidity of this permission structure, however, gave the Superior Court of Quebec pretext to overturn Trudeau’s legislation in 2019, [declaring](#) it unconstitutionally discriminatory to make the right to die conditional on having a fatal medical condition. Rather [than appeal the ruling](#), Trudeau’s government responded last year by watering down its legislation, making the right to pursue suicide broader. A Canadian is now entitled to a medically assisted death so long as they “have a serious and incurable illness, disease or disability” with symptoms “that cannot be relieved under conditions that they consider acceptable.” The Liberal government has promised that at some point, mental illness [will be officially folded into the definition](#) of “serious and incurable.”

To be sure, the amended [legislation](#) still outlines complex “safeguards” for permitting assisted death, including mandatory medical assessments, doctor sign-offs and the confirmation of an “independent witness.” And yet, in recent weeks the papers have nevertheless been filled with stories of what the first

year of Canada's new MAID regime has been like in practice: strikingly popular, with 10,064 [medically-assisted voluntary deaths](#) in 2021. As Alexander Raikin noted recently in a [well-reported essay](#) for the New Atlantis, California — with its own assisted suicide program and about the same population as Canada (nearly 40 million) — had only 486 such deaths in the same period. There's substantial evidence, Raikin wrote, that Canada's assisted dying regime — which he characterized as “the most permissive” in the world — is being amply used not just by people enduring physical suffering, but by the poor, lonely and outcast as a way of escaping the general hardship of their lives.

“10, 064.” How many of these people would have died soon regardless? 10, 063? Context!

Canada is a country whose political process no longer seems capable of discussing “social issues.” Politicians believe debates over heady moral questions are a turnoff to voters, while an imperious judiciary decrees policy prescriptions that are too strict and particular for Parliament ever to reverse, even if the politicians had the appetite to try.

Now that's rich, an American lecturing us on an activist “imperious” judiciary”!

Polls indicate the public tends to be [supportive](#) of medically assisted dying in the abstract, but more hesitant and divided [when it comes to the details](#) of implementing such a policy — whether the mentally ill should be eligible, for instance — and generally ignorant of the state of current rules.

In other words, the reasonable conclusion to draw is that ever-greater liberalization will likely continue, just because it's hardly obvious who would try to stop it. In a short time, Canada might well recognize suicide as a choice every person has an affirmative right to make for any reason, with the state assisting and never judging.

Amid [the world's increasingly lurid fascination](#) with Canada's MAID policies, other nations can do with this information what they wish. Canada has chosen to be a calibration point on one end of the spectrum.

<https://www.washingtonpost.com/opinions/2023/01/23/canada-edging-toward-right-to-suicide/>

Oh, for the chance to appear “moral,” “enlightened,” and “true to eternal verities!” In the MAiD debate it is our confusion and ignorance that is revealed far more than that of its recipients and practitioners. Of course, mistakes will be made, and by professionals who should know better—and had better be ‘tuned in’ quickly. I have “in fear and trembling” been with many in the throes of the “to be or not to be” decision. Who likes “assisted dying” any more than they like “abortion”? But in the end, with due consideration and safeguards, it is and must legally be—not my decision—but that of the individual what they do with their body, and their life. TJB

[“The world's increasingly lurid fascination with Canada's MAID policies” article is copied below.]

Canada's euthanasia regime is a cautionary tale for the UK

BY MARY HARRINGTON

UNHERD

Thursday, 8

December 2022



British MPs' enquiry into assisted dying is a dangerous move



Jennyfer Hatch opted for doctor-assisted suicide

Only months after the last effort to legalise euthanasia was halted in the House of Lords, MPs have announced a new enquiry into assisted dying, 'with a focus on the healthcare aspects'.

The enquiry proposes to explore issues such as quality of palliative care provision in the UK, the professional and ethical implications of permitting doctors to end someone's life, and what provisions could be put in place to prevent people being coerced into it.

But it should surely only be necessary to look across the Atlantic, to the horror stories now pouring out of Canada. Since 2016, this nation has by degrees rolled out the world's most permissive euthanasia regime, in which proposals are now being considered to extend the right to die to the mentally ill, and to so-called 'mature minors' — in other words, children.

In extreme terminal circumstances, as an absolute last resort, where the child will have to endure horrible pain, should the child & parents not have this option?

"horror stories now pouring out of Canada." Really?

Though this is often presented as a matter of individual dignity and autonomy, it's increasingly clear from the Canadian example that in practice it enables something far more squalid: austerity euthanasia. That is, a practice of **encouraging** expensive chronic or palliative care patients to remove themselves from healthcare spending entirely by ending their own lives.

"encouraging?"

1.

In Canada, a 2017 report framed this openly as an opportunity, breathlessly detailing the millions that could be saved in healthcare spending by enabling expensive patients to embrace the more cost-effective option of doctor-assisted suicide. Numerous cases have already been reported in which individuals have applied for medical assistance in dying, after an extended period of pleading with the country's health and welfare bureaucracy for help with disability or distress. The most stomach-churning of these is the latest twist to last week's story of the slick euthanasia advert I discussed previously, sponsored by a Canadian fashion retailer.

2.

Fools made & promoted this video, but they were trying to honour a lovely woman in a terrible situation making a tough choice. She made the video as much—or more—than them.

The subject of the glossy promo, Jennyfer Hatch, reportedly didn't really want to die. Far from this being an empowering tale about a free individual taking her end of life into her own hands, it has emerged that Hatch, who suffered from Ehlers-Danlos syndrome, gave an interview earlier this year where she described "falling through the cracks" of Canada's healthcare system. It appears she opted for doctor-assisted suicide after giving up hope of medical help with her illness.

Whatever she did or did not want—what she wished she could avoid—in the earlier interview, she was clear about what she wanted in the end. She couldn't be allowed to change her mind?

Rich liberal boomers with plenty of social capital, such as a recently retired fashion retailer CEO, may view euthanasia as a matter of individual freedom. Meanwhile, albeit more quietly, the kind of post-Christian spreadsheet sociopaths who gather in 'tough choices' discourse on the liberal Right may view it as a matter of cost savings. Indeed, the 2020 report from Ottawa that described assisted suicide as a 'boon' to organ donation, with those choosing doctor-assisted death saving on healthcare spending, may seem less horrific than magnificently efficient.

The Irony: MAiD equated with anti-vaxxers!

Nowhere in the article is assisted suicide termed a "boon" to organ donation.

The rest of us, though, should view these proposals for what they are: a slope so slippery, and ending in such a monstrous place, that we should swerve even the discussion about 'safeguards' and 'ethics' and simply treat Canada as a cautionary tale.

We've already seen a spike in cancer deaths after the pandemic-era call to 'save the NHS' by staying home. If you don't want British palliative care patients under pressure to save even more NHS by self-deleting, I urge you to make your views known to the Commons enquiry's public survey. It remains my hope that, despite the concealed wishes of government bean-counters, the British people are not yet willing to take this final step into barbarism.

<https://unherd.com/thepost/canadas-euthanasia-regime-is-a-cautionary-tale-for-the-uk/>

1. ... “In Canada, a 2017 report framed this openly as an opportunity, breathlessly detailing the millions that could be saved in healthcare spending ...”

Cost analysis of medical assistance in dying in Canada (CMAJ: Canadian Medical Association Journal) [Aaron J. Trachtenberg](#), MD DPhil and [Braden Manns](#), MD MSc

Departments of Medicine and Community Health Sciences, Cumming School of Medicine (Trachtenberg); O'Brien Institute of Public Health and Libin Institute for Cardiovascular Health (Trachtenberg, Manns); University of Calgary, Calgary, Alta.

“...We are not suggesting medical assistance in dying as a measure to cut costs. *At an individual level, neither patients nor physicians should consider costs when making the very personal decision to request, or provide, this intervention*” ... Our analysis suggests that the provision of medical assistance in dying in Canada will be cost neutral or result in a reduction in total health care costs, although the true effect on health care costs will not be certain until we determine who the typical Canadian patient requesting the intervention is and how its practice is implemented across the country. *Our study highlights the need to prospectively collect certain data to accurately measure the effect of this new policy on health care spending, namely the total number of patients, in addition to demographics, underlying diagnosis and estimated effect on life expectancy.* (italics added).

[Like it or not, such calculations will—even should—be made. It's routine.]

... The implementation of medical assistance in dying is a major event in Canadian history. Anticipating, measuring and responding to the broad range of effects that may result from this decision should be considered the responsibility of physicians, politicians and policy-makers alike.

[This is no “policy” document by anyone driving this “assisted dying” process. It's just a minor article in a medical journal.]

2. *Disturbing': Experts troubled by Canada's euthanasia laws*. Maria Cheng, 11 Aug 2022 APN News. Quoted by Ross Douthat, a contortionist conservative Catholic NYT columnist.

“Other jurisdictions, including several U.S. states, permit assisted suicide — in which patients take the lethal drug themselves, typically in a drink prescribed by a doctor ... In Canada, the two options are referred to as medical assistance in dying, though more than 99.9% of such deaths are euthanasia. There were more than 10,000 deaths by euthanasia last year, an increase of about a third from the previous year.

[Often, the terminally ill person is too weak and incapacitated to be Socrates dramatically downing his glass of hemlock. The drug that only a practitioner can administer is quicker, less distressing, and more certain. Insisting on calling this “euthanasia” betrays Maria's agenda.]

... Landry, Canada's human rights commissioner, said leaders should listen to the concerns of those facing hardships who believe euthanasia is their only option. She called for social and economic rights to be enshrined in Canadian law to ensure people can get adequate housing, health care and support.

“In an era where we recognize the right to die with dignity, we must do more to guarantee the right to live with dignity,” she said.

[In the meantime, till “social justice” is achieved? “Global cooling” will happen first. Get a grip!]

Tally up the dishonest inflammatory language (e.g. “the concealed wishes of government bean-counters ... this final step into barbarism...” all the clichés and tropes (e.g. “slippery slope,” “tip of the iceberg” (in the Maria Cheng article). This disgraces university-educated, self-defined “progressive thought leaders;” no wonder everyone else distrusts them. TJB