

Sunday: 5 B

The Supreme Court's Ruling on Assisted Suicide

Holy Rosary Cathedral

8 February 2015

Dear brothers in the priesthood and dear brothers and sisters in Christ:

Introduction: Supreme Court Decision on Assisted Suicide

February 6, 2015 was a sad, even tragic, day for our country. The Supreme Court of Canada erred grievously in stripping Canadians of the protection that the law has afforded them against assisted suicide. As Canadians, we are now confronted with the sobering fact that our nation's highest court has set itself up in direct opposition to the Law of God: "Thou shalt not kill." I don't believe we can exaggerate the gravity of the new situation in which we now find ourselves.

Among the consequences of this ruling is that the State is no longer concerned with protecting human life until its natural end; that the direct killing of another person who asks for it is acceptable; and that our nation's publicly-funded health care system is now the place for the deliberate killing of human beings.¹

Margaret Somerville, one of Canada's leading medical ethicists and the recipient of an honorary doctorate from our own St. Mark's College, said the ruling is "a disaster for Canada. . . . Canada has fallen

¹ Cf. Peter Stockland, "A Truly Bizarre Lapse," *The Cardus Daily* (7 February 2015).

over the edge of the abyss in legalizing the intentional infliction of death on our most vulnerable citizens – those who are old, frail, disabled, depressed, mentally, physically, or terminally ill.”

Moreover, she added, and I agree with her, “This is not an incremental change, but a seismic shift in one of our most important foundational values – respect for human life at both the individual and societal levels,” she said. “I believe that future generations will look back on this decision, in the light of its future consequences, as the most important, harmful and regrettable ethical, legal and public policy decisions of the 21st century.”²

The Decision

What exactly did the Supreme Court do? It rendered “the criminal prohibition invalid” for anyone – and not just doctors – to provide assistance in dying, in other words, to directly intervene to end another’s life.

Now the Court wants Parliament to draw up a new law that, at very least, according to its dictates, allows doctors to assist in the suicide of those suffering from what it calls “grievous and irremediable medical conditions” (and it does not say that those conditions must be terminal). Let’s be clear here: killing a patient can never be a form of

² Cited in The Hamilton Spectator (7 February 2015): <http://www.thespec.com/news-story/5327821-supreme-court-strikes-down-assisted-suicide-ban/>

healing.

Dignity of All Life

The Supreme Court's decision in no way changes the firm Catholic conviction about reverence for life until natural death. I repeat what is affirmed in the Catechism of the Catholic Church as her irrevocable teaching: "[A]n act or omission which, of itself or by intention, causes death in order to eliminate suffering constitutes a murder gravely contrary to the dignity of the human person and to the respect due to the living God, our Creator."³

In the light of faith and right reason, as the Holy Father recently affirmed, "human life is always sacred and always has 'quality.' . . . human life is always sacred, valuable and sacrosanct. As such, it must be loved, defended and cared for."⁴

What Can Be Done?

The question arises for us as Christians and as Canadians, what can we do? What must we do in light of this decision? I have three simple suggestions. Let's deepen our compassion for those who are suffering from severe pain of every kind. Secondly, let us also work to see to it

³ Catechism of the Catholic Church, 2277.

⁴ Francis, Address to Participants in the Commemorative Conference of the Italian Catholic Physicians' Association on the Occasion of its 70th Anniversary of Foundation (14 November 2014).

that palliative care becomes a priority in our care of the sick and dying. And lastly, let us work to ensure that future legislation will provide the greatest protection possible to both the suffering and to the health care workers who care for them.

1. Compassion for the Suffering

To begin with, in the Gospel Christ calls each of us to do everything in our power to serve the most vulnerable in our society. Today's Gospel (cf. Mk 1:29-39) is just one of the many, many examples of Jesus' mission of compassionate healing the sick. Likewise, as his followers, we must strive to eliminate suffering, but never at the price of a false compassion of extinguishing the life of those who suffer. Jesus reminds us, "Truly I tell you, just as you did it to one of the least of these who are members of my family, you did it to me" (Mt 25:40).

As Pope Francis has repeatedly urged us, we must work to foster solidarity with those at the "periphery" of our society: the weak, the disabled, those who are trafficked, the marginalized – the most vulnerable. And certainly to be counted among those vulnerable are those tempted to want to end their own life. Quite simply, we must conquer evil by good.⁵

⁵ Cf. Canadian Organization for Life and Family, Statement: "God Alone is the Arbiter of Life" (6 February 2015).

We do this by answering the call of the sick and suffering to meet their need for understanding, comfort, constant encouragement and accompaniment. Thanks to our closeness and affection, they feel more loved and comforted. Remember that “Time spent with the sick is holy time. It is a way of praising God who conforms us to the image of his Son, who ‘came not to be served but to serve, and to give his life as a ransom for many’ (Mt 20:28).”⁶

We must all be ready – and not merely the health care professionals – to help those suffering and dying on the last stretch of their earthly existence as they prepare for death, that passage toward the tender embrace of the Heavenly Father, who is “rich in mercy” (Eph 2:8).⁷

2. Increasing the Availability of Palliative Care

At the root of the desire for assisted suicide is the sad reality that adequate palliative care is often unavailable. This lack can lead to thoughts of suicide. Requests for this intervention are a cry to end suffering. We cannot and should not ignore the pleas of those suffering, demanding though this may be. The compassionate response must be to provide social, emotional and spiritual support, and the best pain

⁶ Francis, Message for the 2015 World Day of the Sick (3 December 2014), 3.

⁷ Cf. Benedict XVI, Address to the 22nd International Congress of the Pontifical Council for Health Care Workers (17 November 2007).

management and palliative care possible. We now have, *Deo gratias*, the capability of controlling pain in nearly every case, and we certainly have the ability to overcome isolation and loneliness by our actions.

Here it is necessary to stress once again the need for more palliative care centres which offering the sick the human compassion, medical assistance and spiritual accompaniment they need. “This is a right belonging to every human being, one which we must all be committed to defend.”⁸

In order to provide hope for those who suffer, we shall have to work to convince government, the healing professions, as well as hospitals and care facilities to ensure truly equal and inclusive access to such care.

3. Working for the Best Possible Legislation

The last suggestion I have by way of response is to encourage you to work with all other men and women of good will who are dismayed by the Court’s decision to overturn legislation which had been designed to protect those tempted to end their own life.

Canadians now have no such protection. Until such a law is passed, and Parliament has 13 months to work on this, it’s quite possible for assisted suicides to take place. “This is the ugly prospect that few

⁸ Benedict XVI, Message for the World Day of the Sick (8 December 2006).

seem to recognize as a result of the decision.”⁹

If Parliament fails to enact a new law within a year, physician-assisted suicide will be totally unregulated, with all the dire consequences you can imagine. If recent history is a guide, we genuinely risk never having one. This was the situation when abortion was decriminalized and the Supreme Court asked Parliament to enact a law regulating it. We still have no law setting any limits on killing the unborn. Let’s hope that the same absence of law not be the situation with regard to assisted suicide!

Now is the time to talk to and petition your elected representative to work to limit the harm done by the Supreme Court’s decision by supporting restrictive legislation regarding physician-assisted suicide; and, secondly, by supporting legislation which would prioritize the allocation of resources to the improvement of palliative care across Canada.

Conclusion

We are at a moral crossroad. We must choose what kind of country we want, recalling that a society’s attitude towards its most vulnerable members is a sign of its level of civilization

⁹ Cf. Peter Stockland, “A Truly Bizarre Lapse,” *The Cardus Daily* (7 February 2015).

As we ponder this momentous ruling of our nation's highest court, let us pray that the gifts of the Holy Spirit will guide us in our response: above all, the gifts of wisdom, right judgment and courage.

Nor must we fail to proclaim the Gospel of life with vigor: that every life has an inherent God-given dignity from the moment of conception til life's natural end. And let the words the words of St. Paul in today's Second Reading ring out in our minds and hearts: "If I proclaim the Gospel, this gives me no ground for boasting, for an obligation is laid on me, and woe to me I do not proclaim the Gospel" (1 Cor 9:16). This mission is not that of only a few. Rather, it is mine; it is yours; it is our mission for the good of our brothers and sisters.

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