

Euthanasia And The Law

Hazel Biggs

Voluntary Euthanasia and the Common Law Margaret Otlowski, 1997 Margaret Otlowski investigates the complex and controversial issue of active voluntary euthanasia. She critically examines the criminal law prohibition of medically administered active voluntary euthanasia in common law jurisdictions, and carefully looks at the situation as handled in practice. The evidence of patient demands for active euthanasia and the willingness of some doctors to respond to patients' requests is explored, and an argument for reform of the law is made with reference to the position in the Netherlands (where active voluntary euthanasia is now openly practiced).

Euthanasia and Law in Europe John Griffiths, Heleen Weyers, Maurice Adams, 2008-05-21 This book is a successor to J Griffiths, A Bood and H Weyers, *Euthanasia and Law in the Netherlands* (Amsterdam University Press 1998) which was widely praised for its thoroughness, clarity, and accuracy. The new book emphasises recent legal developments and new research, and has been expanded to include a full treatment of Belgium, where since 2002 euthanasia has also become legal. The book also includes descriptions written by local specialists of the legal situation and what is known about actual practice in a number of other European countries (England and Wales, France, Italy, Scandinavia, Spain, Switzerland). The book strives for as complete and dispassionate a description of the situation as possible. It covers in detail: - the substantive law applicable to euthanasia, physician-assisted suicide, withholding and withdrawing treatment, use of pain relief in potentially lethal doses, palliative and terminal sedation, and termination of life without a request (in particular in the case of newborn babies); - the process of legal development that has led to the current state of the law; - the system of legal control and its operation in practice; - the results of empirical research concerning actual medical practice. A concluding part deals with some general questions that arise out of the material presented: Is the legalisation of euthanasia an example of the decline of law or should it, on the contrary, be seen as part and parcel of the increasing juridification of the doctor-patient relationship? Does the Dutch experience with legalised euthanasia support the idea of a 'slippery slope' toward a situation in which life- especially of the more vulnerable members of society- is less effectively protected? Is it possible to explain and to predict when a society will decide to legalise euthanasia?

Law at the End of Life Carl Schneider, 2000 Discusses the issues surrounding physician-assisted suicide in light of the Supreme Court's recent decision

Euthanasia and Law in the Netherlands John Griffiths, Alex Bood, Heleen Weyers, 1998 The Netherlands is the only country in the world in which euthanasia, under narrow-defined circumstances, is legally permissible. Considerable attention has been paid over a number of years to the problem of regulating it and information has been systematically collected concerning actual practice. Therefore the Dutch experience is of interest not only to the Dutch, but to anyone who is considering whether or not to make euthanasia a legal practice. This book is written for a reader without specific knowledge of law. The central focus of the book is on Dutch law pertaining to euthanasia, but it also considers the moral and legal principles that have played a role in the Dutch debate, the available evidence bearing on actual practice and on the effectiveness of legal control. It ends with some reflections on the problem of the 'slippery slope' and the question whether the Dutch experience is 'exportable'. It includes translations of the relevant legislation (including proposed reforms) and of three leading cases.

Freedom to Die Olive Ruth Russell, 1977 Cites medical technological developments and the humanistic philosophy in advocating the changing of existing legal, ethical, and religious standards pertaining to euthanasia and outlining arguments for and against its legalization.

Euthanasia, Ethics and Public Policy John Keown, 2002-04-25 Whether the law should permit voluntary euthanasia or physician-assisted suicide is one of the most vital questions facing all modern societies. Internationally, the main obstacle to legalisation has proved to be the objection that, even if they were morally acceptable in certain 'hard cases', voluntary euthanasia and physician-assisted suicide could not be effectively controlled; society would slide down a 'slippery slope' to the killing of patients who did not make a free and informed request, or for whom palliative care would have offered an alternative. How cogent is this objection? This book provides the general reader (who need have no expertise in philosophy, law or medicine) with a lucid introduction to this central question in the debate, not least by reviewing the Dutch euthanasia experience. It will interest all in any country whether currently for or against legalisation, who wish to ensure that their opinions are better informed.

Assisted Dying Sheila McLean, 2007-11-27 Written by a leading thinker in the field, this book provides readers with an in-depth critique of the arguments for and against legislation.

The Future of Assisted Suicide and Euthanasia Neil M. Gorsuch, 2009-04-12 After assessing the strengths and weaknesses of arguments for assisted suicide and euthanasia, Gorsuch builds a nuanced, novel, and powerful moral and legal argument against legalization, one based on a principle that, surprisingly, has largely been overlooked in the debate; the idea that human life is intrinsically valuable and that intentional killing is always wrong. At the same time, the argument Gorsuch develops leaves wide latitude for individual patient autonomy and the refusal of unwanted medical treatment and life-sustaining care, permitting intervention only in cases where an intention to kill is present.

Euthanasia, Ethics and the Law Richard Huxtable, 2007-11-20 Euthanasia, Ethics and the Law argues that the law governing the ending of life in England and Wales is unclear, confused and often contradictory. The book shows that the rules are in competition because the ethical principles underlying the rules are also diverse and conflicting. In mounting his case Richard Huxtable considers some familiar and topical debates, including assisted suicide and voluntary euthanasia, examining such situations as the Dianne Pretty litigation and Lord Joffe's Assisted Dying for the Terminally Ill Bill. The book also enters some important, but less well-charted areas, looking at the advent of 'death tourism' and the real status of involuntary and passive euthanasia in English law, in addition to clarifying the confusion that surrounds the use of powerful painkillers like morphine. Dealing with both legal and ethical issues, the text concludes that the time has come to more openly adopt a compromise position - one that more honestly recognises and accommodates the competing values, whilst also restoring a measure of coherence to the law.

Assisted Dying and Legal Change Penney Lewis, 2007-03-08 Exploring how the way in which assisted dying is legalised affects the regime produced, this text suggests that the experience of one jurisdiction cannot readily be translated to another, and argues for a subtler understanding of euthanasia against the backgrounds of diverse legal and political cultures.

Euthanasia and the Right to Die Jennifer M. Scherer, Rita James Simon, 1999 Sensitive and high-profile public policy issues often benefit from being considered in comparative perspective. Here, euthanasia and the right to die are examined in the context of the social, legal, and religious settings of a wide range of countries. The authors employ public opinion data, where available, to illustrate the great disparity between approval of physician-assisted suicide and the general illegality of the practice. Ultimately, making and implementing laws to ensure a responsible right to die—as the U.S. has been struggling with in Oregon, Michigan, and elsewhere—will be informed by experiences in such places as the Netherlands, Australia, and the only country in the world where euthanasia is a clear-cut medical option: Colombia.

Right to Die with Dignity Raphael Cohen-Almagor, 2008-05-01 Few issues are more divisive than 'the right to die.' One camp upholds 'death with dignity,' regarding the terminally ill as autonomous beings capable of forming their own judgment on the timing & process of dying. The other camp advocates 'sanctity of life,' regarding life as intrinsically valuable, & believes that it should be sustained for as long as possible. Is there a right answer? Here is a balanced approach, viewing the dispute from public policy & international perspectives. Offers a compelling, interdisciplinary study in med., law, religion, & ethics. Delineates a distinction between active & passive euthanasia & discusses legal measures that have been invoked in the U.S. & abroad. Makes a plea for voluntary physician-assisted suicide. Illus.

Regulating how We Die Linda L. Emanuel, 1998 Addressing the subject of euthanasia, medical ethicist Dr. Linda Emanuel assembles testimony from leading experts to provide not only a clear account of the arguments for and against physician-assisted suicide and euthanasia—but also historical, empirical, and legal perspectives on this complex and often heart-rending

issue.

Regulating the End of Life Sue Westwood, 2021-09-09 *Regulating the End of Life: Death Rights* is a collection of cutting-edge chapters on assisted dying and euthanasia, written by leading authors in the field. Providing an overview of current regulation on assisted dying and euthanasia, both in the UK and internationally, this book also addresses the associated debates on ethical, moral, and rights issues. It considers whether, just as there is a right to life, there should also be a right to death, especially in the context of unbearable human suffering. The unintended consequences of prohibitions on assisted dying and euthanasia are explored, and the argument put forward that knowing one can choose when and how one dies can be life-extending, rather than life-limiting. Key critiques from feminist and disability studies are addressed. The overarching theme of the collection is that death is an embodied right which we should be entitled to exercise, with appropriate safeguards, as and when we choose. Making a novel contribution to the debate on assisted dying, this interdisciplinary book will appeal to those with relevant interests in law, socio-legal studies, applied ethics, medical ethics, politics, philosophy, and sociology.

Euthanasia, Death with Dignity and the Law Hazel Biggs, 2001-10-09 This book examines legal responses to euthanasia and whether legal reform is an appropriate response to calls for it to be more readily available.

Assisted Suicide and Euthanasia Craig Paterson, 2008 As medical technology advances and severely injured or ill people can be kept alive and functioning long beyond what was previously medically possible, the debate surrounding the ethics of end-of-life care and quality-of-life issues has grown more urgent. In this lucid and vigorous book, Craig Paterson revitalises the natural law approach to moral reasoning and defends the central normative proposition that 'it is always a serious moral wrong to intentionally kill an innocent human person, whether self or another, notwithstanding any further appeal to consequences or motive'.

International Perspectives on End-of-Life Law Reform Ben P. White, Lindy Willmott, 2021-12-09 Much has been written about whether end-of-life law should change and what that law should be. However, the barriers and facilitators of such changes – law reform perspectives – have been virtually ignored. Why do so many attempts to change the law fail but others are successful? *International Perspectives on End-of-Life Law Reform* aims to address this question by drawing on ten case studies of end-of-life law reform from the United Kingdom, the United States, Canada, the Netherlands, Belgium and Australia. Written by leading end-of-life scholars, the book's chapters blend perspectives from law, medicine, bioethics and sociology to examine sustained reform efforts to permit assisted dying and change the law about withholding and withdrawing life-sustaining treatment. Findings from this book shed light not only on changing end-of-life law, but provide insight more generally into how and why law reform succeeds in complex and controversial social policy areas.

Euthanasia as seen by Law, Morality and Religion Asrorbek Arabjanov, 2012-01-20 Essay from the year 2010 in the

subject Law - Philosophy, History and Sociology of Law, grade: 80, University of Westminster (Commercial Law), course: Level 4, language: English, abstract: The terms meaning the killing of human beings, for their own good or that of others, have changed out of all recognition since the ancient Greeks coined the term "eu thanatos" meaning "a good death." Euthanasia, which is generally defined as the purposeful killing of a person for their benefit, provokes a number of moral, legal and religious questions. The questions and the contradictory arguments that arise largely depend on the types of euthanasia: active and passive. Ambiguous difference between active and passive euthanasia requires analytical consideration. The conventional doctrine is that there is such an important moral and religious difference between the two that, although the latter is sometimes permissible, the former is always forbidden. The overall purpose of this paper is to have an in depth look into the religious norms, legal regulations and moral principles concerning the issue of euthanasia and in the example of euthanasia find the one that suits society, the one that does not leave aside the people that are vulnerable to any kind of changes and the one that eliminates opportunities for abuse of power by officials, religious leaders and doctors. [...]

Assisted Death L. W. Sumner, 2011-07-07 Ethical and legal issues concerning physician-assisted suicide and euthanasia are very much on the public agenda in many jurisdictions. In this timely book L.W. Sumner addresses these issues within the wider context of palliative care for patients in the dying process. His ethical conclusion is that a bright line between assisted death and other widely accepted end-of-life practices, including the withdrawal of life-sustaining treatment, pain control through high-dose opioids, and terminal sedation, cannot be justified. In the course of the ethical argument many familiar themes are given careful and thorough treatment: conceptions of death, the badness of death, the wrongness of killing, informed consent and refusal, the ethics of suicide, cause of death, the double effect, the sanctity of life, the 'active/passive' distinction, advance directives, and nonvoluntary euthanasia. The legal discussion opens with a survey of some prominent prohibitionist and regulatory regimes and then outlines a model regulatory policy for assisted death. Sumner concludes by defending this policy against a wide range of common objections, including those which appeal to slippery slopes or the possibility of abuse, and by asking how the transition to a regulatory regime might be managed in three common law prohibitionist jurisdictions.

Intention and Causation in Medical Non-Killing Glenys Williams, 2007-03-06 Analyzing the concepts of intention and causation in euthanasia, this timely new book explores a broad selection of disciplines, including criminal and medical law, medical ethics, philosophy and social policy and suggests an alternative solution to the one currently used by the courts, based on grading different categories of killing into a formalized justificatory defence. This text explores how culpability, blameworthiness and liability are ascribed and how ascertaining mens rea and actus reus are problematic in an end-of-life decision-making scenario. Williams criticizes the way the courts rely so exclusively on the criminal concepts of intention and

causation in such medical scenarios and examines and raises awareness of the inadequate and inappropriate legal framework within in which judges have to operate. Topical and compelling, this significant contribution argues for a more open and honest approach which would, in turn, provide the certainty, consistency and equality required by the law. This is a quintessential read for all students studying medical and healthcare law and the legal aspects of health and medicine.

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