Assisted suicide, euthanasia advocates say it’s time for change

The time has come for Canada to begin a public discussion about assisted suicide and euthanasia, say a pair of advocates for choice in dying who will speak in Halifax tonight.

The right to choose when you die is among the last big outstanding human rights issues, Dan Babey, executive director of Dying With Dignity, said in an interview Wednesday.

He’ll speak at Outside the Lines bookstore on Quinpool Road along with Dalhousie University health law professor Jocelyn Downie at 7 p.m.

Mr. Babey recalled watching his grandmother struggle through more than 10 years of pain with no quality of life because she had no other choice, though she was ready to let go.

The aging baby boomer segment of the population won’t be prepared to let decisions about their deaths fall to others, he said.

“That generation is used to having the benefit of getting their way and being able to determine for themselves what they want to do and when they want to do it,” Mr. Babey said. “I think overwhelmingly that group is going to be interested in not seeing that autonomy or that ability to make decisions be diminished at the end of their lives.”

He predicted there would be growing pressure both on and from the medical community to make it legal for doctors to help people die rather than forcing them to do it in secret or leaving patients and their families to their own devices.

In Canada it is legal to take or attempt to take your own life, and patients have the right to refuse treatment. But it is not legal for one person to help another end his life.
Ms. Downie, author of Dying Justice: a case for decriminalizing euthanasia and assisted suicide in Canada, agreed the boomer generation is driving a move for change.

"I think people are much more conscious of dying and what it can mean and that they might face dying in circumstances that they don't think are either dignified or what they want," she said. "And so people are filling in advance directives, living wills, and they're talking to their family members about stopping treatment."

They may not be as comfortable discussing assisted suicide because it's against the law, but a consistently strong majority wants to see that change, she said.

A 2001 poll found 75.5 per cent of Canadians believed someone who assisted in the death of a person suffering from a painful and incurable illness should not be prosecuted.

Ms. Downie said a Manitoba study found 15 per cent of doctors reported they had helped a patient die, a criminal offence.

A private member's bill that recommended decriminalizing assisted suicide wasn't passed before the last federal Parliament dissolved.

But she said the next time such a bill is brought forward, it's likely to be from a Liberal government, not the current Tory administration.

"The Canadian public is certainly ready for it," Ms. Downie said. "It's just we need the politicians to exercise the political will."

Mr. Babey said if Parliament doesn't deal with the issue, citizens and doctors taking matters into their own hands will force it before the courts.

"One way or the other, there is going to be change on this front," he said.

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2. The politics of prayer

The Advertiser
SAT 08 APR 2006,

By BRONWYN HURRELL

Does religion have a place in parliament? BRONWYN HURRELL examines the link between the church and the state.

CONGREGATIONS may be thinning in church pews across the nation but on the parliamentary benches declarations of religious faith are increasingly being heard in support of political argument.

Conservative Christian party Family First has emerged on both the state and federal stages and many of our most powerful leaders identify as practising Christians. Prime Minister John Howard, Treasurer Peter Costello, Health Minister Tony Abbott, Workplace Relations Minister Kevin Andrews and Attorney-General Philip Ruddock are among the country's most prominent churchgoers.
Controversial pentecostal group Hillsong is represented on the government backbenches by Liberal MP Louise Markus. A visit to one of the group's hand-clapping rallies has been on the agenda of several high-profile MPs, including the Treasurer. Family First senator Steve Fielding has already cast the deciding vote on controversial legislation, including voluntary student unionism.

Religion - be it Christianity, Islam or any other - has figured in a host of the key political issues of the past year. Terrorism, the Danish Mohammed cartoons, industrial relations and, of course, the abortion pill RU486 have all been touched by the issue of religion and, in some cases, the contributions of church leaders themselves.

Increasingly, questions of morality and faith are encroaching on political decision-making. A battle is emerging between those who like to see religious values influencing public policy and those who believe politics is a secular matter with no place for any particular faith. The churches can take credit for influencing a number of policies during the Howard decade. A coalition of churches in 2004 persuaded both parties to amend the Marriage Act, defining marriage as "the union of a man and a woman to the exclusion of all others". Church agencies persuaded the Government to soften its welfare-to-work policy, delaying the forced return to work of single parents.

Canberra academic Max Wallace is director of the Australian National Secular Association. Wallace has raised concerns about the stream of politicians, including Costello, who have attended Hillsong services. His book The Purple Economy: Religion, Tax and Culture is to be published later this year.

Wallace has no doubt the power of religion in politics in Australia has "become much more pronounced". "Since the Howard Government was elected in 1996, there's been a string of decisions that have compromised the relationship we've had between churches and government," he says. He believes "one would have to be a bit naive to think there wasn't a deliberate attempt" to gain leverage for religious interests.

He cites the abolition of the Commonwealth Employment Service: "We're talking about hundreds of millions of dollars a year through job services that network organisations like Mission Australia get. Euthanasia is another obvious one." He also has concerns with the funding of an Australian centre for Christianity and Culture. "It's not a centre for religion and culture; it's a centre for Christianity," he says.

Wallace credits Fred Nile's Christian Democratic Party for being clear in its intentions - its name leaving no doubt as to the religious platform. But he is critical of Family First, which although widely known for its church connections, frequently purports to be a more broad-based party, without religion as its key motive. Wallace has no doubt about the looming danger of cashed-up religious groups becoming more active in the political sphere.

His book investigates tax concessions for religious groups, questioning their effects. "The danger is the scale of religious money will be translated into political results," he says.

On whether front and back benches of the House of Representatives and the Senate, the House of Assembly and the Legislative Council are the appropriate place for overt religious statements, he says of politicians: "We don't pay them to worship within the church . . . or to worship within the parliament."

The Australian Christian Lobby is one of the major political lobby groups now pursuing the Government on proposed family law changes. ACL executive chairman Jim Wallace, a former SAS commander, agrees that religious lobby groups should not be about raising the stakes of one particular political party.

"There are equally Christian principles that should be espoused by both sides of politics," he says. "Our organisation doesn't tell people how to vote. If they cause Labor to become more
Christian in their policies, that's great. Some others will vote for the right side of politics and the same applies."

What angers Jim Wallace is that conservative is seen as the opposite of progressive. ``You can be progressive, which is an attitude, and have conservative values. I'd like to think that's where most of the religious constituency sits," he says. He agrees with the principle of separating church and state. ``Despite my activism in the Australian Christian Lobby, I've no intention of trying to bridge that divide," he says.

But Jim Wallace argues that people of a particular faith ``are still constituents" and ``we shouldn't be keeping a Christian morality out when everyone else's morality seems to be admitted".

With the religious vote a powerful force in the re-election of born-again Christian George W. Bush to the U.S. presidency, what can we expect from rising religious forces here? Religious lobbyists and Christian politicians both complain about the conclusions being drawn from the religion versus politics debate. Labor frontbencher Kevin Rudd, an avowed Christian, is critical of Christianity being hijacked by the right wing.

Labor has had traditional links with the Catholic Church but in recent times the Coalition is seen to have hooked into the support of the burgeoning pentecostal movement. Rudd objects to the notion that his political opponents are somehow "more Christian" than him and his Labor colleagues. "Politics and religion are both ultimately about values and about people," he says.

"No one side has a monopoly of interpretation of religious texts and beliefs. There is a progressive tradition of religion in politics just as there is a conservative one."

When the churches have waded into politics in recent times, they have indeed shown themselves capable of attacking from both sides of the political spectrum.

Before the 2004 federal election, both Anglican and Catholic church figures strongly criticised Labor's education policy for its treatment of private schools. More recently, Anglican Archbishop Phillip Aspinall and Cardinal George Pell were among a number of church leaders who spoke out against the Coalition's industrial relations overhaul.

In South Australia, concerns are being raised at both a state and federal level that the separation of church and state has become too blurred.

The Catholic Church was dragged unceremoniously into the recent state election campaign via claims it was too close to the Rann Government.

Perhaps the biggest test case of the rising power of religion in politics in Australia was the debate over the abortion pill RU486. The Bill was essentially about process - to strip Health Minister Tony Abbott of his power of veto over the drug and to hand decision-making to the Therapeutic Goods Administration, which decides on the use of every other drug.

Accorded the unusual measure of a conscience vote, the Bill was unable to be extricated from religion. Many MPs and senators couched their opinions in terms of whether elected representatives or non-elected medical experts should have responsibility for clearing RU486.

But behind these arguments, pro-choice and anti-abortion sentiments could not be hidden. On the anti-abortion side, many of the votes came from vociferously religious members and senators such as Abbott, Markus, Senator Boswell, Senator Fielding and Senator Barnaby Joyce. Even among those who voted in support of the ultimately successful Bill, religion was key to their argument. Labor's Catherine King reached a crescendo in her speech supporting the Bill with the thundering words "I am Catholic" - making the point that voting for the Bill did not make her any less a Christian.

Indeed a number of MPs were forced to explain their decision against a backdrop of their own
personal beliefs. Foreign Minister Alexander Downer, an Anglican, had previously spoken positively about the TGA Bill. But in his speech ahead of voting no, he railed against what he saw as an attack on his colleague and friend Tony Abbott's Catholicism. Downer - and others - were particularly offended by a T-shirt worn by Greens senator Kerry Nettle, reading "Mr Abbott - Get your rosaries off my ovaries".

Ironically, the T-shirt came from the Young Women's Christian Association.

On the face of it, RU486 was a resounding loss for the religious lobbyists. Two attempts at amending the Bill failed. Although Prime Minister John Howard allowed the Bill to be carried on the voices, without a final vote officially required, the Bill was passed 91 to 55. It could be argued that the vote was proof that in Australia U.S.-style religious fundamentalism does not yet wield the same level of power as it does in U.S. politics.

But that was only round one. The ink had barely dried on the vote when news of a new pregnancy counselling package was out. Howard and Abbott announced that women would be able to claim pregnancy counselling on Medicare from November under the Federal Government's $50 million pregnancy support package. It will also include telephone advice for partners and family members of women with unplanned pregnancies. Pro-choice advocates already have grave fears about what could eventuate, suggesting these services will be stacked with and skewed towards religious groups.

Religion and the law: where the church and state collided
ABORTION PILL
The debate over who decides to release RU486 fell into religious wrangles.
INDUSTRIAL RELATIONS
The Anglican and Catholic churches spoke out against the new laws.
SAME-SEX MARRIAGES
Churches persuaded the parliament to amend the Marriage Act to define marriage as the union of a man and a woman to the exclusion of all others.

Caption: Got the faith...Federal Treasurer Peter Costello with wife Tanya at a pentecostal conference, Sydney.
Illus: Photo (color): peter and tanya costello at pentecostal conference

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3. Andrews is anti-dignity

Canberra Times
7Apr06

It is interesting to note the parallels between the work of Kevin Andrews, as a private Member, in banning euthanasia in the Northern Territory in 1996, and as a minister implementing the "reforms" to industrial relations in 2006.

In the former he denied many Australians the right to die with dignity, and in the latter case he is depriving many Australians of the right to live with dignity.

Bob Blakey, Holt

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4. Holland's libertarianism is pushing it towards a Muslim fundamentalist future

Canberra Times
Saturday, 8 April 2006
This week the Prime Minister of the Netherlands, Jan Peter Balkenende, visited Australia. Aside from attending the Grand Prix in Melbourne, he came to Canberra for brief talks with Prime Minister Howard and to address students at the Australian National University. I found during the questions afterwards that there are some issues about which the Dutch are particularly sensitive.

I asked Balkenende two questions with overlapping implications.

I asked if the famously tolerant Dutch social model was straining under increased non-European immigration. And how did he answer critics who accuse the Dutch of Nazi-style policies since Holland is now the world leader in euthanasia as even the euthanasia of children under 12 is now permitted by the recent Groningen protocol?

Everyone who has an interest in international affairs knows that the Dutch are having a huge problem with growing social upheaval caused by the influx of Islamic immigrants. They now have the second-highest proportion of Islamic people in Europe, after France.

At the same time as this internal upheaval, which has resulted in two murders, there is also a lot of criticism of the Dutch and their vaunted liberal views on stuff like euthanasia, from abroad and within the European Union.

In a recent debate, Balkenende had a huge fight with the Italian Parliamentary Affairs Minister, Carlo Giovanardi, over child-euthanasia. The Italians accused the Dutch of Nazi-like policies and Balkenende has made a formal complaint to Italian Prime Minister Silvio Berlusconi. Naturally, Balkenende defended the policy as "carefully thought out and used within strict protocols".

Aside from my scepticism about whether the Groningen protocols would actually prevent eugenics, I wondered about the libertarian direction Dutch social policy has taken, not only legalising abortion and euthanasia but of course gay marriage, and a level of legal drug use, as a catalyst not for toleration, but further social upheaval.

What happens when you have increasing permissiveness combined with an influx of fundamentalist Islamic immigrants? Surely this means that the Netherlands is heading towards polarisation of its society, its tolerance being strained by immigration from without and from within by increasingly libertarian social policies.

Balkenende pointed out that the Netherlands had a series of "pillars" supporting different groups, and each group basically respected the others. The two main pillars were the two main religious groups, Catholic and Protestant. They went to different schools, had different newspapers, in fact they had different cultures. They even drank differently! Tolerance did not stop each group from being equally devout. (Dutch Catholics were renowned for this.) There was always a third pillar too, "the others".

Once upon a time most of them were Jews and then, by the 20th century, various non-believers.

Now the third pillar is mostly Muslims and the problem for the Dutch is that a combination of secularisation on the one hand and immigration by a third, highly religious group on the other means that the three pillars of their famously tolerant nation are collapsing. In fact the weight is shifting and only two pillars are holding up: immigrants and native Dutch. The Dutch have reached the point of polarisation, not pillarisation.

These are not just Dutch problems, they are European. The traditional organisation of Dutch society makes them a bit more resilient and perhaps better prepared for the social upheavals wrought by large-scale immigration, than say the more iconoclastic French. Also in the past the Dutch had a level of immigration higher than most other European countries - but this was largely from former Dutch colonies such as Indonesia. And these immigrants went to Holland because they had a racial or religious affinity with the culture.
The Dutch problem is that as the native population dwindles and ages, so do its old Christian values, only to be replaced by secularism, and this parallels the growth of puritanical fundamentalist Islam. So you end up with two extreme ends of the spectrum. The question is whether they pull apart further to breaking point.

Interestingly, their vaunted toleration is almost a case of the Dutch having to ram their secular values down the less-than-enthusiastic throats of their growing immigrant population. It sounds suspiciously like a new kind of secular intolerance. And it has its funny side. They have begun a campaign to "educate" people on Dutch libertarian values - including stuff like gay marriage. They even show prospective immigrants films with things like guys kissing in a park to see how they react and to gauge their suitability. At the same time they have sent back thousands of unwanted illegals and are cracking down on Islamic extremists.

Ayaan Hirsi Ali, a female Somali immigrant and former Muslim and a liberal member of parliament who was threatened, along with Theo Van Gogh, after they made a film together that attacked Islamic fundamentalists' treatment of women, urged the Dutch to insist forcefully on the superiority of Western liberal values. That would be all very well if we could define Western values. But to many Muslims and non-Muslims alike, child euthanasia is just a bit inimical to Western values.

The unanswered questions about the Dutch situation are applicable to the rest of Europe, and they have been particularly pressing since the murders of politician Pym Fortune and filmmaker Van Gogh. Will social tensions with Muslims increase? In about 15 years' time, the major Dutch cities are forecast to have Muslim majorities. How do the Dutch propose to maintain the dynamism of the economy, which Balkenende has been trying to reform, with an ageing population? How do the Dutch intend to maintain a distinctive Dutch culture with an ageing population and increasing percentage of non-Dutch, even non-Western people? How successful will the Netherlands be in keeping a cap on right-wing reactionaries?

The Netherlands, long considered a template for toleration, might end up a template for the sort of social upheaval the rest of Europe can expect if native birthrates do not rise and large-scale immigration is not curbed.

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5. Wiretapping on the Increase in Europe

Associated Press
ROME, Apr. 8, 2006

(AP) In Europe, Big Brother is listening and being allowed to hear more and more.

Since the Sept. 11 attacks and the terrorist bombings that followed in Madrid and London, authorities across the continent are getting more powers to electronically eavesdrop, and meeting less apparent opposition than President Bush did over his post-9/11 wiretapping program.

As part of a package of European Union anti-terrorism measures, the European Parliament in December approved legislation requiring telecommunications companies to retain phone date and Internet logs for a minimum of six months in case they are needed for criminal investigations.

In Italy, which experts agree is the most wiretapped Western democracy, a report to parliament in January by Justice Minister Roberto Castelli said the number of authorized wiretaps more than tripled from 32,000 in 2001 to 106,000 last year.

Italy passed a terrorism law after the July 7 subway bombings in London that opened the way for intelligence agencies to eavesdrop if an attack is feared imminent. Only approval from a
prosecutor _ not a judge _ is required, but the material gleaned cannot be used as evidence in court.

Similar laws have been approved in France and the Netherlands or proposed elsewhere in Europe, leading to fears by some that the terrorist threat is giving authorities a pretext to abuse powers.

"There is clearly a legitimate role for surveillance, it's a question of what the safeguards are," said Ben Ward, associate director of the European and Asian division of Human Rights Watch.

"The use of wiretaps for intelligence gathering purposes when not linked to a criminal investigation and without the authorization of a judge does raise human rights concerns," Ward said.

The use of hidden microphones in criminal investigations is routine in Italy, but a Swedish government proposal to permit such taps has drawn sharp opposition from civil liberties advocates.

Still, the complaints are relatively muted compared to the criticism that has arisen in the U.S. Congress and among civil liberties groups over the Bush administration's surveillance operations. After the Sept. 11 attacks Bush granted intelligence officers the power to monitor, without court approval, international calls and e-mails between people in the United States and suspected terrorists overseas.

The Center for Constitutional Rights and the American Civil Liberties Union filed lawsuits saying court approval was required by law. Italy's long tradition of electronic snooping goes back to its fight against the Mafia _ and its prosecutors vigorously defend it.

Wiretapping in a criminal investigation needs a judge's authorization which must be renewed after 15 days for ordinary crimes and 40 days for terrorism and organized crime. Wiretapping has yielded two recent intelligence coups for Italian authorities.

After one of the men wanted in the London bombings slipped out of Britain, Italian authorities tracked his cell phone, recorded his conversations and traced him to an apartment in Rome.

When they arrested an Egyptian sought in the Madrid train bombings of March 11, 2004, and accused of recruiting suicide bombers for Iraq, they moved after weeks of listening to his phone calls from a Milan apartment.

But Italian law enforcement officials have criticized the U.S. wiretapping powers for bypassing the special court set up to deal with intelligence matters.

"The system of telephone intercepts without controls is unacceptable," Milan anti-terrorist prosecutor Armando Spataro told a recent convention on balancing surveillance and privacy.

"These wiretaps "I would not hesitate to call illegal under our judicial traditions," said Spataro, who has led the investigation into the alleged kidnapping of radical Egyptian cleric by purported CIA agents _ all traced by their cell phones.

Italian prosecutors say the cleric was spirited away from a Milan street in 2003 and taken to Egypt, reputedly as part of the CIA's so-called Extraordinary Rendition Program in which terrorist suspects were allegedly flown to another country at the risk of being tortured. The prosecutors said it was a breach of Italian sovereignty.
In a 2003 report, the Max Planck Institute for Foreign and International Criminal Law in Germany put Italy at the top of the European wiretapping list followed by the Netherlands, using figures published by governments or information from parliamentary debates.

Hans-Jorg Albrecht, one of the authors of the report, said wiretaps are much more common on the European continent than in Britain or the United States, where he said there is a more "institutionalized mistrust in the relationship between civil society and a state-organized judiciary."

He said research showed that wiretaps are often used to support weak cases and seldom help to achieve a guilty verdict.

"The more wiretaps are used, the lower the conviction rates," he said.

Nevertheless, the Dutch secret service, known by its acronym AIVD, has gained vast powers since 9/11. In September 2004, the government passed sweeping measures that lowered the threshold for bugging and surveillance. A turning point in Dutch public attitudes came with the 2004 murder of filmmaker Theo van Gogh by a Muslim extremist who claimed a film he made insulted Islam.

Siebrand Buma, the ruling Christian Democratic Party's spokesman on anti-terrorism and civil rights issues, said that while the Dutch are liberal on drugs and euthanasia policies, "people see the need to combat serious crime as worth the sacrifice of personal privacy."

A new anti-crime law introduced in 2004 also made wiretapping easier in France. Prosecutors can now apply for wiretaps when investigations are still in a preliminary phase, rather than wait for an investigating magistrate to take over the case.

When wiretaps cause a major scandal, it is usually because elected politicians and senior officials have been targeted.
Recent scandals over bugging erupted in Italy, Greece and Portugal when it came out that the phones of senior government officials were tapped.

Italian privacy advocate Carlo Rienzi claims the system is subject to abuse and that investigators at times accuse suspects of more serious crimes to justify electronic surveillance.

"They insert charges like Mafia association and, with this excuse, they can do the wiretaps," he said.

Associated Press reporters Ariel David in Rome, Anthony Deutsch and Toby Sterling in the Netherlands, Karl Ritter in Sweden and John Leicester in France contributed to this report.

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