

National Affairs by Claire Hoy ? A completely expected ruling

It is not surprising that the only country in the western world with absolutely no protections for the unborn now is poised to debase the lives of the sick, the elderly and others who, due to some undefined yardstick, simply don't measure up.

It was, for me at least, a sad but completely expected ruling from our unelected, unaccountable and dangerously active Supremes, who last week tossed out the legal strictures against allowing doctors to kill people.

Oh yes, the advocates don't put it that way. Indeed, The Globe and Mail's front page declared, 'A Step Towards Kindness.? Kindness? Tell that to the future victims of this cruel hoax who, despite what its' advocates claim and the written law may proclaim, will surely have their lives snuffed out at the end of a needle wielded by a doctor supposedly committed to saving lives and doing no harm.

In Belgium, for example, which opened this Pandora's box to begin with, a 2010 study published in the prestigious British Medical Journal found that 32 per cent ? roughly one in three ? of all euthanasia deaths in the Flanders region of the country were done without consent, even though the law specifically says consent is needed.

And that, dear hearts, is the rub. The Supreme Court, in its ruling, dismissed such information as essentially rumour-mongering. They just weren't interested.

And supporting columnists trot out the old line that the court had to do what Parliament was afraid to do. Ergo ? the judges are brave, the politicians are cowards. Never mind that Parliament overwhelmingly voted against legalizing euthanasia just four years ago.

Everybody ? including the Supreme Court ? says a euthanasia law must contain strict rules regarding consent. They also insist that those doctors who, for moral reasons, don't want to participate, must never be forced to euthanize a patient.

What a laugh. Laws ? as this latest ruling shows ? are not carved in stone. They begin, sometimes with the best of intentions, but are constantly changed, chipped away in the face of particular circumstances.

So even if the new law which Parliament introduces ? the courts gave them a year to do so ? explicitly states that complete consent is mandatory and doctors can never be forced to comply, how long do you think it will be before another special interest group trots off to a friendly court to undercut those strictures? Not long, based on every other social law on the books. In Belgium, for example, euthanasia has been extended to include people who are simply depressed and ? believe it or not ? to children who are suffering. It didn't begin that way, but it never does. And once you start down the hill, there's no turning back.

Advocates say that the euthanasia laws in Oregon and Washington states are far tougher than the Belgium law and that should be our model. They claim there is no patient abuse there. That's another cruel joke. For starters, the law requires physicians to lie on the death certificate, to say the death was related to whatever illness the patient had rather than the actual cause of death, i.e. the lethal overdose, so there is no way of determining such abuses. What's more, in Oregon, the law is overseen by the very lobby group which pushed for the law in the first place, i.e. the former Hemlock Society, so don't expect them to self-report cases of abuse that would make them look bad.

Former Conservative cabinet minister Stockwell Day, in a Globe question and answer piece, was asked if he saw this latest ruling as a continuation of a trend by the Supreme Court to toss out traditional social conservative mores.

'I do,?' said Day. 'This is a court that is not shy at all about declaring themselves to be activists. By forcing Parliament, they're holding the hand of the parliamentarian and guiding the pen. That's part of the debate. Personally, I think that if you want to write laws, you should run for office. If you want to rule on existing laws, aspire to the bench.'

Unfortunately, it's far too late for that.

Those who know they can't get their pet projects through Parliament ? where elected members actually have to be accountable to the public for their actions ? have long understood that their best bet is to go to the activist court, where judges don't have to pay heed either to the public or to the laws as written by our elected parliamentarians.

Very sad, indeed.

