

The Politics of Euthanasia

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Dedicated to my Mother
&
In memory of Rex Richardson
(1996–2003)

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ERRATA

- p. vi 1. 24: replace Ascension with Ratification
- p. 7 1. 8 (footnote): replace author's with authors
- p. 32 1. 1: replace trail with trial
- p. 32 1. 12: replace Professors' with Professors
- p. 41 1. 2: replace discernable with discernible
- p. 52 1. 3: replace Sutton's with Suttons'
- p. 70 1.1: replace who's with whose
- p. 121 1. 11: replace citizen's with citizens
- p. 126 1. 10: replace emphasise with emphasises
- p. 145 1. 7: replace accomodating with accommodating
- p. 157 1. 7: replace want with wont
- p. 164 1. 5: replace venerate with vindicate
- p. 165 1. 8: replace Representative's with Representatives'
- p. 166 1. 5: replace discrete with discreet
- p. 174 1. 2: replace citizen's with citizens
- p. 177 1. 12: replace author's with authors
- p. 182 1. 14: replace lobbyist's with lobbyists
- p. 191 1. 8: replace 'Ashcroft directive' with Ashcroft directive
- p. 198 1. 10: delete and
- p. 201 1. 5: replace authorities with authority's
- p. 207 1. 18: replace exited with excited
- p. 212 1. 3: replace venerated with validated
- p. 244 1. 12: replace relevant with relaxant
- p. 247 1. 5: replace want with wont
- p. 270 1. 7: replace discrete with discreet
- p. 270 1. 12: replace discrete with discreet
- p. 278 1. 6: replace Nazi's with Nazis'
- p. 287 1. 3: replace Ascension with Ratification
- p. 288 1. 15: replace lay with lie
- p. 289 1. 2: replace Collin's with Collins
- p. 289 1. 4: replace Green's with Greens
- p. 294 1. 12: replace forebear with forbear

ABSTRACT

This thesis argues that the topic of active voluntary euthanasia (AVE) has been significantly neglected in existing political studies research, despite the fact that AVE reform raises fundamental questions about the scope and application of political authority.

While this is predominantly a politics thesis in its focus, the thesis also draws when necessary on the broader scholarly literature on AVE, including literature fields such as ethics, as well as on broader public debate and the views of politicians. The thesis also examines, and engages with, the views of relevant traditional and contemporary political theorists including John Stuart Mill, Jeremy Bentham, and Amitai Etzioni. Whilst it will be acknowledged that liberal and utilitarian principles have helped shape and inform the AVE reform debate, and have useful contributions to offer, it is maintained that neither of these approaches provide a suitably comprehensive guide to policy. The thesis argues that communitarianism's emphasis upon the communal good provides an indispensable counterbalance to potential problems that can arise with some other approaches, including excessive individualism and the uncertainties of moral subjectivism.

More particularly, it is suggested that without an ongoing commitment to the principles of self restraint and 'other regarding' beneficence, legalised euthanasia could pose a serious threat to the welfare of vulnerable citizens. This is a point of view that is also expressed by many religious critics of AVE and it is argued that pro-choice advocates have relied unduly upon the separation of Church and State principle to deflect a legitimate criticism. Although it is conceded that a commitment to secular liberal-democratic principles is at odds with a legislative prohibition against the popularly endorsed option of last resort (beneficent) AVE it is, nevertheless, maintained that the concerns of these and other critics should not be ignored. Indeed, an examination of various case studies highlights the importance of ensuring a balance between individual autonomy and adequate legislative safeguards. Case studies examined include John Ashcroft's controlled substances intervention in Oregon, US Congressional action to preserve the life of persistent vegetative state patient Terri Schiavo and Australian anti-suicide / active euthanasia legislation, particularly the Northern Territory's *Rights of the Terminally Ill Act*.

The conclusion of the thesis not only pulls together the key arguments regarding AVE but also highlights the insights which the AVE debate can provide for understanding broader issues in political theory and practice, particularly in regard to the rights of the individual and the responsibility of the state to legislate for the collective good.

DECLARATION

This work contains no material which has been accepted for the award of any other degree or diploma in any university or other tertiary institution and, to the best of my knowledge and belief, contains no material previously published or written by another person, except where due reference has been made in the text.

I give consent to this copy of my thesis, when deposited in the University Library, being made available for loan and photocopying, subject to the provisions of the Copyright Act 1968.

Robert G. Richardson

16 May 2008

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