

Euthanasia is not Murder

Debate continues over the issue of euthanasia because of the recent court decision over Dr. Death. Kevorkian has been acquitted of murder in his assisted suicide cases and the court has created precedent for the legalization of selecting death. Euthanasia does take place and is selected voluntarily by patients who are in great pain due to an incurable illness like cancer. Usually, the decision is made to pull the plugs of machines which prolong life or to end treatment. Because patients select to die, their deaths end suffering, and there is no intention to cause harm, physician assisted euthanasia cannot be considered murder.

Murder can be defined as an act of violence which is perpetrated against a victim. For example, a man stuffed into a car after being shot five times is a murder victim. The individual dies at a time which is forced by the killer who has intent to harm him or her. For instance, when the Boston strangler killed the women, he first terrorized them. Frequently murder is painful and the person who is dying has not voluntarily decided to participate in his or her death. By its nature, murder is death by violence at a time of the killer's rather than nature's choosing.

Unlike murder, euthanasia is not an act of violence. In an editorial in the Cleveland Plain Dealer, Dr. Eric Chevlen argues that patients, who are worn down by pain, extensive testing, and depression, will be easily persuaded to seek assisted suicide (11B). Furthermore, Chevlen mentions that the courts have decided that the right to die should be made available to everyone (11B). Modern medical technology has allowed doctors to prolong life past the point of a patient's natural death. In the case of euthanasia, the doctor needs to end suffering from cancer or AIDS and assist the patient to die comfortably. Patients are beginning to assert their right to die rather than being kept alive forcibly. For example, a Texan who suffered burns in a gas explosion, Dan Cowart wanted to die even though he survived the accident. He believes that his rights were violated by the doctors who prevented his death through life-sustaining treatment. When a patient like Cowart is in constant pain, death becomes a peaceful reward.

Additionally, doctor assisted euthanasia is performed with the full consent of the patient. Murder steals life, while euthanasia gives the patient release. A patient with a degenerative neurological condition has, in one case, begged for help to die. The patients who have been helped by Dr. Kevorkian have all been cancer victims whose daily bouts with pain.....,..... The patients have requested their delivery from life. Murder on the other hand, usually takes the victim by surprise. Another person has, for the most part, decided when the murdered individual will die and by what method, but the slain person has not given permission to be killed.

Finally, murders are committed with malice or harmful intent. People are killed to keep secrets, steal power or money, and for other reasons, usually criminal in nature. In other cases, a person is killed out of hatred or because someone has determined that the person belongs to the wrong church, ethnic group, or political affiliation. For example, hate crimes like murdering African Americans, Jews, or other ethnic groups, are done out of an intention to harm these people to get rid of them. Genocide like that done by Hitler was wholesome murder. Like Dr. Kevorkian, other doctors who assist patients in ending their lives help people to end pain and suffering. Part of the doctor's oath is to offer ease, and those patients, who desire to prevent artificial prolongation of life on machines or stop pain caused by cancer or other terminal diseases, see assisted suicide as a legitimate way out of their personal hell.

Opponents to euthanasia see even assisted suicide as murder. They hold that euthanasia's legalization will give doctors a license to kill. Dr. Chevlen has expressed a fear that patients are "battered by a society whose laws have equated 'terminally ill' with 'worthless'." "He states, "Force is not necessary in such a situation. Persuasion suffices to convince the patient to choose death. (B11)

According to an Internet survey, samples of doctors questioned about euthanasia reported that they did not consult other physicians or even falsified the cause of death. Euthanasia opponents claim that doctors have a duty to save lives and should not take a person off a machine, if the machine will maintain life. Furthermore, the opponents to euthanasia see it as murder because some patients, after they are helped, are brain dead and unable to know what is happening to them. Those who do not see euthanasia as murder counter this claim by saying that the doctors have written consent from a time when the patient was lucid. Additionally, if a person's brain is dead, legally that person is already biologically dead and it is not murder to stop life support. Derek Humphry, founder of the Hemlock Society in 1980, leads the movement for the right to die for those people who believe that they would desire death if they were incapacitated. Those who join the society believe that the government should protect an individual's right to privacy, allowing him or her to die with dignity in a more natural way.

In recent years, the U.S. Supreme Court has allowed certain legislation permitting passive euthanasia to be used in cases where the patient was brain dead. Thus, in such cases as that of Karen Anne Quinlan have had historical impact on the medical profession. Quinlan's parents petitioned the courts to stop using a respirator to assist Karen breathe. In 1976, the courts gave the permission parents sought (Spring and Larson 155-156). However, no cases have yet set a precedent for active euthanasia, meaning that legally active euthanasia is still very controversial. Hence, doctors who support active euthanasia and feel morally obligated to help a patient end pain and suffering, will fulfill their duty by assisting that patient to die more comfortably. In such cases, euthanasia cannot be considered as murder.