

‘Dying with Dignity: A No-Brainer.’ by Professor Ross Fitzgerald AM.

*Speech to Dying with Dignity, NSW at Port Macquarie.
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Ever since having seen my late mother suffer so much when all she wanted was to slip away peacefully, I have been a strong public advocate, for others and for myself, of Dying with Dignity.



After a long struggle in the 1990s with a series of hospital physicians, my mother, Edna Fitzgerald (nee Beecher) of 41 Charles Street, East Brighton, in suburban Melbourne, eventually died in her mid-80s. A few years before her death, due to a combination of glaucoma and cataracts, my mother went blind. She was then hospitalised in Melbourne with a series of complaints, which eventually involved both of her legs being amputated. Despite her stated wish to be able to die with some peace and dignity, the hospital physicians continued to “treat” Edna for a variety of illnesses and complaints.

When I requested that all the “Jesus machines” please be turned off, the lead surgeon told me that he was doing all of these procedures to help my mother. It was only when I responded “No you’re not. You’re doing all this to help yourselves” and then insisted, again and again, that all of Edna’s life support machines be switched off, that the hospital physicians finally relented and let my mother die.

But this was many weeks after she clearly wanted to die without having to suffer any more medical interventions.

Ever since observing Edna’s very difficult and unnecessarily lengthy death, I have been a strong, public supporter of Dying with Dignity – in the form of physician-assisted dying or voluntary euthanasia.

My mother’s unfortunate hospital experience is one of a number of reasons why my wife Lyndal, our daughter Emerald and myself decided to join Dying with Dignity NSW. All three of us are strong supporters of what voluntary assisted dying activists, including Andrew Denton, are trying to achieve in Australia.

Indeed strong support for Dying with Dignity is a central reason why, last year, I decided to stand for Federal Parliament as the Australian Sex Party’s lead Senate candidate for NSW. As it happens, physician assisted dying ties in exactly with the Australian Sex Party’s primary slogan: “Your Life. Your Choice”.

Given that, for most people, voluntary assisted dying is eminently sensible, it is still difficult to have a reasoned debate about end-of-life choices. As a patron of Britain’s ‘Dignity in Dying’ campaign, Sir Terence English said: “During my life as a surgeon I have come across mentally competent, terminally ill patients who would have welcomed the option of being able to choose the timing and circumstances of their death. I believe the legislation of assisted dying is important for those who, like me, wish to have this degree of control over their final days.”

Why would anybody disagree? To me, it's a no-brainer but even today not everyone thinks the same. This is despite the fact that voluntary assisted dying is increasingly appealing to many people, as they get older; especially those concerned about excessive suffering and extreme loss of dignity.

Internationally we have witnessed much recent progress in introducing voluntary assisted dying laws. The Western world also has extensive practical experience of the operation of legal assisted dying. Reputable independent authorities have studied the concern that the vulnerable might be abused and have concluded that the safeguards against this can and do work.

The major source of opposition to voluntary assisted dying remains the Catholic Church and other religious hierarchies. 'Voluntary' and 'choice' are concepts that most Christian Churches like to reserve for their autocracies but not apply to individuals. They demand control - not only over their memberships but over the rest of us as well. In Australia they have not welcomed the exposure by *The Royal Commission into Institutional Responses to Child Sexual Abuse* of the lengths to which they will go to defend their autocratic rule. Churches that turned deaf, dumb and blind in order not to hear the pleas from sexually abused children and their parents cannot be trusted to listen to the voices of the majority of Australians who want to make end-of-life choices for themselves.

In Australia, as elsewhere, minority ecclesiastical autocracies still remain powerful in their fight against same-sex marriage and voluntary assisted dying. They are powerful because both the mainstream and the fringe churches are prepared to go to extreme lengths to protect their fiefdoms and to resist change. I hasten to add that this does not apply to the Unitarian Church and the Reverend Geoffrey Usher, a strong supporter of Dying with Dignity.

Unfortunately, the fact is that church hierarchies still find fertile ground among many cautious politicians who all too frequently are prepared to ignore the views of the majority of voters and maintain the status quo of a federal parliament that still starts its day in Christian prayer.

As it happens, as party policy the Australian Sex Party and the Greens both support voluntary assisted dying. It would be very heartening if the major parties also did the same.

There is probably no other issue in Australian public life that can claim such increasing levels of support over the past decade. According to research, undertaken in 2012 by Newspoll, 84 per cent of ALP voters and 82 per cent of Coalition voters support it. Even 77 per cent of Catholics and 88 per cent of Anglicans want to see reform of the laws around it. These levels of support for Dying with Dignity are also recorded in many European democracies.

Last November a voluntary euthanasia Bill was defeated in South Australia. If that bill had passed it would have meant that adults suffering unbearably from a terminal illness would legally be able to ask a doctor to help them die. The vote was 23 for and 23 and, in this instance, the Speaker's casting No vote meant that for the fifteenth time in South Australia such a Bill was defeated – which is tragic.

With overwhelming public levels of support for voluntary assisted dying, how come most state or federal politicians are still not embracing the matter? One has to wonder why, because the subject is not one that will go away soon.

As I wrote late last year in 'The Sydney Morning Herald' and 'The Canberra Times', "The increasing number of baby boomers who are entering the latter phases of life will ensure it. This is a generation that will not lie down and die an undignified death in the face of a religious argument or any other form of moral blackmail and persuasion. They will face suffering in a politically committed way. Remember that it was this generation that stopped the Vietnam War and, as a consequence, the suffering of a nation of peasant farmers."

It seems the reason that so many politicians are still prepared to fly in the face of public opinion is because the matter is based on deeply personal and often religious values that strike at the core of people's being – rather than their thinking and political headspace. Last year *Newspoll* figures showed that for 80 per cent of respondents, voluntary euthanasia was of personal importance rather than a public issue.

Politicians who have not tasted the bitter end to a family member's life, and especially those of a religious persuasion, often prevaricate and talk about the moment of death being "God's will". Or they argue that they don't want old people being put down like dogs just because they are not useful anymore. But these arguments pale into insignificance compared with the deep and unnecessary suffering that many people still endure in the latter stages of their lives.

Just when some of us thought the light might have gone out for genuine reform in this area, a ray of sunshine has appeared on the horizon. In the second half of this year, the Victorian government will allow Labor members a conscience vote on a bill to legalise some form of voluntary euthanasia. This decision was in response to recommendations of the Victorian Parliament's end-of-life choices committee report. The inquiry was initiated by the Australian Sex Party leader and upper house crossbencher Fiona Patten, who was also a member of the committee.

After members visited a number of countries where some form of voluntary euthanasia or physician-assisted dying was legal, the committee came down with a report that encouraged the government to set up some basic ground-rules that would allow people in dire straits to make an informed decision about ending their life in a peaceful and dignified way. It appears that some conservative members of the committee moved much more to the centre ground as a result of their research. Patten also moved towards the centre and embraced a more pragmatic and politically acceptable set of recommendations.

Last year Victorian Labor Premier Daniel Andrews experienced the death of his father from cancer. By his own account, this harrowing experience changed his attitudes and opened his heart to the possibility of a new way of dealing with death and dying for all Victorians. This year Andrews, who will be voting in favour of legislation that facilitates dying with dignity, will allow all Labor members a conscience vote. In Victoria the Liberals will also be given a conscience vote. But merely allowing a conscience vote on voluntary assisted dying may not be enough. This is because often in the past and for a variety of reasons, our parliamentarians have not voted according to their conscience.

If, but this is still far from certain, the Victorian legislation succeeds, it may well open the way for other states and territories to follow suit and also pass meaningful dignity with dying legislation. If that occurs, the suffering of the nation will be greatly reduced and the national consciousness will be greatly enriched.

As well as Victoria, all eyes will be on New South Wales when, also in the second half of this year, the state's Upper House will debate whether to allow terminally ill adults to legally end their lives.

Moreover it seems likely that Tasmania will soon consider a new Voluntary Assisted Dying Bill.

While these are welcome developments, the clear reality is that if the law is to be changed in Victoria, NSW, Tasmania and elsewhere in Australia, as individual citizens, and as members of groups including 'Dying with Dignity', we need to actively lobby for the right to make end-of-life choices for ourselves.

We need to demand that the Catholic, Anglican and other churches, the Australian Christian Lobby and their politician fellow-travellers explain where they get the right to demand that palliative care staff must keep people alive against their wishes rather than assisting them to die with dignity.

Since I stood as the Australian Sex Party's lead Senate candidate in NSW and especially since I wrote about my mother's distressing death for Andrew Denton's fine book of essays, 'The Damage Done', which is about the suffering created by the absence of legally assisted dying, I have received a shoal of letters, texts, and emails from people all over Australia sharing with me their personal stories. They almost all want the laws changed so that in future they and their loved ones can die a peaceful and dignified death.

As I've already mentioned, serendipitously the Australian Sex Party's main slogan is 'Your Life, Your Choice!' So, speaking personally, I'd like you all to look beyond the party's current contentious name, which may soon be changed, and examine our key policies which include taxing all religious institutions; supporting same sex marriage; taxing and regulating the sale of marijuana and, above all, strongly supporting voluntary assisted dying.

And please remember that, when it comes to Dying with Dignity, it is crucial that we ensure that the personal is indeed political and that we understand that there is still a long way until the battle is won.

Ross Fitzgerald is emeritus professor of history and politics at Griffith University and the author of 39 books. These include a memoir 'My Name Is Ross: An Alcoholic's Journey' (NewSouth Books: Sydney which is also available as a Talking Book) and the co-authored political/sexual satire 'Going Out Backwards: A Grafton Everest Adventure' (Hybrid Publishing: Melbourne).