

Suffering, the crucial
criterion for allowing
euthanasia in the
Netherlands

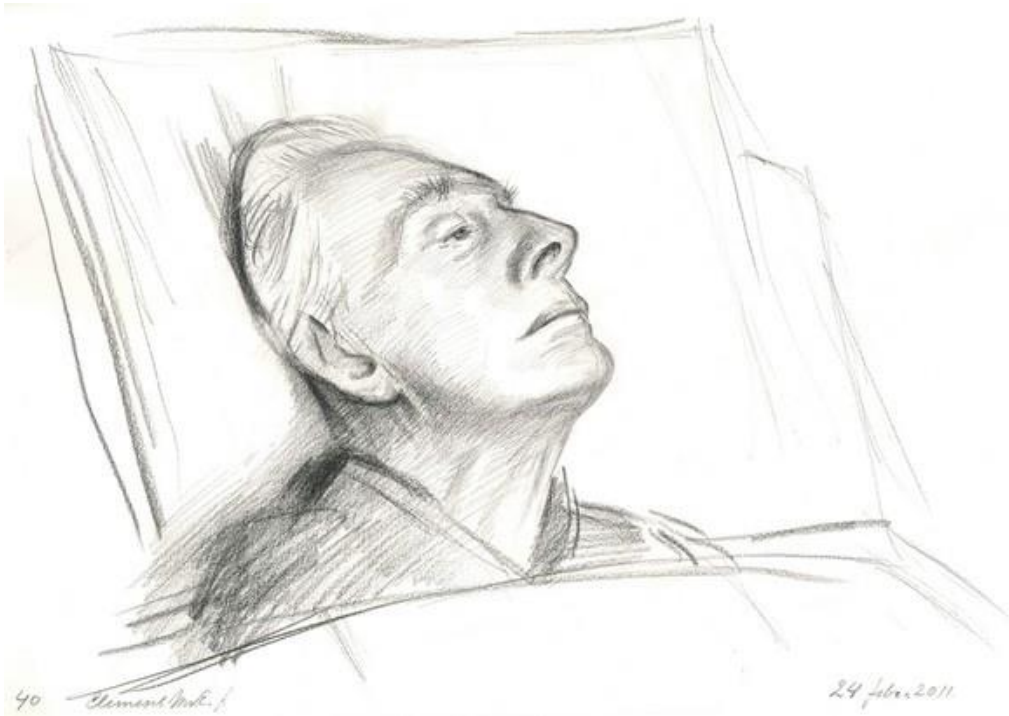
Heleen Weyers

Ethicist-member of Regional Review Committee

(nothing to disclose)



Drawing of Clemens Merkelbach van Enkhuizen



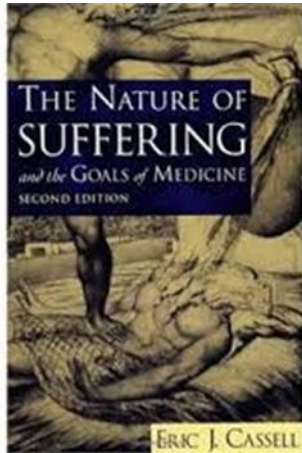
Introduction

How is suffering that is unbearable and without prospect of improvement understood by the Regional Review Committees and what is its significance in the practice of ending life on request?

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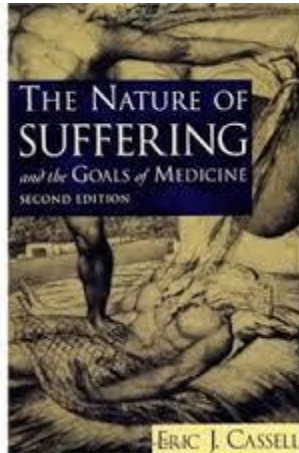
- Eric Cassell on suffering
- Suffering culturally defined
- Suffering and the RRC
- Example: suffering in old age
- Conclusions

Suffering: Cassell



Person: past, family, culture, roles, behavior, future

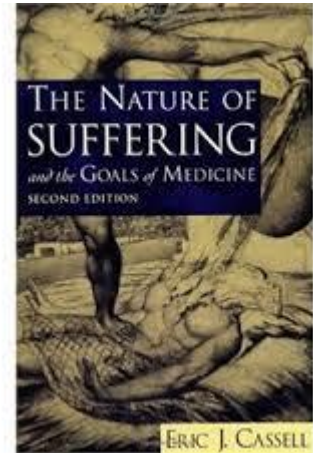
Suffering: Cassell



“Suffering occurs when an impending destruction of the person is perceived; it continues until the threat of disintegration has passed or until the integrity of the person can be restored in some other manner”

Suffering: Cassell

Pain (overwhelming, dire,
without end) ∞ suffering



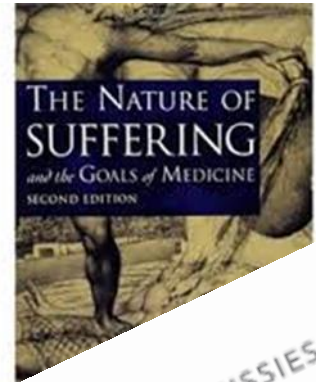
Loss of roles, functions, capabilities ∞ suffering

RRC on suffering

‘Finding a definition of suffering means describing an experience that involves a threat to intact existence and the decay or disintegration of the personality’

‘Bodies do not suffer, persons do’

‘ultimately depends on the person who is suffering
‘Suffering... is determined by the patient’s personality ... his previous history and experience of life and his perception of the future’



RTE REGIONALE
TOETSINGSCOMMISSIES
EUTHANASIE



Suffering: socially defined

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- Meaning is a social category (Wijsbek)
 - And therefore assessable by others
- Attributing meaning is a social process (Verkruisen; Elias)
 - And therefore shaped by others

Suffering: socially defined

Norbert Elias

But the concept of meaning cannot be understood by reference to an isolated human being or to a universal derived from it. What we call 'meaning' is constituted by people in groups who are dependent on each other in this or that way and can communicate with each other. 'Meaning' is a social category; the subject corresponding to it is a plurality of interconnected people. In their intercourse, signs that they give each other — which can be different in each group of people - take on a meaning, to begin with a communal meaning.

Loneliness of the Dying, New York and London: Continuum 2001: 54

Hopeless and unbearable suffering

- *The Termination of life on request and assisted suicide (Review) Act*
- Article 2 The attending physician must be satisfied that
 - a...
 - b the patient's suffering was unbearable, and that there was no prospect of improvement
 - ...
- Supreme Court (Chabot)
 - Suffering must be distinguished from its cause
- Supreme Court (Brongersma)
 - Patient's suffering is not predominantly due to a 'medically classified disease or disorder' acts outside the scope of his professional competence

Medically classifiable disease or disorder ∞ medical domain

- Does 'being tired of life' belong to the medical domain?
- Dijkhuis Committee: four options (they prefer the second option: no sharp demarcation of normality and pathology)
- RDMA 2002 (following Minister of Justice): necessity of **severe** medical complaint
- RDMA 2011: Suffering from multiple geriatric complaints

Elderly patient suffering

The patient, a man in his eighties, had increasing physical disabilities due to deteriorating visual, auditive and motor functioning. Shortly before his death he contracted a urinary tract infection and pneumonia, for which he did not want to be treated. He was in pain. Due to his physical debilitation he was increasingly dependent on others, needing assistance to get out of bed, wash and dress, and go to the toilet. He had been fitted with a urinary catheter. He needed a stairlift to get to the living room. He could walk a few steps with a rollator. It was becoming increasingly difficult for him to read large-print books and his ability to concentrate was declining. He slept badly because he could not find a position in which he was free of pain. In recent months he had had more falls because of balance disorders. The patient's suffering was caused by his deteriorating condition, as a result of which he could no longer walk, read or listen to music, and by the knowledge that his condition would only decline further and he would lose his dignity. For a man who had always been very independent and who loved reading and listening to music, this suffering was unbearable, which the attending physician found palpable. His suffering was clearly without prospect of improvement.

Summary

- Suffering- not terminal phase
- Suffering – person or body
- Suffering occurs when somebody perceives an impending destruction of his or her integrity
- Suffering is ascribing a meaning to an experience
- Suffering is socially and culturally defined
- Suffering is accessible for other human beings

Conclusion

- Suffering is the crucial criterion
- Suffering is culturally defined
- Cultures change and so do our opinions on unbearable suffering

Thank you for your attention

Susan Sontag



“It is not suffering as such that is most deeply feared
but suffering that degrades”

