Resolution of Witness in Support of Legislation Authorizing Medical Aid in Dying

Submitted by: Central Atlantic Conference on [. . . ] 2016

Summary:

This resolution supports and urges the enactment of legislation authorizing medical aid in dying, under specific guidelines as determined by each State and the District of Columbia, for an adult patient who: (1) has a medically diagnosed, terminally/incurably debilitating illness or condition; (2) has a medical prognosis of death within six months; (3) is legally competent to make medical decisions; and (4) is expressing a voluntary and personal choice to die. Such authorization becomes especially exigent morally when the patient has periods of severe, unrelenting, and intolerable physical discomfort or pain, without meaningful relief from medication and without prospect of significant improvement, and no longer wishes to suffer in such a state.

Biblical, Theological, and Historical Grounding:

At its 2008 Annual Meeting, the Central Atlantic Conference of the United Church of Christ (UCC) adopted for consideration by the 27th General Synod of the UCC (2009) a Resolution entitled “In Support of Physician Assistance in Dying.”

This Resolution was referred for consideration in the study process that was established by the 26th General Synod of the UCC (2007) in response to “Legalization of Physician Aid in Dying,” 07-GS-37, a Resolution submitted by the Northern California Nevada Conference of the UCC.

This study process, which was conducted by a working group convened by the UCC’s Justice and Witness Ministries, resulted in a six-week guide, Faithfully Facing Dying: A Lenten Study Guide on Critical Issues and Decisions for the Members of the United Church of Christ, a resource for congregations, Associations, and Conferences to use in 2010 in discussing the range of choices involved in their understanding of death and dying.

The working group reported in March 2011 that at the conclusion of its deliberations, it remained divided on the question of legalizing physician-assisted dying and therefore did not offer a recommendation for consideration by the 28th General Synod of the UCC (2011) on the public policy proposals contained in the 2007 and 2009 Resolutions.

Instead, the working group planned to prepare and post for downloading, as a resource for use by individuals, a revision of Making End-of-Life Decisions: United Church of Christ Perspectives (Julie R. Harley, ed., 1993; updated 1997) that would draw on material from the Faithfully Facing Dying study guide. Because of a lack of resources, this plan did not come to fruition. The working group did offer, however, two mini-

The subject of medical assistance in dying was not on the agenda of the 29th General Synod (2013) or the 30th General Synod (2015).

Since no fewer than twenty states and the District of Columbia are currently or have recently considered some form of legislation to allow terminally ill people the option of medical aid in dying, and because five states (Oregon, Washington, Montana, Vermont, and California) already permit such assistance to a dying adult under certain conditions, now seems to be a propitious time for the UCC to revisit this issue and to take a decisive stand defending freedom of choice and advocating for compassion – as is characteristic of its historical (and historic!) social justice witness.

Such a defense and advocacy has a theological foundation. God intends that created life be more than simply the existence of a human organism. The Gospel of John reports Jesus as saying, “I came that you might have life, life in all its fullness.” (John 10:10) Life is also a perishable gift. Mortality is universal. There is a time to be born and a time to die. When medical science shifts from expanding the length and quality of life and begins simply to postpone the reality of death, the sacredness of life is no longer being served. Such prolongation may cause unnecessary suffering and/or loss of dignity while providing little or nothing of benefit to the individual. God’s will does not involve suffering beyond the limits of human endurance. It does not honor God to cling to an existence that has become an empty shell. The continuance of a mere physical existence is neither morally defensible nor divinely ordained.

When illness leaves one so impaired that what is most valuable and precious is gone, the mere continuance of the body by medicine or drugs is a violation of the person. Many persons, because of their religious beliefs or for other reasons, will choose to draw the last possible breath, no matter what. That choice will remain for every person who wants it. Some others, when end-of-life suffering becomes unbearable, will decide that continued existence on earth without hope or meaning is no longer “life in all its fullness”; in fact, it is no longer tolerable. They may rightfully ask to have the choice of a peaceful release.

God has granted humanity the right of personal choice, which must include decision over end-of-life matters. The gift of abundant life is more than the avoidance of death, and over-regard for the mere continuance of the life of the body, without proper concern for the needs of the person or the human spirit, can become idolatrous. What is required is a balanced appreciation of the whole person. At some point, an individual has the right to die and not be simply maintained.

Furthermore, since God has made human beings responsible for the very beginning of human life, it is consistent to assume that the same God has made the end of human life a human responsibility. Thus, the principle of the sanctity of human life may yield to the principle of self-determination when someone is terminally ill. Choosing death with dignity over a life that has become either hopelessly painful and
dysfunctional or empty and devoid of significance allows us to honor the God in whose image we are created.

We are co-creators with God, given free will and the ability to make compassionate choices. The proposed Resolution, on grounds of compassion and choice, would permit medical aid in dying to be legal as long as strict safeguards to prevent abuse are provided.

The Text of the Resolution:

WHEREAS, life is both a sacred and a perishable gift from God;

WHEREAS, it is clear that our loving God does not want anyone to suffer needlessly;

WHEREAS, medical technology, pain management, and palliative care have made great advances, yet some persons still face intolerable suffering during a terminal illness;

WHEREAS, the purpose of medicine is to alleviate suffering, and sometimes ending a life is the only way to do it;

WHEREAS, the physical pain that individuals may face at the end-of-life stage is one form of suffering, the psychic pain that may result from the loss of autonomy and self-respect that sometimes accompanies that stage is another such form;

WHEREAS, a crucial question for dying patients is whether they are living or merely existing;

WHEREAS, life’s very sacredness means that it should not be allowed to linger in suffering or indignity, and that in some cases medical aid in dying can be a greater form of respect for human life’s sanctity than mere prolongation of existence;

WHEREAS, if the intent of withholding or withdrawing life sustaining treatment is to cause a merciful death, this purpose can be accomplished more swiftly and humanely, and at the time of the patient’s choosing, by medical aid in dying;

WHEREAS, assistance in dying is well within the role of modern medicine, since resorting to extreme measures to try to keep alive the terminally ill at all costs does not in every case respect the patient;

WHEREAS, medical aid in dying is a last resort for those cases in which hospice care is ineffective or unacceptable to dying patients;

WHEREAS, denial of medical aid in dying is, in fact, doing harm when it perpetuates a patient’s continued suffering and is against the will of the patient;
WHEREAS, individuals who do not want medical aid in dying are free to follow that path but should not be allowed to require anyone else to die a painful, protracted, and agonizing death;

WHEREAS, in those jurisdictions in which current law prohibits medical aid in dying, favoritism is shown to those who believe it is immoral, thus denying equal (not preferential) treatment to those who believe medical aid in dying can be a principled moral choice for themselves;

WHEREAS, such equal treatment would be affirmed in the case of legalization of medical aid in dying;

WHEREAS, by establishing a set of procedures for legal assistance in dying, each State and the District of Columbia can ensure that only people who are medically diagnosed as terminally ill and of sound mind qualify for medical aid in dying and so can be released from an insufferable state if it comes to that;

WHEREAS, as of the end of 2016, four states (Oregon in 1997, Washington in 2008, Vermont in 2013, and California in 2015) have enacted laws authorizing medical aid in dying (also known as Death-with-Dignity) for persons who are at least eighteen years of age, are terminally ill and expected to die within six months, and who make two oral requests, fifteen days apart, and one written request for a doctor to issue a prescription for a lethal drug which the person must take voluntarily, without assistance;

WHEREAS, as of the end of 2016, in another twenty-one jurisdictions, legislatures are considering similar legislation; and

WHEREAS, the United Church of Christ has historically supported the principles and values of autonomy and dignity, compassion and mercy that undergird the laws enacted in Oregon, Washington, Vermont, and California authorizing medical aid in dying;

THEREFORE, BE IT RESOLVED, that the Thirty-First General Synod of the United Church of Christ support and urge nation-wide the enactment of legislation authorizing medical aid in dying, under specific guidelines as determined by each State and the District of Columbia, for an adult patient who: (1) has a medically diagnosed terminal illness or condition; (2) has a medical prognosis of death within six months; (3) is legally competent to make medical decisions; and (4) is expressing a voluntary and personal choice to die; and

BE IT FURTHER RESOLVED, that the Thirty-First General Synod of the United Church of Christ communicate in writing this resolution to the Mayor and Council Chairman of the District of Columbia and to the Presidents of the Senates and Houses, as well as Governors, of those States currently considering enacting medical aid in dying legislation.
**Funding:**

The funding for the implementation of the Resolution will be made in accordance with the overall mandates of the affected agencies and the funds available.

**Implementation:**

The Collegium of Officers, in consultation with appropriate ministries or other entities within the United Church of Christ, will determine the implementing body.