To kill or not to kill

The euthanasia debate rekindles as police lay charges of ‘aiding a suicide’ on Vancouver Island » by KEVIN STEEL.

Jack Kevorkian, Svend Robinson, Philip Nitschke and Robert Latimer; to that list of active, high-profile supporters for the legalization of euthanasia may soon be added the name of Evelyn Marie Martens. Last month, the 71-year-old grandmother from Langford, B.C., was charged with two counts of counselling a suicide and two counts of aiding a suicide. The charges are related to the deaths of Monique Charest in Duncan, B.C., a former nun from Trois-Rivières, on January 7, and Leyanne Burchell, 52, a former Vancouver schoolteacher, on June 26. A preliminary hearing for Ms. Martens is set for November 13. She has opted for trial by judge and jury.

The investigation continues as police probe back 10 years looking for similar suspicious cases. While she is awaiting trial, Ms. Martens is remaining silent; her lawyer has publicly stated that she has no interest in fuelling the debate. But with so-called “right-to-die” movements asserting themselves throughout the western world, the case will surely renew the discussion over legalizing assisted suicide in this country.

Despite the current silence—some of it court-ordered (for instance, she had to surrender her computer)—Ms. Martens appears to have been very active in the pro-euthanasia movement. She is a known member of the Right to Die Network of Canada, and a member of NuTech, an international organization that meets to discuss methods of suicide.

Adding fuel to the fire, on July 23 Quebec police charged 46-year-old Alain Quimper with the first-degree murder of his mother, Clothilde D’Auteuil. The 78-year-old woman was found in her nursing-home bed and had been strangled with an electrical cord. D’Auteuil was said to be in deteriorating health and suffering from Alzheimer’s. The police described it as a possible mercy killing.

During the late ’90s in the U.S. there was intense media coverage of the trial of euthanasiaist Jack Kevorkian, sentenced to 10 to 25 years for actively killing one of his patients. But the issue of assisted suicide has been largely dormant in the Canadian mainstream media since the death of Sue Rodriguez in 1994.

With these life-and-death issues back at the forefront, opponents of euthanasia and mercy killing are reiterating that they can give no ground. “I believe with all my heart that if we ever legalize euthanasia in Canada, we would be taking such a horrendous step backwards that we could never, ever come back,” says Cheryl Ecksstein, the founder and president of the Compassionate Health Network, an anti-euthanasia lobby group. As an example of this regression, she cites the experience of the Netherlands. There, she says, despite supposedly stringent rules governing assisted suicide which are routinely ignored, not one doctor has ever spent a moment in prison for violating them.

The campaign for assisted suicide in Holland began back in 1973 with a single high-profile case. By 1981, another famous case resulted in the establishment of procedural guidelines doctors could follow when killing a patient: if strictly followed, prosecutors agreed not to charge doctors. But a 1996 study showed that all the guidelines were followed only 41% of the time; in 15% of the cases, the patient did not even ask to be killed; and in 15% a second doctor was not consulted. Nevertheless, despite what appeared to be a growing tendency on the part of doctors to play God, on April 1 this year the Dutch legally sanctioned euthanasia, again mouthing platitudes about “strict adherence” to the rules.

An extreme instance of a doctor playing God is the case of Harold Shipman in Hyde, England. The small-city doctor was convicted and sentenced to life in prison for 15 murders by lethal injection and is suspected in the deaths of 215 others. Most of his victims were elderly and infirm. An inquiry into the killings could establish no motive, though the inquiry did note after periodic interludes during which he killed no one, Shipman would start again with terminally ill victims.

In Australia, euthanasiaists experienced a setback earlier this year. On May 22, Nancy Crick, a 69-year-old grandmother who believed she was dying of cancer, committed suicide in front of 21 family and friends. Immediately afterward, Philip Nitschke, a voluntary-death advocate who started controversial “euthanasia advice clinics” in Australia, told Agence France Presse that he had 100 terminally ill patients, some of whom...
were considering following Mrs. Crick's example to take a fatal dose of barbiturates in front of their families. "Three are thinking of going down the public path," Dr. Nitschke claimed, in order to push for a change in the law (which is similar to Canada's).

Two days after this initial gust of suicide publicity, the Sydney Daily Telegraph reported that the pathologist who examined Mrs. Crick could find "no visual trace of cancer in Crick's body although there was evidence of previous cancers." The woman's family was understandably horrified. That same day, at a national conference of the Australian Medical Association, doctors voted down a proposal to soften their position against euthanasia.

Ezekiel Emanuel, author of The Ends of Human Life: Medical Ethics in a Liberal Polity and chairman of the department of clinical bioethics at the National Institutes of Health in Bethesda, Maryland, has argued that euthanasia laws should not be relaxed. He cites among other reasons that the Dutch experience has proved the slippery-slope argument is true. As laws towards euthanasia relax, doctors begin to disregard the rules, ignore the need for patient permission and begin to kill based on their own judgments about "quality of life."

Though he is opposed to legally permitting assisted suicide, Mr. Emanuel does not, however, rule out the possible necessity of voluntary death in some instances. But this is precisely why the current laws should stay in place, he says, so that each situation is legally examined. "I think that there are good cases out there; they're rare," says Mr. Emanuel. "But if they are good cases—legitimate cases—then juries will look on them sympathetically. And if they aren't legitimate, they ought not to look upon them sympathetically."

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**Shot dead on a balcony**

After her boyfriend is killed while holding her hostage, a B.C. woman questions the parole system

When 40-year-old Elizabeth Brown met Travis Arbuckle, 41, at bingo 10 months ago, the Richmond, B.C., waitress never dreamed he would die in a hail of RCMP bullets while he flailed at her with a butcher knife. Nor that he had just been paroled after serving 18 years of a life sentence for drowning his three-year-old daughter Lisa, and suffocating her sister, nine-month-old Jennifer, in a fit of rage against his common-law wife because he believed she was sleeping around and using him for a babysitter. He had tucked the bodies into bed with their stuffed animals and penned notes of apology to their pillows. One read: "Lisa, my favourite daughter. Why didn't your mother listen? I love you. Please forgive me. Don't. Love, Daddy."

"They shouldn't let these guys out; they should evaluate them more and not fall for it when they say what they want to hear," declares an emotional Ms. Brown. She is recovering from the trauma that took place on her balcony the morning of July 16 after she tried to break off their live-in relationship with the parolee.

"Travis was very nice, no temper, easygoing, for the first four months," Ms. Brown explains, but he became heavily involved in drug use. "Since then he's been mean—verbal, mental and physical abuse, jealous of everything I did. Everything I wore. He'd say, 'You're cheating,' check my purse for phone numbers, check my phone bill, my cellphone. I even had to take him with me to Safeway. Five times she asked him to leave, but he always tried to make amends. On July 16, she repeated her demand. "He admitted things weren't working out. I said, 'You got that right!'"

The next morning Arbuckle, a house painter, called friends to help him move before calling his boss, asking him to make his paycheque out to his father.

"That seemed peculiar," observes Ms. Brown. "Was he contemplating suicide?"

Later Arbuckle apparently became angry with her, grabbed a large kitchen knife and chased her. "I tried to get out; he stopped me and held me hostage outside on the balcony. My mom saw and wanted to call 911, but she thought you had to dial 604 first. At one point he went into the house for a split second; I was able to grab the knife he left in a cubbyhole. I threw it off the balcony. He threw me to the floor and dragged me out. I ran out the door and he threw me back in the corner. I guess because if he didn't have a hostage they wouldn't shoot him."

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