

THE SCOTSMAN

The Conductors pledge themselves for impartiality, firmness and independence...
 their first desire is to be honest, the second is to be useful... the great requisites
 for the task are only good sense, courage and industry

FROM THE PROSPECTUS OF THE SCOTSMAN, 30 NOVEMBER 1816

FRIDAY 5 MARCH 2010

Dignity of life trumps the choice of the ill to end their suffering



PLATFORM

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WHAT does dwarf-tossing have to do with Scotland in 2010? Or why does recent activity in the Holyrood Parliament call to mind German legislation about peep-shows? Common to all is the issue of a person's freedom and dignity.

One might be forgiven for believing that in a free society people can do whatever they want, provided no-one else gets hurt. Should not an informed adult who consents freely to participate in an activity have every right to do so? One of the great hallmarks of democracy is the freedom of individuals to rule themselves, that is, to exercise autonomy, to choose and act freely without censure of the law. Why should the dying be excluded? If a person wants to die peacefully and without excessive pain, why should anyone object? Why should the law interfere?

Autonomy is a driving factor of MSP Margo MacDonald's assisted suicide campaign. People who want to escape excruciating pain from a terminal illness should be able to do so, she argues: "This bill is meant ... to give those people the autonomy to exercise some control over how they die, to give them the legal right to seek assistance and to protect the people that give assistance."

Is autonomy always the highest good? While advocates of assisted suicide do their best to equate autonomy with human dignity, nothing could be further from the truth, because nothing can strip away human dignity. Nothing can ever take away the value, worth and meaning of a person's life. For example, it is only because society believes in the human dignity of persons that it respects their autonomy. Intrinsic dignity is an in-born reality, which every person possesses. Dignity can be maligned, but it cannot be taken

away. Since the early years after the Second World War, this basic fact of human existence has been the foundation of all good and ethical societal practice. The first article of the Universal Declaration of Human Rights states: "All human beings are born free and equal in dignity and rights." There's nothing there about autonomy.

Several court rulings suggest that autonomy may be removed in order to preserve human dignity and the decency of society. For example, in 2002 the UN upheld a French decision to ban the obscure sport of dwarf-tossing. At issue was whether a man one metre tall had the right to allow himself to be thrown. Manuel Wackenheim claimed the right was his. The UN said it was not, as it countered "considerations of human dignity". Similarly, in 1981 a German high court ruled against the right of a woman to perform willingly in peep-shows. Again, the key factor was not just the dignity of the woman but that of human dignity in general, and the greater good of society. Dignity, the court decided, "reaches beyond the individual [and] must be protected even against the wishes of the woman concerned".

Lawmakers and activists would have us believe that the right to die is something the government should protect and every individual should be able to exercise. These two rulings suggest the individual is not always free to do as he or she chooses. Why? Because human dignity always trumps autonomy, and the best interests of society sometimes outweigh the interest of the individual.

It is time for Scotland to see that autonomy is not the bedrock of a decent society. Far more important is the fundamental principle that all human lives have an intrinsic worth, value and meaning whatever the circumstances.

Everyone has dignity, and we as a society will lay solid foundations for the future by voicing our support for this dignity and rejecting the belief that some lives are unworthy of life and should, therefore, be ended.

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MSP Margo MacDonald campaigns for a right to choose death