



Medical Assistance in Dying

A UNITED CHURCH OF CANADA PERSPECTIVE

Medical Assistance in Dying (MAID)

- ▶ How did we get here?
- ▶ Where are we?
- ▶ Where may we be going?

How did we get here?

Timeline of MAID in Canada

- ▶ 2015

- ▶ Supreme Court of Canada decision in Carter case
- ▶ Special joint parliamentary committee hearings

- ▶ 2016

- ▶ Bill C-14 passes, making MAID legal in Canada for mentally competent adults experiencing physical or psychological suffering from a grievous and irremediable medical condition that makes their natural death reasonably foreseeable

How did we get here?

Timeline of MAID in Canada

- ▶ 2019

- ▶ Superior Court of Quebec decision in Truchon case finds the “reasonably foreseeable natural death” criterion unconstitutional

- ▶ 2020

- ▶ Federal government introduces Bill C-7, removing the reasonably foreseeable natural death criterion, and allowing advance consent to MAID when natural death is foreseeable

How did we get here?

Timeline of MAID in Canada

▶ 2021

- ▶ Bill C-7 passes, with amendment to allow MAID for adults whose sole diagnosis is a mental disorder

▶ 2022

- ▶ Expert Panel on MAID and Mental Illness reports to Parliament
- ▶ Special parliamentary committee undertaking statutory review of MAID begins its work
- ▶ Federal government plans to delay March 2023 date for MAID for adults diagnosed with mental illness

How did we get here?

The United Church response

- ▶ 1995

- ▶ Study document Caring for the Dying: Choices and Decisions

- ▶ 2015

- ▶ General Council Executive directs the Theology and Inter-Church Inter-Faith Committee to examine the theological implications of MAID and offer guidance to prepare a church statement
 - ▶ Moderator Jordan Cantwell sends remarks to the special joint parliamentary committee on MAID

How did we get here?

The United Church response

- ▶ 2017

- ▶ General Council Executive adopts the Theology and Inter-Church Inter-Faith Committee's report

- ▶ 2021

- ▶ Executive adopts a second statement on new issues in MAID: the reasonably foreseeable natural death criterion, mental illness, minors, and advance directives

Worship resources on death & dying

<https://united-church.ca/worship-theme/death-and-dying>



Where are we?

With Medical Assistance in Dying now legal in Canada, people participating in United Church of Canada communities of faith are faced with their loved ones choosing such assistance in dying, or considering this option themselves.

How can the church support people challenged with such a decision?

How can the church prepare people for end-of-life decision-making?

What context can the church provide for thinking about dying in general, and Medical Assistance in Dying in particular, from our theology and faith tradition?

Where are we?

Theological convictions

“The church affirms the image of God in every person. Each human being has an intrinsic dignity and infinite worth, qualities given by God. These understandings mean that the ending of any human life, regardless of apparent necessity, perceived propriety, or just cause, cannot be considered apart from this unique claim God has on each individual. Nor can any decision to end a human life be considered apart from its relation and potential contribution to the tragic dimension of the human condition... Medical Assistance in Dying, in this sense, is not something to be considered as morally or ethically neutral.”

Where are we?

Theological convictions

“Holding these theological tensions is part of ethical discernment around medical assistance in dying. With these considerations in mind, there are certain instances where imperfect actions may be required in the face of worse alternatives. Christ’s own ministry of healing and reconciliation made manifest the divine intent for the full flourishing of human life. In the case of some who are terminally ill, extreme, prolonged suffering and pain can diminish human flourishing to the point where assisting the process of death may be an act of compassion. We are made in the image of God, and a human life is not ultimately ours to take. At the same time, preserving human life is not an absolute in all circumstances.”

Where are we?

Theological convictions

- ▶ “In life, in death, in life beyond death, God is with us.”
- ▶ “There are circumstances where concerns about undue suffering can outweigh the taking of an individual life and make Medical Assistance in Dying a preferable option.”
- ▶ At the same time, we must ensure that societal notions about what constitutes ‘a good life,’ or ‘a useful life’ do not pressure individuals into seeking Medical Assistance in Dying.
- ▶ **“In the end, the mystery of death prevents it being seen as a problem to be solved with pat theological answers.** We hold in tension God’s desire for full, abundant life with God’s promise to be faithful to us in death.”

Where are we?

The United Church's statement

- ▶ Legislation emphasizes the autonomy of the individual patient
- ▶ The Church, however, tries to hold together individual moral agency and life in community: "the church affirms moral reasoning undertaken in relationship with family, loved ones, close friends and community and one's physician as taking precedence over absolute statements."
- ▶ We are called to embrace those struggling with these difficult decisions and to ensure that they are not alone

Where are we?

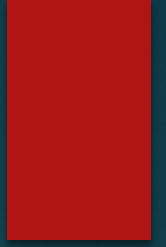
The United Church's statement

The Church concludes: “The choice of assisted death must be a free and informed decision by an individual who, with the support and accompaniment of others, sees this as one option among many in determining their future, and not as the only option that must be taken due to a lack of choice when facing terminal illness. Our communities of faith need to be safe places for discerning, thoughtful conversations about these options.”

Where are we?

MAID in Canada in 2023

- ▶ MAID in Canada has had two tracks since the passage of Bill C-7 in 2021:
 - ▶ Track 1: for mentally competent adults with a terminal illness
 - ▶ Track 2: for mentally competent adults with a disability leading to an irreversible and advanced state of decline and causing unbearable physical or mental suffering that cannot be relieved under conditions that the sufferer considers acceptable



Where may we be going?

Expanding MAID

- ▶ Disability
- ▶ Mental illness
- ▶ Advance consent
- ▶ Mature minors

Where may we be going?

What the United Church has said

- ▶ Disability
 - ▶ The Church must challenge society's prejudice that equates a life worth living with being able-bodied, and that defines happiness as the absence of suffering
 - ▶ It must also recognize the ways in which the lack of supports and the diminishment of agency can affect the ability of people to make decisions about the end of their lives
 - ▶ The criterion of death being reasonably foreseeable and natural must be maintained

Where may we be going?

What the United Church has said

- ▶ Mental illness
 - ▶ The Church does not support opening MAID for mental health disorders
- ▶ Advance consent
 - ▶ Specifying MAID in advance “raises profound questions of personal responsibility for the action” and should not be an option
- ▶ Mature minors
 - ▶ Support for a case-by-case process regarding access to MAID for patients who are under the age of 18

Where may we be going?

What the United Church has said

- ▶ MAID must be the free and informed choice of terminally ill patients
- ▶ We advocate community-focused and theologically robust discernment on a case-by-case basis that also ensures the protection and care of those potentially made vulnerable by Canada's MAID regime
- ▶ It is important to engage communities of faith, and the broader community, in conversations about death and dying

Where may we be going?

What the United Church has said

- ▶ As well:
 - ▶ Importance of chaplains and spiritual care practitioners
 - ▶ Need for equal access to palliative care
 - ▶ Attention to the struggle of conscience faced by some health professionals, who may be involved in United Church communities of faith

Where may we be going?

What the United Church has said

The Church concludes:

“Those facing the end of their lives, and their families and friends, must feel that they will not be abandoned by the church at any point. This is an imperative for a church that, in the words of *A New Creed*, trusts in God and proclaims that in life, in death, in life beyond death, God is with us. We are not alone.”



Questions for us

- ▶ For those of you who have supported someone who has chosen MAID, what was that experience like for you? What did you learn about yourself?
- ▶ For those who have or have not supported someone who has chosen MAID, what do you need to be present for those struggling with decisions about MAID or have chosen MAID?