

Philosophy 205C: Legal Ethics  
Squib #2: The Ethics of Euthanasia

There has been much said about the ethics of euthanasia—see, for one perspective, “The Morality of Euthanasia” by James Rachels, pp. 252-257 (EL) for a classic discussion. But there are different kinds of euthanasia and the law treats them differently. For example, the Supreme Court of the United States (SCOTUS) has held that an autonomous person does have the right to refuse unwanted medical care, even medical care that is necessary for preserving or prolonging her life. Thus, SCOTUS has declared that we have a constitutionally protected “right to die.”—see *Cruzan v. Director, Missouri Department of Health* (1990) for an important discussion. However, SCOTUS has never held that we have a constitutionally protected right to *assistance* in dying, say, with the help of a physician. Indeed, SCOTUS has *denied* that we have any such right—see, for example, *Washington v. Glucksberg* (1997).

Some individual states—including Oregon, California, Vermont, and Washington—have adopted laws that permit a patient to end her life with the assistance of a physician. In all cases, patients must be competent and able to clearly communicate their wishes, and there are always restrictions. Some states, including Michigan, do not guarantee their citizens the right physician-assisted suicide.

Imagine that you can advise Congress about physician-assisted suicide. What would you advise? In particular, how would you respond to the following two questions be: 1) **Should we have a legal right to physician-assisted suicide?** And 2) **why or why not?**