

Reverend Scott McKenna Mayfield Salisbury Sermon 28-Oct-2012

Mayfield
Salisbury
Parish Church



The following sermon was delivered by the Reverend Scott McKenna, Minister of [Mayfield Salisbury Parish Church](#), on Sunday 28th October 2012. You can read the parish's own copy [here](#), and listen to the sermon [here](#).



On Sunday 17th May, 2009, just over three years ago, I preached a sermon on assisted dying. The sermon was a response to the Assisted Dying Bill being proposed by Margo MacDonald and the report on 'End of Life Issues' written by the Church and Society Council of the Church of Scotland. The 2009 Council report remains the position of the Church of Scotland. On Friday of this week, marking the *World Right to Die with Dignity Day*, Margo will launch her new proposal which will go before the parliament next year. In addressing this issue again, I am aware that it is an emotive issue and, in many cases, a deeply personal matter but it is one of the defining ethical issues of our day and no parish minister can fail to address it.

Margo's new proposal is that a person aged 16 or over will qualify under the terms of the Act if they have the mental capacity to make an informed decision, have either a terminal illness or a terminal condition and they find their life intolerable. Many of the people who support assisted dying legislation do so based on personal experience. Tony Nicklinson had locked-in syndrome. After suffering a stroke seven years ago, he came to describe his life as a 'living nightmare.' On 16th August, he lost his legal battle to have a doctor assist his dying. On 22nd August, Tony died of pneumonia at his home after refusing medication, food and fluids. His widow, Jane, said that the last 48 hours were 'pretty unpleasant.'

In England, following a consultation on assisted dying, Lord Falconer, a former Lord Chancellor, intends to table a Private Members Bill in the House of Lords which will allow a person to receive assistance from a doctor to end their life. Falconer says that 'there should be improvements to ensure that high-quality end-of-life care is available to everyone....[but] no matter how good end-of-life care may be there is always likely to be a small cohort of people who will experience unbearable suffering..'. The former Lord Chancellor says that the law as it stands is incoherent. As part of his Bill, he recommends a national monitoring commission which would have oversight and powers of investigation. Falconer says, 'By introducing a humane and supported way for people to end their lives, while continuing to improve end-of-life care, we can help to ensure that every person is able to die in the way that is best for them.'

In a recent article in *The Observer*, the philosopher, Mary Warnock, draws attention to the legal incoherence. She cites a recent case in which there is no doubt that the family has acted unlawfully and yet they have not been prosecuted. Warnock suggests there are three ways to interpret this:

First, it may suggest that assisting someone to die is not intrinsically wrong, but only contrary to the law...[Second], it may suggest that we have moral scruples about assisted dying but are prepared to turn a blind eye if it is not in our back yard. [And third], we may...be saying, 'We have failed to find a way to legislate to permit assisted dying that is not subject to abuse. If other countries have succeeded, let us take advantage of their laws.

Warnock is ridiculing the current arrangements in England but she says, 'We have a moral obligation to take other people's seriously reached decision with regard to their own lives equally seriously, not putting our judgement of the value of their life above theirs.' Elsewhere, Warnock acknowledges the risk inherent in assisted dying, the risk of families or others pressurising a dying person, but she says the answer is regulation, not denial. The fact that a few might seek to act outside the law is not something new and it has never stopped us legislating in the past! The Roman Catholic Church describes assisted dying legislation as a 'cloak for murder' but the evidence thus far from the US State of Oregon, which has had this legislation for over 15 years, is that families tend to hold back, are happy to care for a dying loved one and coercion is not an issue. The answer is regulation.

Warnock challenges the dishonesty or credibility of the so-called 'double-effect' defence offered by doctors. Double-effect allows doctors to say that in administering a drug their intention is pain relief, though they 'know' that a likely outcome of that pain relief will be death. Warnock says, 'This is Jesuitical.' Fearing the moral implications of their actions, she says, doctors give it a clever title and together with families pretend not to see. There is more to be said by way of background but let me turn to theological reflection.

On the whole, the responses of the churches have been a gift to belligerent atheists. The Christian group, *Care Not Killing*, makes a direct comparison between assisted dying legislation and Nazism. Nazi doctors, says the group, believed certain lives were not worth living. Their chairman, a former GP, Dr Andrew Fergusson said:

Kids in schools in Germany in the 1930s were doing sums about what it cost to keep a mental defective alive and how many textbooks you could buy for healthy, blonde-haired, blue-eyed Aryan children for that money. It was that whole idea of some lives aren't equal to others and we stand against that.

Fergusson missed the crucial point that the value placed on the lives of the people killed was made by the Nazi doctors, not the individuals themselves, and those who were killed did not choose to die. Quite a misjudgement!

In my view, the arguments against assisted dying offered by the Church of Scotland do not stand up to scrutiny. The Church begins from the sixth commandment 'You must not kill', which it interprets as 'You must not murder.'

You must not take human life. The report says, 'God has forbidden it.' But, how can this be? David, the son of God, killed Goliath? David's army killed thousands in battle. Samson killed the Philistine kings. Clearly, the Church and Society Council did not consult a biblical scholar! The sixth commandment is 'You must not kill *unlawfully*.' That is a staggering difference! It was morally and legally acceptable to kill in battle or once a death sentence had been passed. The issue was one of *legality*. The sixth commandment prevents a member of the community from killing a fellow Hebrew with premeditated forethought out of malice, anger or greed. There is nothing in the sixth commandment which is relevant to an assisted death *chosen* by the person who is dying from a terminal illness. The Church is wrong.

Even by its own definition, that 'You must not take a human life', the Church's argument is incoherent. The Church *commends* the work of military chaplains and Christians serving in the armed forces. There are members of the Church of Scotland serving who are paid to kill people. In addition to that, in certain pastoral circumstances, the Church of Scotland accepts abortion, such as incest or rape. In Scotland and elsewhere over the past five hundred years or so almost every Christian martyr was killed by a Christian, albeit of a different denomination! The 'Just War' theory, accepted by most mainstream churches, legitimises killing, often on a large scale. The commandment 'You must not kill' or 'You must not murder' is not relevant to this debate.

The Church of Scotland then argues that we are made in God's image and because of that we have special value and dignity. Human value and dignity, says the Church, do not depend on the quality of life, even if that life is full of pain and suffering. *Do we believe that?* Aligned to this, the Church speaks of 'the sanctity of life'. Life is a gift from God; it is sacred. 'Sanctity of life' is not a biblical phrase: where does it come from? Life is a gift from God, says the Church, and God alone decides the moment of death. This is very bad theology. The Church did not consult a theologian!

If God chooses the moment of death, is that an intervention by God? If that is an intervention, does God decide the length of the period of suffering and the kind of suffering? When we think of an adult or child who has been tortured and murdered, did God choose the moment of death? Did God choose the circumstances of death? The sanctity of life concept, that God alone chooses the moment of death, is flawed.

In the short amount of time I have left, let me make four brief points. One of our problems in dealing with the concept of assisted dying is that it carries the negative overtones of suicide. For over 1500 years the churches regarded suicide as a sin. For the family of the deceased it carried considerable shame. Thankfully, suicide is now seen as the personal tragedy that it is. However, the choice to take one's life carries with it a sense of weakness and defeat. Rightly or wrongly, it carries a sense of personal failure. Let me be clear: I am not demeaning someone who has committed suicide; suicide is a tragedy but, in a popular sense at least, it is seen as life-denying. Assisted dying, by contrast, is not suicide: within the terms of the proposed Bills, it is not a decision that can be taken when one's mental capacity is diminished. Supporters of assisted dying see it as life-affirming; dying with dignity, dying as one has lived. Assisted dying is not suicide, at least not in the usual sense of the word.

Second, without questioning the integrity of any single palliative care practitioner, palliative care practitioners often express the concern that if assisted dying is introduced the funding for palliative care will be reduced. The evidence in other countries does not bear that claim but it is worth noting that in arguing against assisted dying many palliative care practitioners cite funding as a crucial issue. They mention the quality of patient care but they also mention funding. Again, I do not question the integrity of any single palliative care practitioner but are we in fact listening to the self-interest of a profession that perceives its worth to be under attack? In compiling its reports on assisted dying, while seemingly not consulting any biblical scholars or theologians, the Church relied heavily on palliative care practitioners. It has yet to present a balanced report.

Third, in the Bible, compassion is the Divine imperative. The first defining story is the binding of the boy Isaac by Abraham, his father. Isaac is laid on an altar; Abraham lays the knife at Isaac's throat. In its proper context, this is a story of an ancient people wrestling with the theology that life belongs to God and God demands human sacrifice. Today the churches speak of the sanctity of life and God alone takes life. *Yahweh*, the God of the Hebrews, the God of compassion, said that child sacrifice is not acceptable under any circumstances. The life and well-being of the child, of the human person, was more important than the theology of the cult. For me, compassion for the dying matters more

than theology about the sanctity of life. *God alone decides the hour and manner of death?! Thinking of Tony Nicklinson, what kind of God do we worship?*

At Mount Sinai, when Moses encounters *Yahweh* in the burning bush, what does God say? God says, 'I have heard the cry of my people, I have seen their pain, and I have come to release them!' Compassion again. And, how many examples are there of Jesus living out compassion and turning his back on theology which is no longer adequate.

Finally, the story of Bartimaeus is not primarily a story about a magic miracle cure of a blind man. As the front of the Order of Service makes clear, it is about spiritual sight. Through our self-consciousness, in fleeting moments of insight or contemplation, we *transcend* our individual fragile lives in this material world and, for a moment, we live in the consciousness of the Holy. We know we are made for life with a loving God. It is an irony then that of all the people on the earth who should have no fear of death, it is the Christians who are clinging to life, to the very last second that can be squeezed out of it.

Galileo said that God had endowed him with sense, reason and intellect. We can do no less than use our God-given powers of sense, reason and intellect to live out compassion, the Divine imperative, to take moral responsibility and exercise God-given choice. We must move beyond the theology which says that God alone will choose the hour of death and what kind of suffering is to be endured and for how long. God gives us moral responsibility, the gift of choice, along with sense, reason and intellect. We are to use our gifts and leave behind a theology which portrays God as distant, brutal and unloving.

Amen.