

Support For Right to Assisted Dying

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It is just not true that people with disabilities generally oppose a right to physician-assisted dying for competent terminally ill people. Yet this is the claim that has been made consistently by Not Dead Yet and a few other disability organizations that oppose the right.

These organizations have been supporting U.S. Attorney General John Ashcroft's attempt to nullify the Oregon Death With Dignity Act. This law, approved twice by Oregon voters, has been implemented successfully for more than four years. Fortunately, in *Oregon v. Ashcroft*, a U.S. District Court recently has ruled against the attorney general. Ashcroft is currently appealing this decision.

Three consecutive Harris surveys have found that over 60 percent of people with disabilities support the right to assisted dying for competent terminally ill individuals. The most recent survey in December 2001 concluded that 68 percent of respondents with disabilities support the right to assisted dying generally and the Oregon Act in particular, and 63 percent oppose the attorney general's effort to nullify the law. Previous studies found between 60 percent and 90 percent of people with AIDS support the right.

A recent in-depth study of a small group of people with disabilities has concluded that, in the disability community, "Tremendous breadth and diversity of opinion exists with respect to attitudes toward assisted dying legislation." Specifically, 27 percent of respondents support legislation legalizing assisted dying, 24 percent oppose such legislation, and 49 percent were ambivalent on the issue. Virtually all respondents supported autonomy and self-determination for people with disabilities.

We believe many of the ambivalent respondents were concerned about the effectiveness of safeguards enacted to protect people with disabilities from abuse of an assisted dying law. As longtime disability rights advocates, we only endorse measures, with very strong protections against abuse, such as the Oregon Act.

Perhaps the most interesting aspect of this study is where it was conducted. All participants resided in the area of Berkeley, Calif, a stronghold of Not Dead Yet. Many respondents reported having received substantial misinformation about the Oregon law, and a majority were concerned about criticism from others in the disability community if they supported the right to assisted dying. One would expect a relatively low level of support for assisted dying among the disability community where this study was conducted. However, a plurality of respondents actually supported assisted dying legislation. Support is likely to be stronger where people with disabilities aren't subject to strong indoctrination, explaining the even higher numbers of supporters with disabilities in the Harris surveys.

A member of the Berkeley study's community advisory committee summarized the study results well: "There seems to be one public position on behalf of people with disabilities about death with dignity legislation put forward by disability community spokespersons and groups, but when you go deeper into the community there are many different opinions."

We recently established AUTONOMY, a nonprofit organization that supports choices for people with disabilities in all aspects of life, including decisions at the end of life.

AUTONOMY believes that the claims made by Not Dead Yet concerning the right to assisted dying must be examined very critically. Underlying many of its arguments are the beliefs that people with disabilities are oppressed and vulnerable, and that their physicians are strongly inclined to pressure them to end their lives. We do not share these beliefs.

Moreover, we must emphasize that the current debate considers only whether people with terminal illnesses should have a right to assisted dying. Under the Oregon law, people with other "non-terminal" disabilities that are not expected to result in death within six months are not entitled to seek the assistance of their physicians to help them die. To state or imply otherwise, as Not Dead Yet often does, is misleading and does not contribute constructively to the civil debate.

We believe the polls and studies discussed above confirm that a majority of people with disabilities believe there should be a right to assisted dying for competent terminally ill people. This is not surprising since, from its inception, the disability rights movement has worked to promote autonomy and self-determination for all people with disabilities. After all, autonomy is what our movement is all about.

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