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***Exceptions to assisted suicide eventually will fall away, as they must***

**The critics can relax. There is no indication the government has any principled objection to any of the main criticisms on the legislation**

Just over a year ago, when the Supreme Court first threw out the law forbidding aiding in a suicide or inflicting death upon a person with their consent, the issue was all about the rights of mentally competent adults.

To be sure, the court, in reversing its own decision of 20 years before, went further than what most people had understood the issue to involve, insofar as it made exception for psychological as well as physical suffering, and regardless of whether the “grievous and irremediable” condition was terminal.

But the sort of concern that had previously guided the court, that assisted suicide, once legalized, would not be limited to those traditionally regarded as capable of giving consent — adults of sound mind — was dismissed. Presented with evidence from Switzerland, where it is permissible to euthanize the mentally ill, or the Low Countries, where children are now eligible, the court replied, in essence: It can’t happen here. The evidence, it said, was “anecdotal.” The countries in question had different “medico-legal cultures” than ours.

Just over a year later, the government has introduced legislation in response to the court’s ruling, and what is the chief complaint? That it does not include children and the mentally incompetent. What once was unthinkable is now indispensable. The extraordinary step of authorizing doctors (and nurse practitioners: another innovation), sworn down the centuries to save lives, to take them instead, has been swallowed and digested as if it were nothing. The debate has moved on to its next inevitable stage.

The proposed law, writes the Globe’s Andre Picard, “is a muddle” that shows “utter contempt for thoughtful advice from an all-party parliamentary committee.” That would be the committee that recommended extending the right to be euthanized to the mentally ill, to “mature minors” (provisionally: there would be a three-year study period), and to those suffering from dementia, provided they had consented in advance.

“Deeply disappointing,” agreed the British Columbia Civil Liberties Association, an intervenor in the Supreme Court case. “By excluding people,” it wrote, “who have a mental illness, by excluding mature minors, and by refusing to respect advance requests this legislation plainly violates the Charter rights of suffering Canadians.”

The critics can relax. There is no indication the government has any principled objection to any of these. Quite the contrary: the legislation was accompanied by a commitment to study all three, with possible amendments to follow. The reason they had not been included in the bill, Justice Minister Jody Wilson-Raybould explained, was that there wasn’t time, with the government up against the court’s June 6 deadline for passing new legislation. (That the bill, as written, lines up nicely with the state of public opinion may also have played a part. Baby steps.)

Neither is there any particular reason to think the court would take a less expansive view. Of course it won’t: why else would the critics be demanding the bill be immediately referred to it? Last year’s ruling limiting the right to die to mentally competent adults should prove no more of an obstacle than its previous ruling was. It can’t happen here? On the contrary, the court will say: it must.

For the logic of assisted suicide permits no other outcome. Once suicide has been accepted, as a formal matter of law, not as something we should wish at all times to prevent, but as relief from intolerable suffering; once it has been established that an individual has a right to such relief, not by his own hand but by another’s; once assisting in suicide has been transformed from a crime into a public service, there is no grounds to limit that relief, that right or that service to some sufferers and not to others.

The bill’s provision requiring that the patient’s “natural death has become reasonably foreseeable” — not imminent, or certain, just reasonably foreseeable — will almost certainly fail under the court’s scrutiny: for why should those seeking relief from intolerable suffering be obliged to show they are likely soon to receive it naturally? For that matter, why should they have to have “a serious or incurable illness” or be in an “advanced state of irreversible decline?”

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But the same would surely apply to all of the other exceptions that have been temporarily placed in its path, since all of them would force some to endure what others would be spared: intolerable suffering. That it will in time be extended to the groups mentioned above is a given. Are we to expect children to suffer a life of unendurable pain? Why are the mentally ill less worthy of relief than others?

Even the test of competence, on which critics like the BCCLA still rely, seems arbitrary and unfair in this light — and is indeed rejected by the most rigorous of assisted suicide’s advocates. Why should only those sufferers from dementia who had the foresight to sign a consent form ahead of time be eligible? Should younger children be condemned to suffer interminably while their older counterparts are not, merely because they are not viewed as being competent to decide? Should not others be empowered, a parent or guardian, to consent on behalf of those unable to consent themselves?

When you are normalizing suicide, don’t be surprised if it leads to some nightmarish places. I am struck by these words of the justice minister. The bill, she said, “allows competent adults to apply for a peaceful death instead of the prolonged, frightening, undignified deaths that they may otherwise face.” Put like that, who wouldn’t prefer the former to the latter?

What stubborn faith or selfish resolve would lead people to cling to life in such circumstances? What unfeeling family member would condemn them to the same? And in time I think we will realize that what we are really saving them from is a prolonged, frightening, undignified life.