

Governor should have talked to Holland first

By THEO BOER

Now that Gov. Jerry Brown has signed the End of Life Option Act, my thoughts go back more than 20 years to the early days of assisted dying in the Netherlands. And I can't help but feel we — the Dutch — were naive on this issue.

In 1994, the Dutch were the first in the world to officially legalize assisted dying. It was a modest beginning, just as California's is now. With no country going before us, assisted dying was formalized in a special clause in the Burial and Cremation Act. If a number of safeguards were kept, doctors acting in accordance with them would not be prosecuted. A separate euthanasia law followed in 2001, not differing much from the 1994 clause and with Belgium following its northern neighbor in 2002. Five regional review

committees, consisting of a lawyer, a physician and an ethicist, keep an eye on the practice and assess whether each case of assisted dying has been in accordance with the law. I served on one of the committees from 2005-2014 and reviewed around 4,000 cases. Given the widespread support for assisted dying in the Netherlands, I was convinced that legalizing assisted dying was the wisest and most respectful route.

In the first 13 years following 1994, the Netherlands seemed to have found the means to organize assisted dying. Then, for unknown reasons, the numbers started going up, year after year, from 2007 on. It was as if the country had needed the first decade to get used to the whole idea of an organized death.

In the years of my membership, the review committee saw a rise in the number

of reports from 1,800 to close to 5,500 last year. Now about one in 25 deaths in the Netherlands is the consequence of assisted dying with, by the way, suicide rates going up as well.

Whereas assisted dying in the beginning was the odd exception, accepted by many — including myself — as a last resort, it is on the road to becoming a preferred, if not the only acceptable, mode of dying in the case of cancer. Public opinion has shifted dramatically toward considering assisted dying a patient's right and a physician's duty. A law that is now in the making obliges doctors who refuse to approve assisted dying to refer their patients to a willing colleague. Pressure on doctors to conform to patients' or relatives' wishes can be intense.

Other developments have taken place as well. The Dutch Right to Die Society

founded a network of traveling euthanizing doctors, thus taking assisted dying out of the patient-doctor relationship. There is a strong public movement toward legalizing euthanasia for children 1 to 11 years of age. Whereas in the first years hardly any patients with psychiatric illnesses or dementia appear in reports, these numbers are now sharply on the rise. Cases have been reported in which a large part of the suffering of those given assisted dying consisted of being aged, lonely or bereaved.

Hearing of Brown's decision, and without doubt any of his good intentions, my thoughts go back to our own pioneering years. As I said, I think we have been naive.

The Dutch and Belgian examples show that a law that makes possible an assisted death may well create its own dynamics. Clearly the "supply" of assisted dying creates new "demand."

Right to die advocates see the Dutch law not as a respectful compromise but as a first step toward more radical rights, such as a lethal pill for anyone over 70. The Dutch Right to Die Society now offers course material to high schools, where my teenage kids go, intended to broaden their support for euthanasia as a normal death. This would be unthinkable were it not for the existence of the present law.

Of course, I, too, know of exceptional cases that may justify a decision to shorten a patient's life. But I am no longer convinced that a law is the best way to deal with such cases. The governor might have visited the Netherlands first, before signing the act.

Theo Boer is a professor of health care ethics at Kampen University in the Netherlands. For The Press Democrat.



Theo Boer

Joe Biden's never-ending delay on candidacy

Finally, it can be reported: Joe Biden is running for president, unless he isn't. He will announce his decision this weekend, unless he doesn't.

Furthermore, Biden is approaching important deadlines for declaring his candidacy, unless those deadlines don't matter. His advisers really want him to run, except those who don't, and he has been sounding out potential staffers, or perhaps not. He finds the opportunity irresistible, except when he lacks the passion for it.

Mike Allen, my former partner on the White House beat for the Washington Post and now the indefatigable chronicler of Beltway wisdom, had the very latest Biden developments Monday morning for Politico. "Exclusive: Biden eyes weekend decision," proclaimed the headline. "Several people who have visited

the vice president recently said he seems to be leaning toward 'yes.'"

But 18 words into the report came the first hedge: The decision might not be reached this weekend but "shortly thereafter." One-hundred-sixteen words in came a thicket of hedges. Some Biden friends say "they hope he'll ultimately decide to take a pass" on running, and one said the long windup and failure to hire staff indicate Biden isn't running: "If you're going to run, you run," the friend said. "Every time he pushes back a decision, that's the ultimate tell."

Allen concluded: "After describing their hunches, friends and advisers almost universally added that they remain unsure which way he'll go."

So, to summarize, we have no idea what Biden is doing. No-

body does, except perhaps the vice president himself, and that seems doubtful. Yet the Biden speculation, a daily fixture for the last 90 days, has become feverish.

CNN's Jeff Zeleny reported Thursday that Biden wasn't expected at the CNN-hosted Democratic debate Tuesday, which would seem to be a sign that he's not running. But, Zeleny added, "Biden has extended his window for deciding whether to jump into the 2016 presidential campaign."

Or had he? CBS' Julianna Goldman reported Saturday that a decision from Biden "could come as early as within the next seven to 10 days," and indications were pointing to yes.

On Sept. 11 at 7:08 a.m., Politico published a story titled "Joe Biden insiders see a campaign taking shape." Forty-four minutes later came Allen's daily Playbook: "Friends say that after watching Biden on 'Colbert' last night, they think he's LESS like-

ly to run."

For what it's worth — and it isn't much — I'm inclined to take Biden at his word. The vice president told Stephen Colbert that he couldn't promise he could put his "whole heart" into a run so soon after his son's death. A guy who couldn't do that on Sept. 10 isn't going to be able to on Oct. 10.

The latest Biden speculation began with an Aug. 1 Maureen Dowd column in the New York Times — followed by a news story that same day quoting Dowd's column in the fourth paragraph — saying Biden had begun "to actively explore" a run, which his late son had advocated. But three days later, the Times ran another article saying friends of Biden were discouraging a run.

Biden "allies" (or at least those allies who want him to run) leaked word of various meetings the vice president had over the summer with Sen. Elizabeth Warren, D-Mass., and others, further raising expectations. But

all that came were delays. Some reports noted that deadlines to get on the ballot in some states begin Nov. 6. But Politico reported that Biden's "inner circle" thinks he can wait until December, or even the spring, to make his decision.

But that does nothing to calm the speculation. The Wall Street Journal reported that Biden's recent schedule "looks a lot like that of a presidential candidate." The New York Times reported that Hillary Clinton's campaign is "increasingly worried ... after months of voicing doubt." And Politico's Allen reported Sunday: "BIDEN READY — 'Biden previews battle against Clinton.'"

But the "preview" was evidently a sneak. The next day, Allen reported that even if Biden decides in the coming days that he's running, "the announcement could be delayed."

Dana Milbank is a columnist for the Washington Post.



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