

Latimer—The Discussion Cannot End

By Stephanie Douglas

Sandi MacKinnon is a long-time advocate and activist for and on behalf of people living with disabilities on PEI. She also worked for several years with the Association for Community Living as Advocate and Social Policy Researcher. Currently, MacKinnon attends UPEI, a stop her road to following the dream of going to Law School. From both a personal and professional interest, MacKinnon has been following Tracy Latimer's story and the role her father took in ending her life.

Although she doesn't see herself as a "hardliner," MacKinnon contends the courts had little choice but to come back with the decision they did. "What he did was wrong, and there are no laws [in Canada] that sanction committing the act he did. The law courts could do nothing but find him guilty. There didn't seem to be anything available to the courts that would allow them to temper the decision with compassion."

From every thing MacKinnon has seen and heard about Latimer, she said he comes off as a "salt of the earth," type of person. For all intents and purposes, a family man with three other children, given this other aspect of this man, the main question that needs to be asked and addressed is why Latimer felt that ending Tracy's life was the only course of action available to him.

"There are families all over this country not getting the support they need. From what I understand, Tracy was in an institution and didn't fare very well there and she suffered severe weight loss prompting their decision to bring her back home. How much does any of this play out in this scenario?" People, said MacKinnon, are being kept

alive in an unnatural way because medical techniques allow doctors to perform operation upon operation keeping them alive, but that doesn't answer the basic question of quality of life and it doesn't mean that keeping them alive because medicine can, is right.

"As parents we are cognizant of our children, we can recognize what they are expressing I don't doubt Latimer's word that he knew his daughter was in pain," said MacKinnon.

Legal issues aside, Dr. Malcolm Murray makes a "bold claim," in speaking on the ethical implications of last weeks conviction of Robert Latimer of second degree murder in the death of his 12 year-old disabled daughter.

Murray who is Assistant Professor in Philosophy at the University of Prince Edward Island said, "active euthanasia is perfectly fine in principle if suitable constraints are met," and in Latimer's case, Murray said these constraints did not appear to have been met. Detailing some basic constraints, Murray said these would entail that "all relevant parties be suitably informed, voluntary and competent [to make a decision]—and for the individual involved, that their choice is voluntary." When an individual fails to meet these conditions then it is necessary to move to a substitute decision-maker. In order to protect someone unable to make a decision for their selves, it is necessary for everyone involved to be a part of the process in determining who can make decisions for the individual in question.

Latimer seems to have bypassed this whole area and taken complete and sole control of the decision making process to end his daughters life. This is where the

waters get muddied said Murray, when we start talking about an alternative or substitute decision-maker for another individual. The muddier the water, the more stringent the criteria needs to be. The purpose of having strict conditions around such an issue as to who has the decision making powers is minimally to protect people from abuse and ultimately to ward off vigilante type activities said Murray.

However, Murray acknowledged that this whole view is contingent on the premise that active euthanasia is acceptable and legal, which in Canada it is not. Murray said, that since our government does not support active euthanasia, there are no safe guards, nor any

criteria for a case such as this, there didn't seem to be anywhere for Latimer to turn to. What he did wasn't right, but considering the circumstances, it is easier to understand why Latimer chose the course of action he did. One way to avoid future situations of this kind, would be to lobby for active euthanasia said Murray and to put safeguards in place.

MacKinnon also feels there is a need for Canadian lawmakers to take another look at how this case has played out and why. Latimer's incarceration cannot signify the end of the discussion, but only the beginning and how as a society we define quality of life and life at all costs.

