

## Assisted suicide is a crime under the Nuremberg Code

by Linda Everett

On Jan. 8, the U.S. Supreme Court is scheduled to hear oral arguments in the so-called physician-assisted suicide cases, in which two federal courts claim that a physician's help in intentionally taking the life of a "terminally ill" patient, is a "right"—protected by the U.S. Constitution and federal and state laws. These rulings, if not overturned, will result in exactly the government policies and medical practices that epitomized the Third Reich's genocide, under the rubric of "lives not worthy to be lived." It was only 50 years ago, that the United States constituted the Nuremberg Tribunal that tried, condemned, and hung Nazis who planned and carried out those crimes against humanity. The United States, founded upon natural law, upon the republican concept that the nation-state must protect and advance the lives of its citizens—because each is made in the image of God—acted then as a leader among nations, to uphold that principle.

Now, once again, that principle is under attack—this time, by a resurgent euthanasia movement, backed by the budget cutters who say medical care is "too expensive." Using the same argument for euthanasia as Adolf Hitler, they petitioned both the Ninth U.S. Circuit Court of Appeals (*Compassion in Dying v. the State of Washington*) and the Second U.S. Circuit Court of Appeals (*Quill, et al. v. Vacco*) in New York to endorse it. In rulings on March 6, 1996, and April 2, 1996, respectively, the courts did just that (see *EIR*, May 17, 1996, "Federal Courts Proclaim Assisted-Suicide 'Right'"). To create a "right" to "assisted suicide," both courts drew upon 20 years of landmark "right-to-die" decisions, which, as we show in the chronology below, have led inexorably to America's embrace of Hitler's crimes against humanity today.

### Origins: the euthanasia movement

Prior to World War II, the Euthanasia Society of America (ESA), a hotbed of neo-Malthusians and "pure race" fanatics

such as Margaret Sanger, Julian Huxley, and H.G. Wells, advocated the obliteration of "monsters" (as they called critically ill infants), and for involuntary euthanasia and forced sterilization of anyone they deemed mentally defective—including immigrants. After the atrocities of Hitler, the Euthanasia Society laid out its strategy to sell the population on the "right to die" of the elderly terminally ill first, then branching out to murdering sick infants and others.

Through its descendant organization, the Concern for Dying, the ESA pumped out propaganda about "death with dignity" for the terminally ill, while "educating" young medical and legal professionals, who are today the country's most vigorous promoters of "assisted suicide." Meanwhile, another ESA descendant group, the Society for the Right to Die, established "living will" laws and "natural deaths acts" in state after state, getting the courts to approve "right-to-die" precedents that no legislature could possibly have agreed to at the time. Judges approved the starvation of unconscious patients (who never asked to be killed) just because somebody claimed the patient "had a phobia about head injuries," or "didn't like doctors," or "wouldn't want to live like that." The judges were educated in "right-to-die" issues by the Society for the Right to Die.

In the Netherlands, the practice of euthanasia and assisted suicide has been determined for over 25 years by similar legal precedents, won in test cases brought by the euthanasia mob. In case after case, in American and Dutch courts, the formulation was always the same: The courts judged that the lives of these patients were not worth living—exactly the formulation Hitler first used in his 1939 secret order, "Destruction of Lives Not Worthy of Life," to eliminate sick and retarded German children.

The Euthanasia Societies of both Britain and the Netherlands, along with board members of the ESA's three spinoffs,

the Euthanasia Education Council, the Society for the Right to Die, and Concern for Dying, campaigned to make euthanasia legal in California, Oregon, and Washington State, through state ballot initiatives and legislative proposals sponsored by the Hemlock Society. Hemlock was founded in the United States in 1980, by British-born Derek Humphry, to make euthanasia legal for anyone of any age. Hemlock, along with the American Civil Liberties Union, pursued several “right to assisted suicide” precedents, such as the *Bouvia* case, in which the court ordered doctors to provide a depressed psychiatric patient with pain-killers while she starved herself to death.

Hemlock’s legal counsel told members over a decade ago, that “right-to-die” legislation, such as living wills, was necessary to “provide us a foot in door” to legalized euthanasia. Now that that initial goal has been accomplished, the euthanasia fanatics have stepped up their campaign. Unitarian minister Ralph Mero, longtime president of the Hemlock Society of Washington state, who led Initiative 119 there in 1991, founded his own group, Compassion in Dying, for the sole purpose of “facilitating suicides”—in violation of Washington law. Hemlock members in California and Connecticut were also directly involved in “facilitating” suicides in order to challenge to state laws. Humphry, who murdered his first wife and his second wife’s parents (according to his second wife), and wrote several how-to-kill-and-get-away-with-it manuals, held seminars to demonstrate the most efficient method to commit suicide and to help kill others, using a plastic bag. Compassion in Dying then sued to overturn Washington’s law prohibiting suicide assistance, which led to the case now contested before the Supreme Court. Soon after, Dr. Samuel Klagsbrun, advisory board member to the Euthanasia Educational Council and Concern for Dying, sued to overturn New York’s ban on assisting in suicides.

### **‘Don’t call it suicide, don’t call it murder’**

Today, the American people are being assaulted with a new barrage of propaganda, this time about “physician-assisted suicide”—a term that didn’t even exist a decade ago. In fact, in 1986, Derek Humphry, said, “We have to use our intelligence about these matters, we must not call it suicide. Call it ‘self-deliverance.’ We must not call it murder. Call it ‘getting assistance with death.’ ” The term “assisted suicide” is a legal fiction concocted to hide the fact that aiding in a suicide—a crime in nearly every state—constitutes a homicide: taking the life of a human being. That patients may “request” suicide after they are made to believe that their lives are no longer worth living, does not make it a lesser crime than murder.

Another blatant lie, like the original “right-to-die” campaign, is that this medical “service” would be provided only to the “terminally ill” who are in great pain. That’s utter nonsense, as can be seen in the Ninth Circuit Court’s precedent that struck down Washington’s 142-year-old law that prohibited aiding or causing suicides. The court specifically ruled that the right of mentally competent “terminally ill” patients

to commit suicide with physician-prescribed lethal drugs, is protected by the Fourteenth Amendment to the Constitution. But, current law, which the court cites, defines “terminally ill” quite broadly, and includes unconscious patients incapable of requesting “suicide,” and those patients who become terminally ill because their health insurer or health maintenance organization (HMO) refuses to provide treatment! The Ninth Circuit also delineated a far broader application of the right to suicide assistance, by extending to families, doctors, hospitals, and ethics committees, the right to request “suicide” for a whole spectrum of mentally and physically disabled individuals who are incapable of “choosing” suicide for themselves. This exceeds even the extermination laws that Hitler was able to enforce publicly.

But, it doesn’t stop there. When the Second Circuit struck down parts of New York’s assisted-suicide ban, its barbaric formulation of the Fourteenth Amendment’s “equal protection” clause, to apply to physician-assisted suicide, laid the judicial foundation to expand that “right” beyond terminally ill patients to individuals who are mentally ill, depressed, or physically disabled.

Just as proposals by the Euthanasia Society, Right to Die Society, and Concern for Dying for the “ethical” treatment of terminally ill patients were used to set a standard for “treating” such patients—by starvation and murder—some of those same groups have drawn up a model act for establishing a national standard for physician-assisted suicide. That standard calls for the right to assisted suicide for people “confronting an unbearable or meaningless existence”—a very elastic phrase that can readily be applied to the destitute elderly or disabled who have been disenfranchised by state and/or federal officials.

Physician-assisted suicide, then, could easily become a fast and legal “solution” (“voluntary,” of course) in places like Atlanta, Georgia, where the city fathers have decided that the lives of some citizens are not worth the city’s help—they’ve made it a crime for the homeless to be found living in the streets. Likewise, for-profit hospital chains, such as Columbia-HCA, which already refuse to provide costly life-saving treatment to patients whom they claim are “terminal.” In fact, HMOs and managed care insurers—some of which are contracted to deliver Medicare and Medicaid services—are already carrying out a multimillion-dollar campaign initiated by international speculator George Soros, to replace the current advanced technological, curative focus in U.S. hospitals, with a post-industrial mode of “accepting death.”

The Nuremberg Tribunal held that any action that violated natural law was punishable, even if it were considered legal in the country where perpetrated. Accordingly, the U.S. Supreme Court must overturn these heinous assisted-suicide rulings. The American people would do well to remember the words of Chief Justice Robert Jackson, head of the U.S. prosecution at Nuremberg: “We must never forget that the record on which we judge these defendants today is the record on which history will judge us tomorrow.”