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29 February 2016

Dear Bishop Crosby,

I wish to thank you and your colleagues in the Canadian Conference of Catholic Bishops for a prompt and decisive response to the Report of the Special Joint Committee on Physician-Assisted Dying (PDAM). After consulting with several lay leaders, I am taking the liberty of writing to share some thoughts with you, and with others who will listen, regarding our present situation.

It is evident that the culture of death is now advancing in Canada with enormous strides, propelled by dark forces rather than by open democratic deliberation. That said, it is not entirely clear that democratic deliberation, were proper space created for it, would produce dramatically different results. Our country is suffering from grave moral confusion and from a deep spiritual malaise, bordering on the great sin of despair. Who embraces death in such a fashion that has not begun to succumb to despair?

In *Carter* our highest court took the side of fear and despair, fashioning from it a new legal right to assisted suicide and voluntary euthanasia. And those to whom we gave power on the Hill immediately appointed in PDAM a committee eager to expand that right, as its report proves. Opposing arguments have been denied due attention, and the broadest possible construal of this “right to die” has been put forward, with the recommendation that it be expanded to the psychologically ill and to mature minors.

Despair is not yet complete, of course, which is why it is cloaked in dissembling speech, refusing to name itself properly. State-abetted suicide and euthanasia (already a problematic term) are euphemized as “assistance in dying;” deliberate killing becomes “end-of-life care;” doing irremediable harm is “medicine.”

The actions covered by this sanitized language (summed up under the evocative acronym MAID) are then justified by appeal to the rule of law: as if the Supreme Court of Canada, or Parliament under its direction, had an authority higher than natural law

itself. There is little or no hesitation to call good “evil” and evil “good,” and to insist that public agents, organs, and policies confirm the inversion.

This is not the rule of law but rather an expression of the mystery of lawlessness, in which positive law is made to embody that which is contrary to the moral law, under cover of discourse about rights and justice and dignity and compassion and other good things. Just a decade on from Bill C-38, which marked the emergence of this mystery into public view, courts and parliaments and ministries of health and education across the country are redefining reality at will.

Not surprisingly, this necessitates a narrowing, and eventually a denial, of the fundamental freedoms of religion and conscience (witness Recommendations 10 and 11). Certainly it constitutes a repudiation of any connection between the supremacy of God and the rule of law. And now, as the Government prepares to act on the PDAM report, much will be done to coerce formal and material cooperation with evil in the matter of suicide, as is already the case with abortion. Moreover, new categories of vulnerable people will join those who are already subject to destruction through state-backed violence. To the toll of the unborn will be added the sick and the elderly, and even the distraught or confused.

In short, some are going to die who ought not to, and others in ways they ought not to. Palliative care, already woefully underfunded, will be viewed (Recommendation 19 notwithstanding) as an economic burden and an ideological aggravation. Medicine will be perverted, and the right of citizens to medical care based on the Hippocratic oath will disappear. The law itself will be perverted, along with the relations of trust on which the rule of law depends. While all this unfolds, many consciences will become casualties, as the weak give way under pressure and the young are tutored in the ways of death. This will put people at risk of eternal penalty – a situation much more to be detested than the decline and fall of Canada as a just society.

It is worth noting that PDAM’s own proposals put the lie to the Supreme Court’s dismissal of the slippery-slope argument. The slope is not only slippery, it has just been well and truly greased. Changes, whether cosmetic or substantive, will be made by Parliament and not every PDAM recommendation will be followed, at least in the first instance. But just how far the field has tilted is evident from the fact that even the

Special Committee's dissenting minority – which rightly accused the majority of failing to respect such limitations as the Supreme Court had in view – held up the Québec model as a viable alternative. As telling as the minority critique is, it neither contests the moral terrain nor challenges the demons driving us into the slough of despair.

It is not my purpose here to analyze the report itself, the main burden of which is to make choosing death easier and effecting death more viable. I have no doubt that it will be roundly criticized in its details and that the forthcoming legislation will reflect at least some of that criticism. We must be under no illusion, however, as to the gravity of the situation. The culture of death is to speak now with the voice of the state, and to be backed by the state's authority. It is to expand by state power.

Let no counsel of caution prevail, then, that is based on hopes of finding a more favourable or convenient moment for resistance. Determined, unwavering opposition, in faithfulness both to right reason and to the gospel of life, is the Church's only possible course. It is absolutely vital that her leaders, lay or clerical, not be manoeuvred, in the name of political compromise or with a view to limiting harm, into giving even tacit approval to whatever assisted suicide and euthanasia regime comes into being.

Limiting harm, to be sure, is an adjunct responsibility. I myself wrote to the committee that, if there is to be a terminal sedation regime, it must be separated from medicine. (I was sorry to see that the minority did not take up that proposal in its own efforts at harm limitation.) But of course I do not think that the state has any right to create such a regime or that citizens should tolerate it. Indeed, I think all citizens of good will have a duty to resist it, even to the point of civil disobedience. As Leo XIII declared in *Libertas*: "If, then, by anyone in authority, something be sanctioned out of conformity with the principles of right reason, and consequently hurtful to the commonwealth, such an enactment can have no binding force of law, as being no rule of justice, but certain to lead men away from that good which is the very end of civil society" (§10).

This, as you know, was underlined by the CDF and by St John Paul II in *Evangelium vitae*: "Abortion and euthanasia are crimes which no human law can claim to legitimize. There is no obligation in conscience to obey such laws; instead there is a grave and clear obligation to oppose them by conscientious objection... It is therefore never licit to ... 'take part in a propaganda campaign in favour of such a law, or vote for it'" (§73).

It is my hope that the Church will declare publicly, to the Prime Minister, to the Justices of the Supreme Court, to MPs and Senators and the entire country, that she will not regard euthanasia legislation, even when signed and sealed with royal authority, as having the binding force of morally valid law. And that she is prepared both to exercise and to encourage civil disobedience in the matter, though that require significant sacrifice (*EV 74*).

It is also my hope that you and your fellow bishops will make clear to all Catholics under your charge that formal cooperation with suicide or euthanasia, by analogy with abortion, entails excommunication *latae sententiae* (cf. CCC 2272 and 2277). And that you will inform Catholic officials that anyone who votes to create a euthanasia regime or to liberalize one – since this provides immediate material cooperation to those who commit suicide or euthanasia and causes serious scandal by gravely injuring good morals – should not present himself for communion and is subject to punishment by a just penalty; even, if need be, to excommunication *ferendae sententiae* (per cann. 916, 1369 and 1399).

These are strong measures, not ordinarily taken. But nothing weaker will sound the clear note that is needed to rally the faithful and to give pause to our fellow citizens. Resistance that is not whole-hearted and unrelenting is doomed to failure, failure of a kind that will eventually destroy the witness of the Church and, with it, society's last and best hope.

Permit me to remark, finally, on something that for too long has puzzled and paralyzed many. It is wondered how the Church, or Christians generally, can address the state on moral matters without compromising the principle of neutrality by which the latter has bound itself. But have we not arrived at a point where this ruse is at last laid bare? A point at which the inherent contradiction of the neutrality thesis is fully exposed?

Surely a suicide regime cannot be justified unless the assumption is made that human autonomy extends to the right of every man to dispose of his own life when he is done with it. Whether or not the right of disposal is to be shared with the state, such that the border between voluntary and involuntary euthanasia becomes blurred – a frightening thought that may well occur to those who are pondering the PDAM report – the clear implication is that the human person is in no wise accountable to God for his life. Nor is

the state itself accountable to God, whether in its moral deliberation or in its conduct. It may even kill with impunity, under conditions prescribed by none but itself.

That is just what the Canadian state is now affirming, as it prepares in the first session of its 42nd Parliament to inaugurate this regime. But the affirmation is essentially atheistic, unless it is somehow, by reason of cultural senility, merely pagan. Either way, it is not neutral at all, nor could it be. The state is taking a side in the debate about what man is and how far his autonomy extends; hence also about who or what God is, and how far God's authority extends. It is adopting and indeed insisting upon an anthropology (and a corresponding politics) with far-reaching theological implications.

That anthropology precludes any Catholic assent or cooperation. It precludes any hearing, perhaps even any preaching, of the gospel of Jesus Christ. If society and the state are to hear today the voice of the Church at all, they must hear a clear "No!" to this – not merely a moral or a spiritual No, or a No to be taken under advisement, as it were, but a No with hard political and social and legal consequences.

In other words, this is a moment of decision for the Church, as well as for the country, and of impending hardship for faithful Christians and people of firm conscience. Without an effectual No, paid for in full, there can be no effectual Yes of the gospel.

Thank you again for the strong leadership you and your brother bishops are providing in proclaiming both the No and the Yes, which in truth is only the "Yes and Amen" of Jesus Christ, with all its implications for human dignity and for the protection of the vulnerable. Please be assured of my prayers, and that I stand ready to assist in any way I can.

Faithfully yours,

A handwritten signature in dark ink, appearing to read 'Douglas Farrow', with a long, sweeping horizontal line extending to the right.

Douglas Farrow

Professor of Christian Thought and holder of the Kennedy Smith Chair in Catholic Studies at McGill University

cc: The Most Rev. Luigi Bonazzi, Apostolic Nuncio