

## **RELEVANT**

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Summaries by Corry den Ouden-Smit**

### **35 YEARS YOUNG**

*Editorial*

The NVVE exists 35 year. What has been accomplished since 1973? Almost thirty years later, in 2002, the Euthanasia law came into force. Practitioners, like Bert Keizer, see it as an advantage. 'We can now do legally, what we did illegally before. Now there is openness.' At the other hand a lot has not been accomplished. The law is written for physicians, but regulates nothing for patients. The patient may ask for euthanasia, but depends on the physician. This is an unjust situation. Secondly, the latitude allowed by the law, is not being used. The physicians stay on the safe side. NVVE-director Rob Jonquière estimates that only one third of this latitude is being used. Persons who suffer from life and psychiatric patients could be helped to get euthanasia if physicians would only be willing. Thirdly, one's will in writing is a legal document, even if one cannot express one's will verbally. This is too often disregarded. The written will is a valid replacement for a verbal request. Finally, there is the discussion about the 'lastwillpill' So we have a full agenda, and no time to spare. The NVVE is 35 years young!

*Interview with NVVE director Rob Jonquière*

### **'SOME PEOPLE THINK THE NVVE IS TOO DECENT –I CAN UNDERSTAND THAT.'**

*Rob Jonquière, managing director of the NVVE for eight years, looks back and also ahead in this jubilee year. 'In my years of general practitioner and instructor for general practitioners at the Free University of Amsterdam, I thought that the euthanasia subject was clear. Now I know there are nuances: for those who request, for those who execute, for those who set the rules.'*

*By Fred Verbakel*

The number of regional meetings of the NVVE, which has more than 100.000 members, has been greatly increased thanks to Jonquière. He thinks it is important to meet the members.

### ***Isn't the NVVE a too decent club? One never reads about NVVE members being prosecuted like members of Stichting De Einder?***

Jonquière: Of course, some people find us too decent. You cannot change point of views overnight. We think one has to go slowly, win the respect of politicians, and the departments involved. The small societies like 'Stichting De Einder' and 'Stichting Vrijwillig Leven' are activists and therefore more prone to being prosecuted. In the short run they will claim success, but that will fade away. We try to get a social basis. Politicians

see us as a reliable organization. In fact our Member Supporting Service does the same as 'De Einder', which supports the idea that there is an absolute right to self-determination. We keep an open mind about that.'

***There has been a euthanasia law in The Netherlands since 2002. Did we benefit from it?***

'Nowadays people are allowed to ask their doctor for euthanasia. When I was a medical practitioner (before 2002) patients asked me to do things which I wasn't allowed to do. I tried to find a solution in line with terminal care. In terminal care one would also take the last step: euthanasia. But you didn't talk about it. I was not so brave as to report it. Nowadays that's not a problem anymore, as long as the criteria are followed.'

***But those patients who request euthanasia are dependent on the goodwill of the doctor.***

'Yes. From the patients' point of view the law did not do them justice. In the Netherlands we do not have a right to euthanasia. If one wants to end one's life and needs help and asks for it, the doctor should be free to say yes or no.'

***So there is definitely a need for the pill of Drion, the 'lastwillpill', which makes it possible to terminate one's life with dignity, at one's self chosen time?***

'There is a dilemma. Nobody wants a dispenser at the corner of the street. And no one wants to be patronized by a committee with two or three members that make the decision. In my opinion there should be an option to obtain medication, even from laymen. However, always under strict conditions.'

***Why cannot a trusted committee give the pill, after they tried but failed to bring a person with a death wish, to change their mind?***

'It seems so simple, but if I'm a member of that committee and I know that the death wish is not authentic, I can't write the prescription.'

***I am afraid that the lastwillpill never will come, if even the director of the NVVE has such a subtle approach.***

'The lastwillpill will come, in due course. With all our step-by-step way of thinking we now have a euthanasia law. However, physicians could make more use of the law. Only one third makes use of the room the law allows them. They remain at a safe distance from the limits of the law. Some don't have the proper knowledge, others are needlessly hold back. By the lastwillpill, in my opinion, there should be a procedure with built-in requirements of due care. So the person responsible knows the death wish is authentic. This person does not need to be a doctor. In that way the burden is taken away from the doctor.'

***So the NVVE, or better yet, its director, wants the same guarantees as those for euthanasia?***

'Yes, although the diehards, the advocates of the lastwillpill don't agree. They want, ultimately, to get rid of the interference of doctors. Apart from that, the political climate is not in favour of improvements. We try to

become on speaking terms with the Lower House but with the present coalition that is hardly possible.

*Remarks by Bert Keizer, practitioner of a nursing home.*

## **DOES THE EUTHANASIA LAW MAKE A DIFFERENCE?**

'Some months ago a man in my neighbourhood told everyone how his young wife, who had an incurable disease, had died through euthanasia. Someone else asked me: Didn't he put the doctor in an awkward position by telling everyone about it? The answer is: no, I don't think so. This is not a problem anymore for the doctor. It is regulated in the law. I don't think the practice has changed much after the law came into force. We were doing those things along roads of which the legislator finally said they were driveable. That the roads were driveable was not the merit of the law, it was the merit of the doctors.

The practice of euthanasia may not have changed, but the actual experience is different. Especially in a hospital- or nursing home setting, more people are involved than in the home situation. There are practical issues. It is important to tell everyone involved that euthanasia is a legal procedure, and that asking for euthanasia is one of the most difficult decisions of one's life.

The law also has consequences on the international level. In Europe we, the Dutch doctors who safeguarded euthanasia, were thought to be tragic figures who were ignorant of palliative sedation or were even compared with Nazi's and their practices. Now we can say: we have a law. A law not passed by some rattle-brains but by the majority of parliament. He, who talks about a local, abusive situation, has to put a whole country outside the European position. Yes, the Law does make a difference.