
BOOK REVIEW

Easing the Passing



ANGELS OF DEATH: EXPLORING THE EUTHANASIA UNDERGROUND

By Roger S Magnusson
(Melbourne University Press 2002 pp 325 \$29.95)

DEATH is a grim topic, and that's probably why it is rarely contemplated or discussed. In our society, death is more taboo than sex. However, death remains important to everyone because each of us must confront it at some time. Roger Magnusson has written a powerful book in which he talks about death with health care professionals who have frequently been required to confront it. He recounts extraordinary stories told to him by doctors, nurses and other health carers (the 'Angels of Death') who have observed and, in most of the cases discussed with his interviewees, participated in the death of their terminally ill or HIV/AIDS ravaged patients.

The title of the book *Angels of Death*, with its attendant subtitle *Exploring the Euthanasia Underground*, is at once intriguing and revealing. Dr Magnusson opens with a neat and concise extract from an interview with a 'warm and charming middle-aged' funeral director who, in response to a question about whether he knows anything about a 'euthanasia underground', reveals the existence of 'an informal network of people who co-operate together in order to facilitate euthanasia' and who have been given the nickname 'Angels of Death' (p 1). The reader will thus immediately and readily perceive why the author chose such a captivating and peculiarly appropriate title for his book.

Between the eye-catching opening in which the author aptly lays the groundwork for what follows and its thoughtful conclusion in which he analyses ethical, moral and legal responses to the euthanasia underground, the book is a

gripping account of how illegal euthanasia is practised by an informal network of health carers. In a well researched and thought provoking commentary on the information provided by his interviewees, Dr Magnusson reveals the extent to which the relationships and connections among health carers, patients, friends and families involved in end-of-life decisions can be said to constitute an 'underground' or 'network' for the delivery of euthanasia services.

The book is primarily a report on research into the practice of euthanasia among 'health care workers in Australia and the United States who have been intimately involved in caring for people with AIDS' (p 1). It presents and analyses the results of face-to-face interviews conducted by Dr Magnusson with 49 people in various health care professions in Sydney, Melbourne and San Francisco over a three year period (p 2). A small number of interviews were also carried out in Canberra and Brisbane. The interview group consisted of 19 doctors, 17 nurses, seven therapists and five community workers and the funeral director. They constituted a broad range of health carers at various levels of authority from shiftworker nurses to physicians with international reputations. The doctors included general practitioners, hospital physicians, psychiatrists and palliative care specialists. The nurses worked in both community and hospital settings.

Dr Magnusson's declared aim is 'to investigate the attitudes and practices of Australian and American health care workers towards assisted suicide and euthanasia, especially within HIV/AIDS health care contexts' (p 2). The interviewees recounted real life experiences with a frankness that was made possible through a guarantee by the author of 'pseudonymity'. The interviews revealed evidence of an informal chain of associations facilitating the organisation and provision of euthanasia services in the three principal cities in the study. In the process of analysing the information obtained, Dr Magnusson gives a chilling account of how the euthanasia underground works and how the practice of euthanasia has spawned a culture of deception among health care workers. His analysis of the interviewees' disclosures substantiates the practice of illicit euthanasia by those working with HIV positive and AIDS patients.

He also describes how an increase in 'anti-professionalism' among doctors and nurses has produced instances of non-consensual euthanasia (ch 10). He cites instances of falsification of death certificates (p 228) and of cremations performed by 'friendly' funeral directors with the co-operation of 'sympathetic' doctors (pp 183-185, 227- 229). He identifies the emergence of a 'cowboy syndrome' (p 230). He deplores what he calls the 'Rambo' or 'cowboy' factor, which he refers to as 'an almost reckless individualism which most readers ... would find disturbing'(p 105). There are troublesome elements in his narrative, not the least of which are his descriptions of 'death by palliative care' or 'pharmacological oblivion' resulting from the escalation of morphine dosages until death becomes inevitable (pp 87-90). The interviews conducted by Dr Magnusson contain serious allegations about

how doctors, nurses and other health care workers have helped able-bodied AIDS patients to die and have carried out non-consensual euthanasia, sometimes in circumstances which clearly amounted to murder or manslaughter.

The predominance of AIDS patients in the stories told by the interviewees is not surprising. The suffering caused by AIDS-related illnesses is not confined to the pain which accompanies the disease, but includes the distress and loss of dignity identified as the main reason for requesting death (p 90). The emergence of the AIDS epidemic has played a role in drawing attention to euthanasia issues. Dr Magnusson describes the bleak despair, and sometimes dementia, which characterises the illness suffered by AIDS victims (ch 5). He finds in many AIDS patients a willingness to consider assisted death (p 70).

It should be noted that the results of the interviews are not confined to a simple presentation and analysis of statistical data about the extent of participation by doctors and other health careers in active voluntary euthanasia and their attitudes towards the legalisation of euthanasia. There are useful tables showing the nature of the interviewees' involvement in 88 instances of assisted suicide and euthanasia (p 132), the frequency of interviewees' involvement in episodes of assisted death (p 137) and other helpful data. Clearly those statistics had to be included. The book also contains tables containing the statistical results of other well documented studies on health care workers' attitudes to assisted suicide and active voluntary euthanasia in Australia (p 39) and physicians' attitudes to assisted suicide and active voluntary euthanasia in America (p 41). Informative tables are to be expected and are entirely appropriate. However, the reader is taken beyond a dreary recitation of statistical results to a useful commentary on cases and incidents in the United Kingdom and the United States which have helped to settle the law against euthanasia in those countries. Cases which have resulted in approval of the principle of 'double effect', which is now widely accepted in common law countries, regard 'passive' euthanasia as acceptable medical practice, while 'active' euthanasia remains unlawful. Dr Magnusson ventures further into a discussion of major studies and issues in Australia where some doctors have joined the growing protests against the laws which criminalise euthanasia. He cites examples of prominent 'voices' who are influencing the euthanasia debate (chs 2 and 3), and reviews some of the recent legislative experiments in The Netherlands, Australia and the United States (ch 4).

Dr Magnusson is troubled by the way in which euthanasia is practised in an informal, intuitive and arbitrary manner and by the absence of professionalism among some of the health carers whom he interviewed (chs 10 and 11). He is further troubled by the frequent 'botched attempts' to perform euthanasia. There is also disturbing evidence of coercion upon the patient or the health care worker (or both) and evidence of hasty involvement by doctors with little or no knowledge of the patient's circumstances (p 201). He identifies instances of euthanasia on able-bodied patients who are not in the terminal stages of their illness and an all-pervasive culture of

deception (p 201). He is especially critical of doctors who supply the patient with a lethal concoction and then absent themselves, leaving it to the patient to ingest the drugs (p 226). In his view, these disturbing features of euthanasia practice 'cry out for a regulatory response' (p 246).

Dr Magnusson suggests that his book impartially provides ammunition for both advocates and opponents of a legalised regime (p 261). There can be little doubt that the question whether assisted death and euthanasia should be permitted by law raises issues of fundamental importance, considerable difficulty and much controversy. Dr Magnusson canvasses several possible models for appropriate legislation containing robust safeguards, but acknowledges that many participants in the euthanasia debate hold deeply entrenched positions and that resolving all of the issues will be difficult. However, euthanasia is not just about easing terminally ill cancer patients into a painless death. Death is confronting, but there is little doubt that euthanasia is so much more confronting because it involves killing people or helping them to die by their own hand. The merit in Dr Magnusson's book is that, by focusing his attention on an 'underground network' of health carers engaged in killing their patients or helping them to die, he has brought a new dimension to the euthanasia debate. To this extent, his book is an important, timely and challenging work for the new epoch in the law relating to euthanasia and doctor-assisted suicide.

In an article published in 1996 Dr Magnusson predicted that, if social trends and legal developments over recent decades were to continue, legalised euthanasia would be an inevitable development for Australia's more populous states within five to ten years.¹ In another article which was probably designed as a staging post along the way towards the publication of this book, Dr Magnusson and his colleague Professor Ballis said:

Given the reality of current euthanasia practices, the inability or lack of commitment to enforcing the prohibition on euthanasia in the face of fragmented medical attitudes and broad community support for change, and the contempt for the law and for current professional standards which surreptitious euthanasia involvement generates, we question whether a policy of prohibition serves the public interest.²

In this book Dr Magnusson makes a strong case for regulation of euthanasia by legislation within strict guidelines. However, while adopting the view that euthanasia should be regulated, he still insists that, 'even in the absence of regulation there is work for the medical and nursing profession to do, seeking to influence and improve the informal assessment processes that currently operate' (p 280). It seems

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1. RS Magnusson 'The Future of the Euthanasia Debate in Australia' (1996) 20 MULR 1141.
 2. RS Magnusson & PH Ballis 'The Response of Health Care Workers to AIDS Patients' Requests for Euthanasia' (1999) 35 Journ Sociology 312, 328.

likely that readers of Dr Magnusson's book will find themselves looking forward to seeing how the euthanasia debate will be influenced by his provocative analysis and the window into the 'euthanasia underground' which he has displayed so vividly in his book.³

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3. Dr Magnusson is a Senior Lecturer in the Faculty of Law at the University of Sydney and the co-ordinator of the Faculty's postgraduate Health Law Program. He has also spent some time as a Postdoctoral Research Fellow in the Faculty of Law at the University of Melbourne supported by an Australian Commonwealth AIDS Postdoctoral Research Fellowship from the Commonwealth Department of Human Services and Health. His book contains 325 pages, including an appendix revealing details of the recruitment strategy and methodology adopted in the course of the research on which the book is based. There is an extensive bibliography which is connected appropriately through footnotes to relevant parts of the text, a useful index and a list of the tables summarising the results of various studies and surveys. The author collaborated on aspects of the project with Professor PH Ballis who contributed especially to chapter 6 ('Responding to euthanasia requests') and chapter 8 ('Doing fieldwork in the euthanasia underground'). Justice Michael Kirby provides a foreword in which he concludes that 'after this book, the debate [about end-of-life decisions and euthanasia] will never be quite the same' (p ix).

