10-28-2014

Regulating the End of Life

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Recommended Citation
Adams, Maurice, "Regulating the End of Life" (2014). The Morris Lecture in International and Comparative Law. 12.
http://scholarship.kentlaw.iit.edu/morris/12
The Henry Morris Lecture in International & Comparative Law

Regulating the End of Life

Tuesday, October 28, 2014 | 12 noon
1.0 hour of IL MCLE credit
In his research, Dr. Maurice Adams has a particular interest in issues of comparative legal research methodology, issues of regulation, and in the relation between (constitutional) law and politics (and political theory). Most recently he published, together with J. Griffiths and H. Weyers, a large scale comparative study about the regulation of euthanasia, EUTHANASIA AND LAW IN EUROPE. He also published a book on the argumentative practice of highest courts, with J. Bomhoff and N. Huls as co-editors, THE LEGITIMACY OF HIGHEST COURTS’ RULINGS: JUDICIAL DELIBERATIONS AND BEYOND. Other publications of his include, PRACTICE AND THEORY IN COMPARATIVE LAW, (edited with J. Bomhoff), JUDGING EUROPE’S JUDGES: THE LEGITIMACY OF THE CASE LAW OF THE EUROPEAN COURT OF JUSTICE, (edited with H. de Waele, J. Meeusen and G. Straetmans), and METHOD AND CULTURE OF COMPARATIVE LAW (edited with D. Heirbaut). Dr. Adams has functioned in an advisory capacity for Belgian parliament on the regulation of euthanasia and on legislative evaluation, and also for the House of Lords in the United Kingdom. He has been Editor-in-Chief of THE NETHERLANDS JOURNAL OF LEGAL PHILOSOPHY (formerly known as RECHTSTHEORIE) and Chairperson of the Department of Public Law, Jurisprudence and Legal History, at Tilburg Law School. He is also an elected member of the International Academy of Comparative Law. Dr. Adams studied law and philosophy of law/legal theory at the Universities of Maastricht (the Netherlands), Leuven (Belgium) and Oxford (UK). He is currently a visiting professor of law at KU Leuven and the University of Antwerp in Belgium, mainly working in the field of jurisprudence and comparative law. In 2007, Dr. Adams was appointed Full Professor of General Jurisprudence at Tilburg University (the Netherlands) and since 2012 he is Professor of Democratic Governance and Rule of Law (Vfund Chair) as well. Most recently, Dr. Adams became Vice Dean Education at Tilburg Law School in July 2014.

Currently, Belgium and The Netherlands, recently joined by Luxembourg, are the only countries in the world that legalized euthanasia, understood as the “intentional life-terminating action by someone other than the person concerned, at the request of the latter, and under more or less strict conditions.” The argument that is usually used against regulating euthanasia is that a blanket (criminal) ban on euthanasia is necessary to protect the “weak and vulnerable,” and especially those who are not in a condition to make informed decisions against acts intended to end life or to assist in ending life. But if protecting the weak and vulnerable is the aim, would it not be better to try and gain control over the practice by making it visible through regulation? This is actually what the Dutch and Belgians did. From a comparative point of view, what is most interesting is that the Dutch were reasonably successful in reaching the aforementioned aim by using advanced regulatory techniques. In this lecture, Dr. Adams will discuss how a successful regulative regime would look in this domain and under which conditions such a control system could be exported to other countries.

Henry Morris Endowment

This program is funded through the Henry Morris Endowment. An 1889 graduate of the Chicago-Kent College of Law, Henry Crittendon Morris (1863-1948) enjoyed a distinguished career as an international lawyer and diplomat. During 25 years of foreign service prior to World War I, Mr. Morris served as the United States Consul in Ghent, Belgium, and as Secretary to Chief Justice Fuller at the Permanent International Court at the Hague. When the war broke out, he returned to Chicago to coordinate Red Cross and Liberty Loan campaigns on behalf of the American war effort.

Mr. Morris was a member of the American Society of International Law and a number of other organizations devoted to improving international relations. He was the author of THE HISTORY OF COLONIZATION FROM THE EARLIEST TIMES TO THE PRESENT DAY (1906). The French government made him a chevalier of the French Legion of Honor in 1937.