

The book discusses in a comparative way legal approaches to euthanasia. Although it primarily uses the constitutional law method to analyze the controversy, it also considers the moral and penal law aspects of the problem. It covers around 15 jurisdictions (including the developments on European level) and refers to the both common forms of euthanasia (passive and active). The analysis is principally concerned with the legal construction of permissible euthanasia - that is with the values and ideas in terms of which law reform may be framed. The book endeavors to advance the common understanding of the link between passive and active euthanasia. It also illuminates the view that what the law has condoned under the various types of passive euthanasia already broke some ground regarding the legalization of its active form.

Assessing that the present legal asymmetry is indefensible, the book also confronts the issues of a right strategy to legalize active euthanasia and a right authority to do the job. It demonstrates that constitutional arguments failed to convince courts to mandate the legalization. On the other hand, by using the Dutch example, it shows that criminal jurisprudence might result in a democratically enhanced entitlement to physician assistance in dying.

The final analysis has triggered the issue of who should decide on whether active euthanasia is to be legalized: should the courts be catalysts or citizens themselves or is it entirely up to democratically elected representatives to decide if there is any reason for legalization? The author argues in favor of the last option because only a legislative reform achieved through a deliberative democracy may bring some peace to the issue involving a strong but reasonable disagreement.

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