

UPON THE EXECUTION OF TERRI SCHIAVO

By now Terri Schiavo's experience should have launched a national debate about how to dispose of nuisance citizens in a manner that is consistent, discreet, legal, sanitary, and (most importantly) humane. While she is merely the latest of thousands of people in the U.S.A. who have been dispatched when their guardians have grown weary or have given up hope, she has generated enough media attention that no thinking person can be unaware of the debacle.

WHY DEBATE IT?

We need to engage in this debate without submitting to the emotion of the zealots forever commanding media attention over abortion, who, for years, have shouted from the same opposing ramparts and have prevented rational dialog. Many of the same zealots have tried to hijack the Schiavo situation. Anyone with megaphones needs to be ignored by those who want to resolve the matter.

We need to have this debate among ourselves, as Americans, and we need to leave the rest of the world out of it. Many other countries have their own solutions. If we were fully aware how inconvenient citizens are disposed of in other countries from Scandinavia to Southeast Asia, it would be sobering to everyone on both extremes on the Schiavo issue. We might, however, study other countries' solutions and find some guidance there, guidance both for how to select individuals to be dispatched and what methods are most efficient.

We need to make this a national debate not subject to states' rights. Rather, we need to define that which makes us citizens of the U.S.A.; clearly we understand that one is a citizen who has been born here or naturalized and who has not renounced citizenship. We even confer citizenship posthumously. What about citizens who are still breathing? We need to decide when a breathing corpse, as Terri Schiavo was clearly perceived by Judge Greer, ceases to hold the rights of citizenship.

The definition of "dead" used to be a lot simpler in centuries past, but now we seem uncertain whether a "viable fetus" is alive, whether a body on "life support" is alive, and whether a person who is "brain dead" is alive. Terri Schiavo was deemed dead enough in one respect that a court ordered her body deprived of food and water so that it would have the good sense to go with the already dead part. We need the national debate to define "dead" once and for all. And concomitantly it can encompass the definition of "not-yet-alive." We permit fetuses with beating hearts to be declared not alive yet, so maybe that could be instructive at the other end of... of a lifetime. (Heart beating but not yet alive: heart still beating but already dead.) We need one definition nationally, because, once again, there cannot be fifty definitions of a U.S. citizen.

We need to debate this definition outside the courts. Courts settle disputes according to laws already on the books and decide the constitutionality of such laws. There is nothing in a national debate for the courts to get involved in as long as there is not yet a national consensus and a national law on what "dead" means. Judge George Greer, the unwitting villain in the Terri Schiavo case, took it upon himself to declare her legally dead. But he was grasping at a definition that did not yet exist in our laws.

We need to disregard what will surely be a shrill attempt by lawyers to lead the debate. Again, it concerns what is not yet law, and what is already law must be set aside. Legal precedent does not inform us here. "Not-yet-alive" and "dead" are concepts found in our national soul, not in the Internal Revenue Code. Lawyers should be welcome in any national debate not as experts on irrelevant law but as individuals who may or may not have personal experience that informs each one's position.

We need to reach one accord and then tell Congress what we've decided. Congress then needs to render our decision in the form of a simple, unequivocal law. "This (insert results of debate here) is what defines life. Anything not fitting this definition is not life. Dispose of corpses appropriately." And, incidentally, that which defines not-life for humans ought also to apply to beached porpoises, comatose rhesus monkeys, laboratory rats, and the like.

Indeed, a constitutional amendment may be the proper result. We cannot leave it to different courts with 50 separate sets of state laws to decide upon different ways to execute nuisance citizens.

This debate needs to be held by ordinary citizens and the rational organizations that represent many groups of citizens. It is not a debate that can be resolved in Congress, because nothing decided in Congress has anything to do with finding a real solution, much less dealing with anything but contrived problems. Congress is ever obsessed with finding a compromise, between opposing sets of values, that both sides can agree wrecks the least political damage to the two parties that control the government. Compromise in

Congress is not about agreeing on fixing something; compromise is about appearing to fix something and getting at least part of the credit. When the fix doesn't work, each side can say it wasn't their fault because their entire agenda wasn't incorporated *in toto* into the "solution."

We need to have this debate because, through our collective compassion, we have preserved populations of humans in our midst who cannot be relied upon to take responsibility for themselves: pathological criminals, the seriously mentally ill, those with serious physical or mobility limitations, the seriously mentally retarded, the frail and demented elderly, and of course, those in a rapidly-deteriorating state or a persistent vegetative state, which may have arisen out of anything from birth defects to terminal deterioration to self-inflicted loss of function or consciousness. Terri Schiavo reached her persistent vegetative state by initially depriving herself of nutrition necessary to sustain consciousness. Others inflict permanent incapacity upon themselves by such means as over-consumption of substances that they know will destroy them, by submitting themselves to absurd risks, and by overtly attempting, and failing, to kill themselves.

WHO GETS TO TALK?

In order to have a rational national debate, we need to reach a consensus on who represents some of us. I prefer to speak for myself, but others are not confident doing so. So I'm on my soap box and you can get onto yours. Or you can get behind someone who thinks like you do.

There is a vanguard of citizen groups that vigorously oppose the death penalty under all circumstances. Of all citizen movements, this one, to my observation, generates perhaps the most universal respect for its agenda. We should consider including these people as rational participants in the debate. There is another vanguard that advocates permitting the terminally ill the option of assisted suicide. This too is, for the most part, a rational and compassionate group of citizens and we should let them participate. We should let the politicians participate who have a personal perspective to contribute. Otherwise, they are our servants and should sit it out until they are instructed to act. Even those of us who are "members" of passionate organizations must agree to set aside our most ardent passions and tell our too-vocal organizational leaders to put a cork in it.

A debate needs moderators. A national debate needs someone to do this who can command some media attention, some financial backing, and most importantly, the respect of a significant majority of us. When two former Presidents appeared together to appeal for voluntary contributions from Americans for victims of the 26 December 2004 tsunami, they formed such a team. They are not necessarily the ones to manage a national debate, but they suggest one sort of possibility. Twenty years ago another group of influential people came together for one brief session and recorded "We Are the World." The effect was fleeting but pervasive. Americans from two to 102 were singing it. People like those who made that song are acting responsibly when they allow themselves to be persuaded to use their enormous influence in an unusual but benevolent way.

I'm merely squeaking like a cricket under the porch. I can't bring the media to my door to listen to this idea. I can hope only that someone with that kind of power pauses to listen to me chirp for a moment, and understands.

A debate, though, involves a clash of opinions. It differs greatly, too, from the din of opposing zealots. Zealots try to shout each other down and rely not upon thoughtful argument but upon insult and rage. In a debate, the opposing sides at least suspect that the other side has a point that could be respected. They listen to one another. And they submit their best arguments to a panel or a populace. When the populace decides, the debaters accept the result.

WHAT DO I THINK?

And so, as I advocate for a national debate, I am offering opinions along the way in the hope of stimulating support or opposition, but opposition that attempts to persuade me, not destroy me.

For my own part, I certainly have an opinion. I also have a personal perspective. And I have an emotional response to the Terri Schiavo incident as well, so I'll get that out and be done with it: I struggle with a court's decision that Terri Schiavo didn't feel her starvation and thirst. We assume that a hanged criminal doesn't feel the snap when his neck breaks. But we don't kill people that way any more. In the judge's opinion, she wouldn't feel it because she was already legally dead. Since his was a legal opinion not subject to direct knowledge of what she could feel, it is no more valid than my opinion, legally held, that any judge who could reach that conclusion wouldn't feel it if a broomstick were rammed up his rectum and then

mounted on a marble column on the front of his courthouse. You had a tough case put before you, Judge Greer. But I think a brilliant judge could have alerted the legislature in a different way to tell them that there is a law on the books that stinks and needs to be rectified. It didn't require a human sacrifice.

There. Now I don't need to say it again.

I also have a global, (in the sense of wider), more comprehensive, perspective. But first my personal perspective: For fifteen years I too have lived with someone who has survived all that time only because of a feeding tube. (We never thought of it as "life support" though.) He doesn't walk or speak. He follows a balloon with his eyes when it is passed before him. He is diapered 24 hours a day and must be bathed and wheeled about. We, his family, believe that he takes pleasure in things, and we can tell when he is uncomfortable, but when he hurts he can't show us where, or when he is frightened, why. Maybe we are deluded to think that he communicates in his own way. Maybe his quality of life is crap too. On paper he would appear to a judge to be a lot like Terri Schiavo. Certainly he is a financial burden on society, on Medicaid and the medical insurance, and on his family. Maybe it's time to stop feeding him, too. Who wants to sit there and keep vigil while my son starves to death?

On a wider perspective, I learned a little about Dr. Albert Schweitzer when I was a youth. His influence on me is borne in the term he coined: "reverence for life." To the extent that that concept affects us, we struggle to understand the killing that is necessary so that we might eat and the killing that others force us into so that we might defend ourselves. But necessary killing does not justify unnecessary killing. To this day, I still release spiders outside that I have caught in the house, rather than killing them.

Perhaps those same words, which describe the principle Dr. Schweitzer attempted to elucidate in his *Philosophy of Civilization*, published in 1923, became the basis for our culture's turn toward greater compassion for all people. Perhaps, though, that turn had already begun to take place and Dr. Schweitzer merely uttered what was already understood.

WHAT ARE WE DOING TO OURSELVES?

Thus, years before I had heard of Terri Schiavo, I had begun to contemplate the inevitable consequence of America's scramble to assist all people, in whatever manner of decay and incapacity, to hold onto life at any cost – cost in money and cost in effort. In the first place, assisting children with genetic mental and physical challenges to reach adulthood – children who until a hundred years ago or less would have died sooner (and still do, of course, in most of the rest of the world) – helps assure that their genetic material will be passed on. As more and more medical solutions are made available, more and more children or their guardians assert a right to those solutions. I participate in that process myself on behalf of my son.

With medicines and machines we already preserve the elderly, including the hopelessly demented elderly, beyond their ability to sustain themselves, and at extraordinary cost and extraordinary emotional drain. We wage costly battles against dread diseases on a national and international scale, fighting malaria and polio, smallpox and influenza. These largely indiscriminate, periodic, shotgun-approach campaigns affect whomever they can and leave others at times unprotected. But we also wage costly individualized battles against such dread diseases as cancer, on the premise that every American has the right to muster whatever resources one can on the off-chance of becoming one more survivor.

When people who are predisposed to develop such a disease, and who are young and strong enough to recover, do survive, they often reproduce, increasing the odds that there will be more people genetically predisposed to the same disease in the future. When someone is severely injured in an accident or loses significant function due to a stroke, just two more examples out of many, we don't just let them go. We encourage them to try electric scooters at public expense (Medicare), prostheses, and rehabilitation of indefinite duration.

We build dialysis centers and clinics to rehabilitate addicts who would otherwise die in oblivion and who are at increased likelihood to become candidates for long-term care later anyway. We agonize over the homeless and try to steer them toward wellness and recovery at public expense, and largely public waste, considering their recidivism.

Nowadays we give no thought to the marriage of a man and a woman who each endure severe myopia (of the visual kind), people who in past centuries may have been ridiculed and tortured for their clumsiness or devoured for their blindness before the opportunity occurred to marry and reproduce. As innocuous as it seems, this too is an example of our rush to assure the physical weakening of our population. And so it goes with people who have chronic asthma, cystic fibrosis, diabetes, a predisposition to addictive behavior,

hemophilia, and the list is endless. It is our national will to assure us each and every one the fighting chance we never before would have had... to weaken the gene pool.

We have declared insane asylums inhumane, even though they once helped keep our streets safer and to some extent inhibited procreation. We have moved their populations into the communities to be integrated as much as possible with regular folks. That's good! They have rights. They aren't dead yet either!

Nobody wants to volunteer to forego available medical treatment that will help them fight their way back from a disease or injury. Nobody wants to abandon their physically or mentally weak children or grandparents to the life they would lead if they had to be dependent completely on their own responsibility and faculties.

We all want assistance in all of these circumstances. Most of those who don't have insurance have some claim to public funds for acute or critical care. Other than the somewhat-meaningless lifetime maximums in health insurance policies, there are no limits to what someone can seek for treatment. Seek it, schedule it, and ask for donations to help pay the bills afterward. Declare bankruptcy if you must. But our attitude is that we don't have to sit home and die as our ancestors did when they knew it was serious. And there are certainly no statutory limits to the care one may seek.

We are becoming a nation almost overrun with people who are, if not outright nuisances to the rest of us because of their dependency, at least greatly inconvenient to have around. We must discuss whether this is the way we want to go on. Unless we do something, the percentage of nuisance people in the population will only increase. Are we okay with this?

ISN'T THERE AT LEAST SOMEWHERE WE CAN START?

Terri Schiavo's example at least begs the debate on whether we can't get rid of a few – perhaps quite a few – people who have no awareness, no hope of developing any awareness, and presumably have no quality of life. (If we don't debate it and agree, then we've already assented to let the judges decide quality of life for us based on "law.")

It almost leaves moot the debate on what to do with people who are plainly and permanently unconscious. At this point, consider the distinction between awareness and consciousness. Terri Schiavo was conscious and had a relatively normal wake-sleep cycle. But she was arguably not aware. She apparently processed nothing that her senses took in. At best, she had reflexive responses to certain stimuli. So say certain "experts," anyway.

Unlike her, my son, despite the superficial similarities, is aware. He is in an aggressive school program where he has learned to communicate through a picture-exchange system. He follows precise verbal instructions to match, separate, and otherwise manipulate objects. He soothes himself by playing sometimes sweet, sometimes raucous "tunes" on the piano. He points when asked to "pick the one you want." If he is sitting on the floor before the television and we cajole him to turn it on, he will scoot to it and press buttons until it comes on. He has a couple of hand signs which he invented and uses to communicate.

Someone who is conscious, then, may or may not be aware. But someone who is aware is, almost by definition, also conscious. (I had to say "almost" because I've read Dalton Trumbo's poignant novel, *Johnny Got His Gun*. But let's not go there.)

If you haven't seen them, there are institutions in every state where children, born in a persistent vegetative state – (You mean New Jersey, the Garden State?) – are cared for who can't be cared for in their own homes and for whom there is a paucity of foster homes. I'm familiar with such an institution and, as closely as discretion allowed, have spent considerable time observing the conscious-but-not-aware, immobile children that mostly populate the place.

If it's cruel to say it and nobody else wants to, then I will be the first: These children are an inconvenience. Many of them I've seen have no awareness, no hope of developing any awareness, and presumably no quality of life. Many have been abandoned by their birth parents. Under the criteria used to kill off Terri Schiavo, these children are indistinguishable from her, in other words, legally dead already, under Florida law anyway. They are, nevertheless, U.S. citizens and, without a clear expression of national will codified into law, judges in different states have the option to order them executed under a mish-mash of indistinct state laws. (I use the term "execute" rationally and according to its dictionary definition: to "put to death according to law." But then, I see my error: How could Terri Schiavo be put to death when, although her heart continued to beat on its own and she breathed without assistance, she was already legally dead. You cannot kill again that which has already died... You see, I can appreciate both sides of the debate!)

WHY IS THIS SO IMPORTANT?

A nation with a growing population of nuisance individuals needs to decide what to do with them. Why? Because it costs a lot to maintain them and they are consuming valuable time and resources that could be applied to the living? Some day that will be the incentive, but not yet. Because they are weakening the gene pool? That's really only a mild side-effect involving a few individuals at this point.

We need to decide what to do with them *because if we don't reach one accord*, we must realize that some day *each of us may become* not a national inconvenience but *a personal inconvenience to the ones we most depend upon to look out for our interest*. Any of us may, then, be deemed unable to feel or comprehend and may then be sentenced to death by starvation or some such method. Why would we want to subject our loved ones to the agonizing decision that Michael Schiavo had to come to and the rest of the family to a feud with no winner?

We *could* choose, after rational, national debate, to continue to be compassionate toward the partly dead among us, so that those who, like Michael Schiavo, have simply gone on as long as they can and need to be relieved will have a recourse other than a court order of execution. Those who give up caring for the partly dead need to be forgiven for giving up but also need to understand that there should be no financial gain or loss in doing so. They need the liberty to turn guardianship and custody over to the state, not so that the state can put their vegetable to death, but so that the state can then contract for further care if not equipped to maintain nuisance people in state-run semi-incarceration or warehouses. A necessary adjunct to this decision will be to make possible a network of foster homes where people who have been turned over to the state can be cared for with the compassion that others can no longer muster.

Or we *could* create a national rating system and simply execute people who don't score above, say, a 'two', or some logical but fixed threshold. If we do create a national rating system that provides for the execution of people who don't meet the threshold, Terri Schiavo being a good example, those of us with loved ones in declining health who can't speak for themselves – my son for instance – must accept the national will and step aside when that threshold is passed on one's way to total death. We must let the last heartbeat be assigned by the state, but according to a national law or constitutional amendment that leaves little doubt what the criteria are.

HOW CAN I INTERCEDE ON MY OWN BEHALF?

However such a debate might turn out, let us nevertheless accept the wishes of each individual who, while coherent, has expressed a desire to avoid "heroic measures" and "life support" when in a coma, persistent vegetative, or even quadriplegic completely-dependent state. That is, if the national will dictates that we must sustain what life remains by whatever means are possible – pretty much as things are now despite the winds of change heralded by our collective apathy over Terri Schiavo – and if the individual says: "When I'm clearly on my way out, let me go," then the debate should let the perspective of that individual be respected.

If instead the national will dictates that a scorecard will determine when to execute someone, but that someone, while aware and reasonably believing that such an end is coming, chooses a quicker end, that means ought to be arranged and respected.

For what follows it is necessary to acknowledge that there are several versions of the life of dubious quality.

- There is the person who was born essentially legally dead, or what is genteelly referred to as a persistent vegetative state – PVS.
- There is the person who has, for whatever reason, slipped into a permanent but persistent state of unconsciousness, PVS, and depends on artificial support only for sustenance. (*This was Karen Ann Quinlan.*)
- There is the person who has, for whatever reason, slipped into a permanent but persistent state of unconsciousness or unawareness and depends on artificial support for respiration or circulation or both, as well as for sustenance.
- There is the conscious person who depends on artificial support for respiration, circulation, or sustenance, or any combination of the three, but who can persist indefinitely, even function productively, with that support.
- There is the person who is conscious and aware but severely mentally impaired, either from birth or from the occurrence of some event, who is dependent on artificial support for respiration, circulation,

or sustenance, or any combination of the three. (*This is my son, Sam, who is on "life support," that is, a feeding tube, for sustenance only.*)

- There is the person who is apparently conscious but who persistently has no apparent awareness of things and is therefore dependent on artificial support for respiration, circulation, or sustenance, or any combination of the three. (*This was Terri Schiavo, who was on "life support," that is, a feeding tube, for sustenance only.*)
- There is the conscious person who is enduring a slow, agonizing death and who must gradually be brought under artificial supports as well as treatment for pain.
- There is the unconscious person who is enduring a slow, agonizing death and who must gradually be brought under artificial supports as well as treatment for pain.
- There is the person who was apparently healthy only a few days beforehand and who is rapidly slipping away due to a virulent infection, other ravaging illness, or mysterious causes.
- And on it goes.

Given that I do not expect the U.S.A. to take from the Terri Schiavo incident any cogent lesson (but rather, I expect us to turn it over to Congress for endless, tiresome "debate") and that, therefore, I will one day want to spare my loved ones the absolute whim of a court, for I seriously anticipate arriving at a state of complete dependence some day, I offer the following alternative. It is my hope that, if the determination of my percentage of deadness is up to a court to decide, then the court will consider this analysis, or better still, will turn the matter over to my family because I have had the good sense to give some guidance here, thus sparing the court the trouble.

I should define clearly that my family, or loved ones, for purposes of this question, are my wife and two biological daughters. That's not to imply that I don't also love someone else, but I don't want my other loved ones, however many they may be, given control over my death or execution. I'm sure the three I've named, or those that remain of the three when my time comes, can readily come to one accord and I bless that decision here and now.

If I am incompletely dead and anyone should suspect that the best thing for them, for me, and for my fellow man is that the rest of me should be put down, give me this test. 'Yes' answers point toward sustaining life, 'No' answers point toward certain death.

<u>Absent heroic measures and intensive testing:</u>	Yes	No
1. Can I breathe on my own?		
2. Does my heart beat reliably without external stimulus or support?		
3. Can I cooperate with my own feeding or care?		
4. Am I (apparently or occasionally - briefly every day for instance) conscious?		
5. Perhaps restating #4, do I respond occasionally and deliberately to questions, gestures, or touch, and do two or more people agree that I do?		
<u>Given at least some intensive testing:</u>	Yes	No
6. Am I free from virulent infection or other consumptive disease that, in my state, is likely to kill me in a few days anyway? (Note: 'No' means Yes I have such a condition.)		
7. Do I have any brain activity suggestive of awareness?		
8. Is there a rational basis to assume I'll ever again become conscious or aware?		
9. Are my ancillary systems such as kidneys functioning with apparent intent to continue as they would if I were normal for my age?		
10. Do two or more dispassionate "experts" agree that I have some residual cognitive consciousness, awareness, or potential for recovering some rational conscious awareness?		

Once this test has been given, if there is any disagreement among my loved ones, I then suggest that two or more dispassionate individuals be chosen by consensus of my loved ones and be charged to interpret the results and render their advice. I then enjoin my loved ones to accept that advice. If I have, previous to becoming incapacitated, expressed a desire to be supplied with the means to artificially accelerate the end, that is, the means to finish dying quickly, then I request that two or more dispassionate individuals advise my loved ones on that matter and that they likewise accept the advice, to the extent that they may legally do so.

(I would not ask to have an assisted suicide arranged for myself unless I were consciously aware of present or impending unendurable pain.)

On the above test, if I score two or more on the Yes side in #1 through #5, then I think I would like to be sustained until it is more clear which way I will go. If I get one or two in the Yes column on #1 through #5 but it's doubtful, then I would like to be sustained for a while if I also get two more in the Yes column on #6 through #10. In no event do I want to be kept alive for more than a year if I am unconscious or apparently unaware throughout that time. I'd probably be fine checking out after six months in that state, but if more passionate individuals prevail, then let them understand it just can't go past a year.

HOW WOULD I HAVE YOU LET ME GO?

If I have become apparently unaware and there is no prognosis for regaining awareness, as would be the case if I were being consumed by a virulent infection or metastasizing cancer, I also don't want to be kept "alive" by heroic means. Here's an example how to interpret the test above. If I'm not conscious, therefore on "life support" for sustenance, AND if either my breathing or heart won't keep going without tubes and wires, AND if I ain't coming back from this situation, then give it a few days if you must and then let me go. I don't consider Terri Schiavo that far gone, by the way.

I participated in the decision to "unplug" my father only four or five days after he had packed to leave the hospital under his own power following surgery for lung cancer. But he had a serious reversal, and the decision was simple when the answer to #1 through #6 and #8 through #10 above was No in every instance. I don't remember whether #7 was answered. Was that an execution? Nooooo, because he wasn't "put to death according to law." It was a medical determination, and the answer to #6 was the clincher. Life support systems would have been insufficient to sustain him for another day anyway. He drew his last breath two or three minutes after being disconnected from the ventilator.

So, on the supposition that the national debate and clear direction to the courts will not be forthcoming in my lifetime, I wonder what I would prefer if I were not clearly dead but were deemed by a court to be dead enough to be finished off in some gruesome way – if I were in Terri's predicament. And not only I, but if I am called upon to concur that a person under my care and guardianship is likewise due to be dispatched, these are a few of the ways I'd consider among my options, for myself and for someone else:

Starvation and thirst – The Terri Schiavo solution. This is slow and, I must believe, agonizing even to a person who is already partly or legally dead. The brain stem is a powerful advocate for food and water, and it is the brain stem that sustains respiration and circulation. For me, at least, I would ask that my guardians consider my will to eat and drink as strong as my will to breath and pump.

Suffocation – Not with a pillow pressed over the face. That would be too dramatic. Instead, this could merely be a plastic tent placed over the head to slowly reduce the supply of oxygen to my lungs. One assumes that I wouldn't have the involuntary reflex to strike the tent away with my already-dead arms. As long as it was a "natural" suffocation by merely depriving me of oxygen, in the manner of starvation by merely depriving me of sustenance, it would be a peaceful and efficient way to go, and certainly quicker than starvation.

Drowning – Assuming a compassionate intent to attend to the partly dead person's comfort – after all, we do surround them with pillows and such – nothing is quite as soothing and comfortable as a warm bath. I could be lowered into a bathtub, the warm water could slowly be raised in the tub until it completely covers me, I would inhale a little of it, and then it would be over.

Freezing – This is a possibility that removes most of the worry about the suffering that some might ascribe to the previous methods. Even conscious people "suffering" from hypothermia aren't aware that they are suffering. (Judges take note: People don't feel it, as those who've been rescued from the edge of death-by-freezing have testified.) They become disoriented – if I were already partly dead presumably I would already be disoriented in the extreme – and then they slip from consciousness, and then their systems quietly shut down. I think freezing Terri Schiavo would have been more humane than starving her.

Buried "alive" (but in fact partly dead) – If I were partly dead but a consensus couldn't be reached concerning my wishes, I could be placed into a coffin and lowered into a grave where any of the foregoing consequences could take place and no one ever need know which one succeeded.

Bleeding – If I'm already partly dead and my heart and lungs haven't the good sense to shut down, this may be my first choice of a way to go. It would be quick, and it would not need to be messy. I've already donated roughly 80 units of blood in my "life" time, and this would be a way of donating ten or so more units of good blood under a controlled collection process. Then someone else who is not already partly dead but in need of

more blood could be prevented from becoming partly dead. If I've reached 90 donated units before I become partly or legally dead, then finishing me off in this manner would help me earn the coveted 100-unit pin!

Cremation – The opposite of freezing. This has its advantages because it not only makes one completely dead but also completely resolves the secondary debate about what to do with the remains. I frankly reject this solution for myself anyway, because I cannot accept that I wouldn't feel it. Cremation, however, would be my disposal of choice once I am completely, 100% dead dead. I am concerned that there isn't enough land to keep burying people and pets and plastic. Take the pressure off the land and burn me up.

Natural disposal – A very simple solution used by aboriginal Americans, according to pre-PC literature on the American Indians. My partly dead body could be placed onto a platform high above the ground, out of sight of people who might find it distasteful to accidentally glance upon the scene, and the crows and vultures and other hungry creatures of nature could each carry part of me away. Digested in this manner, it would be nearly as efficient as cremation. And anyone who wants a souvenir of me wouldn't have to settle for a lock of my hair. There are about 206 bones in the body, enough for all my friends to have one after they've been cleaned of the fleshy parts over a couple of weeks of exposure to nature. I don't think being picked apart in the manner would annoy me. In fact, if I'm sufficiently disoriented, it might tickle.

Lethal injection – This would be fine but probably wouldn't be approved by any court because it's too much like punishment.

Assisted suicide – This is an option under certain circumstances. If I am partly dead, (dead enough to be put to death under a court order but too weak to protest that I didn't commit any crime worthy of execution), but still marginally conscious and able to manipulate something, I might want to go this way. The type of contraption that would make this effective would depend on my residual voluntary abilities at that point and is beyond the scope of this discussion.

ABOUT CITIZENSHIP AND ABOUT LIFE

There is but one matter left to consider. Whatever the outcome of a national debate, and before it has been decided, it simply makes sense that each of us should prepare a living will. I have one, and it authorizes the same people who would decide whether to sustain me by artificial means, upon deciding not to, the option to then authorize the removal of parts of my body, through legitimate medical channels, to be used so that someone else can live.

For it is life which I revere. I understand that just living through one day at a time may be difficult for some, can stink really. Suck even. I can't invoke spiritual, religious, or cosmic arguments here. Even though I am guided by an authority above myself, I assume that authority only over myself. When I assume that authority over you also, you have the same right to rebel that I have if you projected some alien authority over me. More religious people are logical than logical people are religious, and it is the intensely logical people who seem most not to understand what the big deal is about Terri Schiavo. I don't condemn those who don't understand. I appeal to their logic.

Terri Schiavo, whatever she was – woman or vegetable – was a citizen of the U.S.A. She was executed at a judge's order, and not by lethal injection or some other humane means but by starvation and dehydration, which, if inflicted upon a criminal would be condemned as a cruel and unusual punishment. She was sentenced to death without a criminal charge, a trial, or a conviction. What was done to her cannot legally or ethically be done to a disobedient dog. As a disabled person without a voice, she apparently had forfeited her rights under the Americans with Disabilities Act of 1990. One might have supposed that the ADA, a federal act which presumably, until Terri Schiavo, applied equally to all U.S. citizens, confers the right to remain disabled indefinitely. That it does not is perhaps the most frightening implication of this event to those of us who care for the severely disabled.

It initially astonished me that those charged with carrying out the sentence didn't protest *en masse* and invite the judge to come clamp her off himself, if that was his order.

I want to be charitable toward Michael Schiavo. He had tried to do the right thing for his disabled wife all these years and even, I heard, studied nursing and took time off to nurse her himself. Eventually he wanted out, and the history of the case shows that there have been earlier attempts to do away with the nuisance that Terri had become. He knew that there is a conventional way to dump a wife you don't want to stay with, and that is divorce. (There was some mumbling in the media that Florida made that difficult for him. So what prevented him from dragging her to Georgia?) There is an unconventional way, and that is murder. And for him, because Terri was a unique burden, there came a new, convenient way.

Never mind the accusations that it wasn't until seven years after she uttered it that he mentioned his wife's wish not to be kept on life support if anything tragic ever happened. Never mind the insinuation that it was the cash from a malpractice settlement that motivated him to want her dead rather than divorced. Never mind the other woman and the second family he started. It comes to this: For whatever reason, he wanted his wife out of the picture. Instead of divorcing her, getting on with his life, and letting Terri get on with hers - and who would have blamed him? - he found an accomplice in a judge and a law that could be twisted around her feeding tube, choking it off.

Is this how we all want to be treated? And is this the sort of decision we want to inflict upon our families, whether parents, children, or spouses, when we have become burdensome and they have come to the end of their endurance with us?

What defines life and therefore citizenship and therefore protection under the law is not something to leave to the politicians. The politicians get the second and third parts of it, but the first part, the very definition of life, must come from something deeper than politics and also something more rational than religion. It must be found in the soul of our culture and must be plain to all of us, or else none of us is safe. We must debate it and we must decide.

David A. Woodbury, 31 March 2005

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