

04-05-1999 The Sanctity of Human Life

"Manslaughter, I could understand how they would arrive at that. But murder? This? They must have been an astonishingly cruel jury. ... I got what I wanted -- a conviction. Why? That proves how corrupt the society is, and how malevolent are those who run it." -- Dr. Jack Kevorkian, 3/26/99, discussing his conviction for 2nd degree murder.

The Mahatma Gandhi taught that when one is confronted with an unjust law, that challenging it becomes a moral imperative. Dr. Jack Kevorkian believes that laws against assisting the terminally in choosing how and when to end their life are wrong. As such his violation of those laws, or in this case the statutes related to murder in Michigan, is a kind of moral imperative.

And the Doctor has been studying. Gandhi also taught that if one is going to challenge an unjust law one must be prepared to face the consequences. For it is facing the consequences that the uplift of society becomes possible. Thus Kevorkian, "has even begged and sometimes taunted me into prosecuting him." (Prosecutor David Gorcyca, quoted by the AP 3/27/99). It is the courage of the person challenging the law and accepting the unjust punishment that calls attention to the inhumanity of the situation.

On April 14 we will find out the punishment. Kevorkian was convicted of 2nd degree murder and delivery of a controlled substance for his active assistance in the death of Thomas Youk, as broadcast by the TV show 60 Minutes. Kevorkian made the video tape and gave it to the network. He knew what he was doing, and it was quite in line with Gandhi's teachings -- on resistance anyway.

It is not clear to this writer, and student of the Mahatma, how Gandhi would react to the assisted suicide debate. Probably he would oppose it. But it is hard to say, the technology today is so much more advanced, and the debate as constructed by Kevorkian is relatively narrow as it involves only the terminally ill. In other cases of suicide Gandhi would be clear. If your life is not worth living, then you obviously have even less to lose than most people by challenging the society in which you live to evolve and progress. Suffering builds character, in Gandhi's thought, but if the suffering is that of a terminally ill person then personal and even social growth might not be of issue.

No matter, Kevorkian, and certainly others, do believe very strongly that we all have a right to determine for ourselves when to end our life should we become terminally ill. Some do not. "The verdict stands to the sanctity of human life and a validation of the jury trial system, Prosecutor Gorcyca maintains. It is not clear how Gorcyca thinks the verdict "stands to the sanctity of human life." Some would argue that without the dignity of self-determination the sanctity of human life is denied.

Does the forced pregnancy of slaves stand to the sanctity of human life simply because more humans are produced? The Catholic Church might argue that the forced pregnancy of every woman who happens to become pregnant stands to the sanctity of human life. Others would say that such ideologies only serve to cheapen life, not to sanctify it. The

anti-choice movement believes that creating more human life is good regardless of the quality of those lives, let alone the degree to which those human lives are self determined. Just as Gorcyca seems to believe that extending a life regardless of individual will or suffering somehow is good.

That way of thinking is obscene. The real sanctity of human life is one of our most cherished national values, expressed in the premise of the Declaration of Independence. We do hold certain truths to be self evident, among them that all people are equal and are endowed with certain unalienable rights, among these are the right to life, liberty, and the pursuit of happiness. "Life" here does not mean merely having a heartbeat, but living the life of a free and self-determining individual. That is life. It is not life as some absolute but the liberated life. To deny that self-determination to a person who is terminally ill is an act of barbarity in utter contradiction to the spirit and purpose of our society.

Which is not to say that the legal answers are easy. That is not the case. In a society ruled by greed, including medical decisions, which are made according to a corporate bottom line, the factors that can influence a dying person are varied and some unjust. In addition to guaranteeing self-determination in the final stages of live we deserve a medical system which treats people not profits.

Nonetheless, "Dr. Kevorkian is certainly no murderer. We believe it's certainly unjust to equate an act of compassion to an act of murder," (David Gorosh, Kevorkian's legal advisor).

If the conviction of Dr. Kevorkian is allowed to stand for his act of compassion it would stand as an indictment of our society. The reactionaries who are indeed malevolent and running the country must not be allowed to succeed in their desire to control us all in every stage of life.