

Eye on Washington by Nicholas F. Benton

'Right to Life' tackles euthanasia

In a remarkable change from earlier policy, the National Right to Life organization has taken up the fight against euthanasia.

No small amount of credit for this goes to the work of Linda Everett of the Club of Life, who maintained a tireless campaign to encourage grassroots ferment within the "right to life" movement to tackle the euthanasia question.

A few short years ago, leaders of the National Right to Life, the umbrella organization of pro-life groups in the U.S., insisted on maintaining a single-issue focus against abortion. However, this reporter witnessed at the last three years' conventions of the NRTL growing outrage on the part of physicians and nurses, in particular, that the euthanasia issue was not being engaged.

Finally, at this year's confab July 21, an evening plenary session was devoted exclusively to the issue, and included the premier showing of a well-produced 37-minute videotape that would give pause to anyone considering signing a "living will" or who is soft on the "right to die" question.

The 1,000 delegates gave the most spontaneous response to an address by Dr. Hadley Arkes, a law professor at

Amherst College, who brought the audience to its feet with a moving call for a return to the moral underpinnings of constitutional law in the fight to stop the nation from "sliding down the slippery slope" of euthanasia.

Recognizing the now almost universal acceptance by U.S. courts to permit withholding of food and water from patients—even, as the result of recent rulings, from those who are conscious—Dr. Arkes argued that it was the same precedent set in the famous *Roe v. Wade* case in 1974 permitting abortion, which has been used to permit the incredible gains euthanasia has made in the U.S. courts.

The relevant *Roe v. Wade* precedent, Dr. Arkes said, involved a perverse interpretation of the "constitutional right" to autonomy and privacy with regard to actions taken against one's own body.

By stripping the constitutional concepts of "autonomy and privacy" away from their "moral framework," he said, every atrocity we've seen in court rulings granting family members the right to starve to death seriously ill or mentally disabled relatives has been permitted by the courts.

He said that "moral framework" has been implicit in constitutional law in the past, especially in the notion of "inalienable rights." "Inalienable rights" means there are certain rights which cannot be violated, even against one's self. These include, of course, the rights to life, liberty, and the pursuit of happiness. This means, he said, that just as a person has no right to make a slave of another, so that person has no right to make a slave of himself. By the same token, just as he has no right to take the life of another because of, for example, deafness, so he cannot take his own life for the same reason.

"By this reasoning, an individual must be restrained from alienating

these rights even from himself, and that includes restraining him from delegating authority to alienate such rights from himself to others."

Therefore, he said, it will not be sufficient for the Supreme Court to mitigate the effects of *Roe v. Wade* by simply circumscribing it. Nor, he added, can it be the goal of the "right to life" movement merely to restore "old laws." We must, he insisted, restore the moral understanding that rendered the earlier laws intelligible by making what was merely implicit in the past explicit now.

Dukakis: Abortion is a 'public good'

Dr. Arkes pointed out that Democratic presidential nominee Michael Dukakis is the first nominee of a major U.S. political party to assert that abortion is a "public good" and that taxpayer money should be used to defend it.

"With the position that Dukakis has taken, the issue has shifted from one of private choice to public good," Dr. Arkes said, in which government action would be taken against any corporation or private interest that does not include in its health coverage, for example, the performance of abortions.

While new concern of the National Right to Life for the growing tide of euthanasia practices in the U.S. is an encouraging development, the approach they take to the issue still lacks the incisiveness needed to arouse sufficient public outrage to bring it to a stop. They do not name those who support this growing euthanasia trend, such as the insurance companies which have used their lobbying clout to gain passage of landmark pro-euthanasia legislation.