

Mark L. Melcher Publisher
melcher@thepoliticalforum.com

Stephen R. Soukup Editor
soukup@thepoliticalforum.com

THEY SAID IT

A society in which men and women are governed by belief in an enduring moral order, by a strong sense of right and wrong, by personal convictions about justice and honor, will be a good society—whatever political machinery it may utilize; while a society in which men and women are morally adrift, ignorant of norms, and intent chiefly upon gratification of appetites, will be a bad society—no matter how many people vote and no matter how liberal its formal constitution may be.

--Russell Kirk, *Politics of Prudence*.

In this Issue

Terri Schiavo and American
Morality

Thoughts on the Politics
of Schiavo

TERRI SCHIAVO AND AMERICAN MORALITY.

With all that's going on the world – a global war on terror, a hot war in Iraq, and the looming insolvency of the Social Security and Medicare systems just for starters – one would presume that the American public would find the final, sad hours of a woman confined to a bed and fed through a tube for the better part of two decades to be rather trifling. Nevertheless, Terri Schiavo's story has been the lead news item in the nation for nearly two weeks now.

Part of this is the mainstream media's cynical aptitude for using human tragedies such as Mrs. Schiavo's as a vehicle to hype a larger, more "absorbing" tale filled with political intrigue and high public drama. But part of it is the fact that her story has a clear and present transcendent appeal because it embodies many of the most important and sensitive challenges faced by contemporary American culture. Not surprisingly, it also succinctly encapsulates an extremely important difference between the two political parties and their respective supporters. As columnist John Podhoretz put it in his Good Friday piece, "Terri Schiavo has exposed yet again the key fault line in American culture."

Those on one side of this fault line are fairly easy to identify. People who would reinsert Terri Schiavo's feeding tube and remove guardianship over her from her husband are, by and large, the same people who believe that abortion is a heinous procedure that takes the life of an innocent child. They are the people whom Podhoretz describes as tending to "view life as a gift – a treasure beyond value that has been bestowed upon us and that we therefore have no right to squander."

Those on the other side are somewhat harder to nail down. It is difficult, as many observers have noted, to figure out why anyone in the “pull-the-tube” crowd is as passionate as most seem to be, or why they care at all for that matter. Peggy Noonan, in a slightly over-the-top outburst last week suggested (in an ode to Keats) that the pull-the-tubers “seem to have fallen half in love with death.” Mark Steyn, arguably the best and smartest opinion journalist working today, suggested that they are part of the “death culture of post-Christian radical narcissism.”

Hyperbolic rhetoric notwithstanding, there is little question that those who favor allowing Terri Schiavo to starve to death have a different conception of life than those who would preserve her life, such as it is. While the one side of this debate believes that life is, as Podhoretz notes above, “a gift,” the other side believes that life’s value is, in part, derived from its wellbeing or, at least, its potential wellbeing.

This does not mean that people on this side are necessarily “half in love with death,” but it certainly does mean that they deny that human life has any intrinsic value, believing instead that the value of each individual life is related to its ability to be comfortable, to feel pleasure, and to make a “positive” contribution. As conservative columnist David Brooks put it over the weekend, the “social liberals” on this side of the debate believe that “quality of life,” as opposed to life itself, “is a fundamental human value.”

Many observers – mostly those with inclinations that lead them to side with the social liberals over the social conservatives – believe that the debate over life in general and the Terri Schiavo case in particular are merely proxy battles in the war over abortion; that those who “claim” to be fighting for Terri’s life are merely playing to their anti-abortion base and waging the war against abortion on another front. This is misleading to say the least. While those who oppose abortion are no doubt likely to oppose pulling the tube as well, the issues raised by the Schiavo case transcend abortion and do, indeed, comprise a much greater fault line.

In addition to abortion, this fault line is apparent in a host of public and social policy issues. Most obvious among these, given the immediacy of the Schiavo case, is the issue that social liberals call “right-to-die,” and social conservatives call “euthanasia.” But the fault line is also apparent in the debate over stem-cell research and statutes such as “Connor’s Law,” which make it a crime for someone other than the mother to harm an unborn child. It is apparent as well in the internal Catholic debate over Pope John Paul II’s continued role as Pontiff and what Michael Novak has called the “ennobling and transformative” nature of suffering.

The aforementioned Mark Steyn makes a perfectly reasonable argument that the fault line that divides proponents of life from the proponents of quality-of-life is even apparent in the great demographic crisis that now plagues most of Western Society, which is driving, among other things, the debates over taxes, welfare, Medicare, and Social Security reform in this country. In the post-World War II West, Steyn argues, children have become a “luxury” or an “optional lifestyle accessory” to be indulged in only when that indulgence will not compromise one’s standard of living and when the child’s quality of life will be sufficiently comfortable. In a piece last week, he put it thusly:

In practice, a culture that thinks Terri Schiavo’s life in Florida or the cleft-lipped baby’s in Herefordshire [who was aborted specifically because of a cleft palate] has no value winds up ascribing no value to life in general. Hence, the shriveled fertility rates in Europe and in blue-state America: John Kerry won the 16 states with the lowest birth rates; George W Bush took 25 of the 26 states with the highest.

The 19th-century Shaker communities were forbidden from breeding and could increase their number only by conversion. The Euro-Canadian-Democratic Party welfare secularists seem to have chosen the same predicament voluntarily, and are likely to meet the same fate.

Now, I realize that things are nowhere near as cut-and-dried as Steyn and other conservative commentators would have us believe. I know, for example, that many, if not most Americans believe that they fall into neither camp in the debate over life, considering themselves neither social conservatives who believe wholeheartedly that life is intrinsically valuable nor social liberals who believe that life's value is limited and must somehow be measured by arbitrary standards. While the sides of the debate over life are clearly delineated, the designation of the population into the respective camps is more difficult, since as David Brooks has noted, most people believe the socially conservative argument does not "accord with reality," but that the socially liberal argument "lacks moral force."

This fact has caused much consternation and has sown considerable ill will among Republicans in particular over the past couple of weeks. Because some on the right – secular conservatives and libertarians in particular – do not share the religious right's certainty that preserving Terri Schiavo's life is the right thing to do, each faction has, at times, vented frustration with the other, pointing fingers and leveling accusations of insufficient dedication to the "true" conservative cause. This internecine squabbling, in turn, has further stoked the fires of mainstream media, always on the lookout as it is for signs of the long overdue "conservative crack-up."

The media and the political left want desperately to believe that the squabbling between the secular right and religious right is evidence that the latter has, out of pride and ambition, pushed the "life" issue too far and thereby permanently alienated its GOP coalition partners. But they are, I believe, bound to be disappointed.

For while many on the right may feel uncomfortable with their religious co-ideologues' wholehearted embrace of "life," that discomfort is, in the grand scheme of things, largely superficial, since the fault line about which John Podhoretz wrote transcends the relatively narrow scope of life issues and actually provides the delineation point in a much broader and

much older conflict between the political right and left. At its very core, Terri Schiavo's story encapsulates the greater conflict that is, more or less, the defining characteristic of Western Civilization.

Almost seven years ago exactly, on April 8, 1998, Mark and I published our first collaborative effort addressing this greater conflict in Western Civilization. That piece, entitled "Let the Big Dog Run," dealt with the then-burgeoning Lewinsky scandal and introduced the concept of the 700-plus-year-old clash between competing moral systems to which both of us have returned repeatedly over the years. Our initial description of this clash, which we defined essentially as the battle between Judeo-Christian and Post-Modern moralities, is one that we have updated and augmented over the years as circumstances warranted.

The case of Terri Schiavo brings us once again back to this clash, this time accentuating the respective roles that individual men play in the two moral systems. In the post-modern moral system, individuals act to determine the best and most moral course of action depending on the circumstances of the situation. There are no hard and fast rules, no absolute definitions of right and wrong, and no transcendent truths. The morality of a specific action, say for example starving a woman to death, is malleable, depending on little more than the answers to such questions as whether the woman any longer has the ability to find life pleasurable.

The conservative moral system, in contrast, relies heavily on existence of a "higher authority" and a transcendent definition of right and wrong that derives from that authority. A moral man's responsibility is to comply with the dictates of this universal truth without regard for personal predilections and preferences. In this context, starving a woman to death is, everywhere and at all times, a heinous act that violates the directive that all human life is precious and must be protected. The fact that an individual man may see the woman's life as less than valuable and may himself wish never to have to live as she does is largely immaterial.

Now, you will note that I specifically and intentionally ascribed this conservative morality to the dictates of a “higher authority,” but not to God specifically. While the American strain of this moral perspective bears the unquestionable imprint of active religiosity, the larger moral tradition is not exclusively religious. There is an undeniable and essential secular component involved here as well, one in which tradition, mores, and custom play a formative role. The “higher authority,” in this sense, may best be understood as the collective wisdom and insight of all preceding generations.

In his *Reflections on the Revolution in France*, Edmund Burke, the father of modern conservative thought, described this secular higher authority, noting the central role that tradition, custom, or, as he called it “prejudice,” play in the development of wise and reasoned behavior. He put it thusly:

We are generally men of untaught feeling; that instead of casting away all our old prejudices, we cherish them to a very considerable degree, and, to take more shame to ourselves, we cherish them because they are prejudices; and the longer they have lasted, and the more generally they have prevailed, the more we cherish them. We are afraid to put men to live and trade each on his own private stock of reason; because we suspect that this stock in each man is small, and that the individuals would do better to avail themselves of the general bank and capital of nations and of ages. Many of our men of speculation, instead of exploding general prejudices, employ their sagacity to discover the latent wisdom which prevails in them. If they find what they seek, and they seldom fail, they think it more wise to continue the prejudice, with the reason involved, than to cast away the coat of prejudice, and to leave nothing but the naked reason; because prejudice, with its reason, has a motive to give action to that reason, and an affection which will give it permanence. Prejudice is of ready application in the emergency; it previously

engages the mind in a steady course of wisdom and virtue, and does not leave the man hesitating in the moment of decision, skeptical, puzzled, and unresolved. Prejudice renders a man’s virtue his habit; and not a series of unconnected acts. Through just prejudice, his duty becomes a part of his nature.

What this means in practice is that the disparate conclusions reached by the religious right and secular right in the case of Terri Schiavo do not necessarily serve as proof that one side or the other abandoned the traditional moral system. There is no question that the religious and secular factions disagreed as to which matters more, the outcome (i.e. saving Terri’s life) or the process (i.e. preserving the constitutional order and affirming the judiciary’s preeminent role in interpreting the rule of law). And there is also no question that one or the other faction miscalculated, as men are wont to do, and backed a less moral position. But in both cases the fundamental principle of the conservative moral code, namely deference to a higher authority, remained intact and the conceit of the self-centered moral calculus was rejected. And this is important.

When critics like Mark Steyn write about the “death of the West” (and his column last week was, fittingly enough, titled “The Strange Death of the Liberal West”), they are not lamenting the breakup of longstanding alliances like NATO or fretting about waves of unassimilated immigrants. Rather, they are lamenting the loss of the traditional moral system that had distinguished Western Civilization for nearly two thousand years and its replacement by the post-modern, nihilistic, self-centered moral system that had previously been the exclusive purview of religious and secular fringe movements.

Among the nations of the West, the United States stands alone as having maintained a political and social culture in which the traditional moral code still predominates. If the secular right had indeed bought into the left’s conceit that individual men can rationally evaluate the worth of human life; or if the religious right had in fact decided to exploit the tragedy of a

severely disabled woman for political gain, the future prospects of the traditional moral system would appear rather grim. But neither did so.

For those of us who believe that it is wrong to starve Terri Schiavo to death this is small consolation, but it is consolation nonetheless. For while it appears for all the world that this battle is lost, there is reason to expect that the next one might not be. Opinion polls to the contrary notwithstanding, the American people still tend more often than not to favor a moral system that embraces transcendent truths and answers to a higher authority over the whims of individual men. That's not going to mean a whole lot to Terri, her parents, or the rest of her family, but it will, hopefully, mean quite a lot to several future generations of Americans.

THOUGHTS ON THE POLITICS OF SCHIAVO.

My friend Rich Galen said last week in his always insightful "Mullings" column that he felt that the impact of the Schiavo controversy on the legislative/judicial relationship "will echo for years to come." But then he added that it may not have a "lasting significance from a political standpoint."

I think he is correct on both counts. Certainly, the confusion caused by the Congressional intervention will take a long time to sort out and will result in some highly contentious and complicated fights. As for politics, this single event is unlikely to provide either party with a noticeable advantage or injury. In this age of the 24-hour news cycle, "big" stories come and go like great snowstorms in the Rockies. All are spectacular, but few change the landscape in a major way. Some uncover something that wasn't visible before or cover something that was, but most are largely forgotten when the next one arrives, except by those who were directly affected by it.

On balance, over the long term, I think the Schiavo case will result in a small political benefit for the

Republicans because it has provided additional public exposure to the stark contrast between the ancient moral system that undergirds conservatism and the modern orthodoxy that forms the basis of liberalism.

Here we have an issue that has captured the momentary attention of virtually the entire nation; an issue that everyone can understand, and to which everyone can relate. And it happens to be an issue that involves moral and ethical choices. Generally speaking, the Bush White House does well on this type of issue in this day and age when many Americans are seeking some sort of anchor in the storm of moral sloth that relentlessly blows across the world in which they live.

Contrary to what many liberals think, the "moral values" issue is not about religion, *per se*. The fact that they don't understand this is why they have so much trouble addressing it. It is about the social decay that is evident everywhere and which seems to many Americans, religious or not, to be a direct bi-product of liberalism's antagonism toward traditional moral principles and standards of conduct. It is about that cultural rot that makes many Americans feel like King Mongkut of Siam, who laments in the well-known song from Rogers and Hammerstein's great musical "The King and I" that "there are times I almost think I am not sure of what I absolutely know. Very often find confusion in conclusion I concluded long ago."

The polls indicate that the Democrats are, for the time being, on the popular side of this issue when they say, like Nero from his perch in the coliseum, "let her starve, that's the law of the land, and so be it." Last Tuesday, for example, the *Washington Post* reported the following in an article with the awkward headline "Analysts: GOP May Be Out Of Step With Public."

An ABC News poll released yesterday concluded that "Americans broadly and strongly disapprove of federal intervention in the Terri Schiavo case, with sizable majorities saying Congress is overstepping its bounds for political gain."

By 63 to 28 percent, Americans support the removal of Schiavo's feeding tube, which her husband says would be her wish. Seventy percent of the respondents said it was inappropriate for Congress to get involved as it has. And 67 percent said they believe that elected officials trying to keep Schiavo alive are doing so mainly for political reasons.

But a great many Democratic politicians are having trouble taking comfort from such polling results. The above-mentioned *Washington Post* story quotes a "high-ranking" House Democratic aide as saying that, "Our folks are nervous about this," and then paraphrases his concerns this way: "Democrats are aware of the polls, but also wary of the intensity and determination of the conservative groups – many of them steeped in the politics of abortion."

Hillary Clinton, who is by the far the most astute, high-profile politician in the Democratic camp today, is among those Democrats who are absent by choice from the public debate. Google the word "Clinton" along with the word "Schiavo" and you'll find not even a single comment from the junior Senator from New York about the dying lady in Florida. Go to Miss Hillary's website and you will similarly find not a single mention of this case, despite the fact that it has captured the attention of the nation.

My guess is that Hillary and many other Democrats are privately asking themselves how in the world their party, which used to pride itself in defending the defenseless against the powerful state, got caught up in a debate where it is on the side of advocating death by starvation for a young lady whose parents are begging for one last chance to keep her alive.

The liberal press corps, on the other hand, has not shied from the battle. They continue to pound away at the idea that this is all a plot by Republicans to take political advantage of a poor, suffering family.

My favorite example of this was an op-ed piece entitled "Target of Opportunism" by *Washington Post* columnist Harold Meyerson. According to Meyerson,

the Schiavo case "came along just in the nick of time" to help House Majority Leader Tom DeLay draw attention away from his ethical problems. And it "came along at an opportune moment" for Senate Majority Leader Bill Frist to help him "get the jump on the 2008 Republican presidential field." And finally, of course, it "came along at a propitious time" for George Bush, because "all is not well in Bushland," what with the declining popularity of his Social Security initiative and the fact that his recent legislative victories, which include tightening the bankruptcy laws, authorizing drilling in the Arctic National Wildlife Refuge, and limiting consumer lawsuits, "do nothing for the Christian conservatives who helped reelect him."

Needless to say, I believe that President Bush acted on principle and principle alone. He may have understood that acting on principle in today's America usually turns out to be good politics, especially if the principle upon which the action is taken is founded on old-fashioned Judeo-Christian beliefs and virtues. But my guess is that he would have done what he did even if this were not the case.

I could be wrong, of course, but I don't think the Republicans are smart enough to have crafted and implemented such a complicated scheme to unsettle the Democrats. Moreover, I think if any Republican strategist had suggested it, someone in the room would probably have argued that the Democrats almost certainly weren't stupid enough to be trapped into fighting to see that a helpless, young woman is denied food and water until she dies.

And, of course, a great many Democrats were not this stupid. Among these was Ralph Nader, an old liberal warhorse, who remembers the days when liberalism would have relished a fight on behalf of a helpless woman whom the state says must die. He put it this way: "A profound injustice is being inflicted on Terri Schiavo. Worse, this slow death by dehydration is being imposed upon her under the color of law, in proceedings in which every benefit of the doubt - and there are many doubts in this case - has been given to her death, rather than her continued life."

The way I see it, after years of fighting the lonely battle to keep their daughter alive, Ms. Schiavo's parents had finally exhausted all the remedies available to them except one very long shot. They could go to the governor of the State of Florida and beg for his help. They did this, just as I would have done on behalf of either of my daughters and my son, and lo, this governor responded positively to their singular plea, as governors occasionally do.

Now, cynics can say that Governor Bush did this for political gain. But there is no evidence that he needed whatever political gain they think he might have thought he was going to get from this action. After all, he is a popular governor with a bright political future. I believe he acted because he wanted to do something kind for two very distressed people who asked for nothing more than a little time to try to save their daughter, a little time that would come at the expense of no one except the daughter's estranged husband, who finds her continued existence inconvenient. My guess would be that to the degree that politics played a part in the decision, it was not to question whether this decision would help politically, but to consider whether it would hurt.

Once again, I could be wrong, but I suspect Governor Bush would have been quite happy if this decision had gone largely unnoticed. There is no evidence that he sought widespread publicity for it or made any attempt to turn it into a political football. But when his action was publicly called into question, he did what politicians do. He aggressively defended himself in the public arena. He said he did the right thing. He said it was the proper moral response. He said he would do it again if he had to. And when the going got tough, he sought help from his political allies, including his brother, the President of the United States. And his brother, who is always up for a good political knock-down-drag-out with liberals, said, "Okay, let's go for it. Let's see what they're made of."

Now, as I said, I don't think the Schiavo fight itself is going to be a huge, watershed issue in the political wars. When this storm passes to make way for another one, Republican politicians who were

involved in the failed attempt to save Terri Schiavo's life will admit that they may indeed have gone against their long-held positions on states' rights and on limited government. And they may admit to having risked setting a bad precedent by asking Congress to intervene. But they will maintain that they did it for the same reason that liberal Democrats, many years ago, sent troops into Alabama and Mississippi to assure that African-Americans received the rights to which they were entitled by God and by law. They may even cite Martin Luther King's famous letter from the Birmingham jail in which he discussed the principle of opposing unjust laws. Or they may quote Mr. Bumble who bluntly noted that "if the law supposes that" then "the law is an ass – an idiot."

But more importantly, they will have found that this controversy provided them with a morally sound foundation from which to begin to develop a cohesive policy on the issue of life in the technological age, which is likely to become increasingly relevant as the baby boomers age, as medical science advances, and as the legislative and judicial branches attempt to sort out the many problems that were uncovered by the Schiavo storm as it swept across the nation, including those associated with the adequacy of state right-to-die laws.

In contrast, the Democrats will find that they have emerged from the storm with almost nothing positive to show for their efforts. Having no shared religious foundation from which to do battle over the issue of the importance of life, many Democrats found that they could not actively engage in the debate at all. Others who did engage in the battle over Ms. Schiavo's life succeeded only in painting themselves as adamantly dedicated to the rule of law as written, which is not a particularly comfortable position for modern day liberal ideologues, who trace their early roots to the turn-of-the-century anti-establishment labor demonstrations, their more modern roots to the anti-government demonstrations of the 1960s, and their most recent defining moments to their insistence during the 1990s that the rule of law does not apply to liberal presidents.

In closing, I would note that only one thing seems certain, and that is that the issues raised by the Shiavo tragedy are going to play a big role in politics in coming years, and that the Democrats are going to be at a disadvantage in this arena if they don't develop a shared position on these issues. It is no coincidence, in my opinion, that the rise of the Republican Congress and the election and then re-election of a strong Republican President have all taken place

over a period of roughly a decade when the biggest rap against Democrats, from Bill Clinton to Al Gore to John Kerry, is that they, unlike their conservative counterparts, don't have any idea what they believe. If the Democrats intend to remain a viable political party in the Brave New World foreshadowed by the Shiavo case, they'd better figure it out in a hurry.

Copyright 2005. The Political Forum. 8563 Senedo Road, Mt. Jackson, Virginia 22842, tel. 540-477-9762, fax 540-477-3359. All rights reserved.

Information contained herein is based on data obtained from recognized services, issuer reports or communications, or other sources believed to be reliable. However, such information has not been verified by us, and we do not make any representations as to its accuracy or completeness, and we are not responsible for typographical errors. Any statements nonfactual in nature constitute only current opinions which are subject to change without notice.