

This coinage of mine, "TB," is seriocomic sociobabble for any human activity, of individuals or societies, resulting in death. Type #1 let's call suicide; #2, murder; #3, all kinds of euthanasia (abortion, infanticide, active mercy-killing, passive mercy-killing); #4, war; #5, capital punishment. Yes, I've extended "euthanasia," which lexically does not include abortion or infanticide--or, for that matter, the old Catholic practice of "letting" the mother die in order to save the fetus (a mixed case that agonizes pacifistic purists who read literally and absolutely "Thou shalt not kill")....My Types Schema could be useful as providing a fresh angle for viewing, comparatively, a number of current public issues. Eg, Type 1, Sen. Eastland's suicide; Type 2, Bernard Goetz's subway mayhem (I think, with intent to murder: that case within the case is now--July/86--upcoming); Type 3, Roe v. Wade and its recent Supreme Court reaffirmation, & Catherine Quinlan, & Baby Doe; Type 4, the US raid against Ghadafi's Libya (is terrorism also "war"?); Type 5, the 1,741 now on the USA's death row, + a Georgia retardate just electrocuted....Polymorphous death pervades our society, our world, our involuntary and voluntary associations, our consciences, our courts, our relationships, our lives.

1. Life both fights and flees death at both submental and mental levels. Yet life is also ambivalent about death, experiencing it usu. as enemy but sometimes as friend. And woven through this complex are feelings and conceptions both sacred (tabu & duty) and secular (selfpreservation & dignity). How is the teaching church, the formal/informal magisterium, to help Christians feel-think-decide-act on the range of personal & public issues vis-a-vis death today? Many of my recent thinksheets worry this question from the dis/advantageous distance of not being myself in a policy-making position. I'm variously engaged with fellow-humans on the whole range of issues, but only marginally institutionally involved (not being institutionally employed).

2. I try to listen to those who have the dis/advantage of being more institutionally involved than I am, and hope they listen to us who have the dis/advantage of comparative freedom from institutions. One pressure I'm free of, and institutional leaders are trammled in, is the public appetite for simplicity even at the cost of simplism and for ideology even at the cost of fairness to facts and groups and individuals. Another pressure is the public preference for the negative over the positive, for condemnation over affirmation: placards reading "NO...!!!" hit harder than "FOR.....!" "DOWN WITH.....!" is even better. Eg, "DOWN WITH CAPITAL PUNISHMENT!"--the particular concern of this thinksheet, as its title suggests. I note the irony of nonidentity in the crowds shouting that, with the crowds shouting "DOWN WITH ABORTION!" As it were, the fetus killers (of whom I'm one) on one side of the street and criminal killers (of whom I'm one) on the other side--me, as so often, on both sides of the street. And each side of the street, on the abortion / capital punishment split, outraged at the other side.

3. A simple society agrees on its loves & outrages, a pluralistic society agrees on neither. My religious congregation, my denomination, and my nation--none is a simple society (so I'm especially thankful that my family is, comparatively, a simple society: we share both most of our loves and most of our outrages). A radically pluralistic society such as the United Church of Christ hungers for attentional foci, both loves and outrages (ie, hates) that will "draw us all together." Some of us think S.Africa & capital punishment are so good/evil, right/wrong, as to warrant unity in outrage; and some of those some feel that so strongly as to be outraged that not all of us participate in the outrage--and even more outraged that some of us are outraged at their outrage, and even outraged elsewhere within each issue. On all of which see my #2074, "In/Tolerance." over

4. Those who feel in any sense responsible for policy formation in the general and/or a particular public tend to work within a paradigm under the two public appetites I dealt with in sec.2 (above): simplicity & ideology. Thus, "terminal behavior type #5" (ie, capital punishment) is either "simply" wrong or "simply" right. All that's simple in this issue is death/life: the criminal is, after the socially indicated punishment, either dead or alive. If dead, you don't have, for that criminal, any overcrowded-prisons problem (as they didn't have under Henry VIII, when you could be done in permanently for any one or more of 87 crimes). No recidivism problem, either. And no further drain on the public coffers. And you have sated the public thirst for vengeance-as-moral-rectification (which is radically different from vengeance-as-the-satisfying-of-personal-illwill, malevolence, which the Bible as consistently condemns as it consistently provides for the former form of vengeance). And no further pollution of the public psyche and disturbance of the public tranquility (peaceful order & orderliness) from the corpse. If alive, you have a host of problems draining public resources and threatening "life, liberty, & the pursuit of happiness" for society's noncriminals. But of course if you're ideologically opposed to execution, perhaps so much that you consider execution to be itself criminal behavior, you are (at least theoretically) willing to stand the costs, the costs to society, of letting the criminal live; and you are virtually certain to weave both sacred and secular arguments into your case, even the irrelevant "Capital punishment does not deter" and the nonsensical "Capital punishment solves nothing."

5. Each side of CPI (the capital-pun. issue) would like to dragoon compassion, depriving the other side of it--but cannot succeed. The tough-minded (CP+, ie, those for CP) rightly claim to have compassion on society, groaning for relief from the terror & deprivations of criminals: the tender-minded (CP-, those against CP) rightly claim to have compassion on the criminals, whom they see as victims of a criminal society that tilts its victims toward criminality and then threatens the caught with execution, a further crime against humanity. I'm on both sides of this one: I'm CP- in the sense that, with the Enlightenment, and to a lesser extent with the Bible, I see what happens to the individual as God's judgment/grace on society; but I'm CP+ in the sense that criminals should be treated not as individuals but as a class (as the Supreme Ct. agreed to treat people, jobwise, as a class rather than as individuals: the July/86 affirmative-action decision). The anthropological fact here is that there are neither individuals nor classes, but only persons-in-community; that is the human reality, and both individualism and collectivism are ideological illusions perverting reason and policy-making. The agonizing fact we face is that capital punishment is both social garbage-removal and a crime against humanity. Ideologs cannot live with that Gordian knot, that ambiguity, that paradox. Humans must learn to. Compassion must be neither withheld from the individual on the argument that "We must not coddle criminals," nor hypertrophied into sentimentality (as in the French "To know all is to forgive all"). Our jury system exists not only in the Anglo-Saxon interest of participatory jurisprudence but also to handle human paradoxes to which law itself is allergic.

6. #2072 made some exploration of the CP/horsethieving ("Westerns" horse-opera) analogy: a man's horse was essential, expensive, and easy to steal--so you got strung up if you offed with it. I believe that CP is justified only when these three facts converge: (1) Something essential to public health has been violated: (2) The degradation and deprivations, in being and as threatened by the criminal act, are too expensive to the public good to permit the violator to continue to live; and (3) The violation is itself so easy to commit, and the criminal so inclined to commit it, that execution is the appropriate social response.