

Book Reviews

The Future of Assisted Suicide and Euthanasia, by Neil M. Gorsuch, 311 pp, softcover, \$27.64, ISBN-13: 978-0-691-12458-2, Princeton, N.J., Princeton University Press, 2006.

U.S. Supreme Court Justice Neil Gorsuch condemns the death and suicide cult in this book, which was written when he sat on the Tenth Circuit Court of Appeals. It shows that he is dedicated to preserving the Founders' adherence to natural law's penultimate precept—the inviolability of the value of every human being as an individual, not as some cog in a societal gear, or spoke in a societal wheel, or member of a herd.

Justice Gorsuch provides a scholarly basis for his eloquent condemnation of assisted suicide and euthanasia, asserting such conduct to be a violation of basic tenets of American law. He writes as a judge and attorney, but embedded in his argument is basic morality, harkening back to St. Thomas Aquinas, the ultimate interpreter of Aristotelian ethics for modern times. Aquinas makes the case for a foundation of justice and the law in the inestimable value of the individual, regardless of condition, age, ability, or status.

The book systematically takes down the arguments of the proponents of euthanasia and assisted suicide, who declare the validity of utilitarianism and the principle of autonomy. Justice Gorsuch rings the alarm about the risk to the value of life and the individual in an environment that cheapens life and applies a utilitarian measure for "value" of life that justifies homicide for convenience or for some "benefit." He rejects the idea that autonomy overrides any consideration of the problem of intentional homicide. He eviscerates the aggressive project to promote euthanasia and assisted suicide based either on utility, the idea that a risk-benefit analysis is all that is needed to decide, or on individual autonomy—the right to control one's life and to decide when to die. He repeatedly reminds the

reader that depression is not the proper launching pad for suicide.

There is no doubt that Justice Gorsuch puts a hole in the side of the ship of the cult of death. His book provides a thorough overview of the ethical and legal issues raised by assisted suicide and euthanasia and a comprehensive argument against the legalization of these heinous acts. After assessing the strengths and weaknesses of arguments for assisted suicide and euthanasia, Gorsuch builds a reasonable and powerful moral and legal argument against legalization, one based on a principle that, surprisingly, has largely been overlooked in the debate—the idea that human life is intrinsically valuable and that intentional killing is always wrong. At the same time Gorsuch allows latitude for individual patient autonomy that allows for the refusal of unwanted medical treatment and life-sustaining care, distinguishing this from acts done with the intention to kill.

Given his youth and vigor, Justice Gorsuch's ideas and scholarship are likely to have an impact for a long time. The book shows him to be a man of high moral awareness and commitment, who is also intellectually disciplined and competent to assess the arguments presented by the opposition.

The book reminds us of another voice, that of Dr. Leo Alexander, an American neurologist/psychiatrist, a Jew, educated in Vienna, who was an investigator for the Nuremberg Tribunal that tried physicians for war crimes. Dr. Alexander asserted in 1949¹ that moral limits are violated when individuals and the society at large accept the idea that there are sub-humans who are expendable, unacceptable, inferior, or a burden or disabled so they cannot contribute. If individuals are considered less than human, they are candidates for abuse and extermination by the will of the state and its officials. This is the ominous prospect of assisted-suicide laws for people who are sick, depressed, disabled, or just old and willing to end it.

Those on both sides of the assisted

suicide question will find Justice Gorsuch's analysis a thoughtful and stimulating contribution to the debate about one of our most controversial public policy issues.

A Republic If You Can Keep It, by Neil M. Gorsuch, 352 pp, hardback, \$18.59, ISBN-13: 978-0525576785, New York, N.Y., Crown Forum, 2019.

Neil Gorsuch was appointed to the U.S. Supreme Court in 2017 as an originalist or textualist, meaning one who interprets the Constitution's statements based on the original understanding of the authors, or the people at the time it was ratified. He was also chosen as a supporter of the Bill of Rights and a legal system that provides citizens with prompt and affordable resolution of civil and criminal matters.

This book is about America as conceived by the nation's Founders and Framers of the Constitution. It shows that Justice Gorsuch understands the difficulties of creating a nation of laws and equal justice before the law. In contrast to the late Justice Antonin Scalia, whom he replaced, Gorsuch opposes the administrative state, sometimes called the "deep state," and explains why the opinions in *Chevron*, *Auer*, and *Brand X* pave the way for the bureaucracy to impose a tyranny of the non-elected.

In this book, Justice Gorsuch advocates a long list of things important to a legal system that works for the American citizen: limited government, separation of powers, and respect for the rights of citizens. He opposes the idea of the "living constitution" that can mean anything someone wants it to mean. He asserts that bureaucrats have hijacked both legislative and judicial authority, and that the Judicial Branch has been negligent in its tending to matters such as who shall decide what the law is, and how to reasonably interpret statutes and regulations.

A wide variety of our legal system's problems are outlined and argued here

in a series of short and stunning chapters usually written on a foundation of set pieces written or delivered by Gorsuch for speaking engagements and legal publications. The reader will find some of the final chapters exhilarating in that they advocate in favor of affordable and efficient legal resolutions of disputes.

The only disagreement I had with the author is his personal affection for Justice Anthony Kennedy, who repeatedly concurred with terrible leftist opinions.

Justice Gorsuch's well-researched positions on the legal conflicts of our day deserve your time if you care about the future of America.

John Dale Dunn, M.D., J.D.
Brownwood, Texas

REFERENCE

1. Alexander L. Medical Science under Dictatorship. *N Engl J Med* 1949;241:39-47. Available at: <http://www.physiciansforlife.org/medical-science-under-dictatorship-nejm-1949/>. Accessed Aug 27, 2020.

The HPV Vaccine on Trial: Seeking Justice for a Generation Betrayed, by Mary Holland, J.D., Kim Mack Rosenberg, J.D., Eileen Iorio, 462 pp, softback, \$18.99, ISBN-13:978-1-5107-1080-1, New York, N.Y., Skyhorse Publishing, 2018.

As more states push to mandate human papillomavirus virus (HPV) vaccine for school attendance, this book is a must read for opponents of mandates as well as for patients or their parents who are considering this vaccine. The advertising pitch is that the vaccine prevents highly lethal cervical cancer, which is quite prevalent worldwide, especially where screenings with Pap smears and other methods are not routinely done. Although HPV should not be transmissible in a school setting, the vaccine is said to be needed before the first exposure to HPV with the onset of sexual activity.

Part One of the book recounts the experiences of two girls, one who was in the active vaccine branch of the randomized controlled trial, and the other who turned out to be in the "placebo" arm. Although the girls were told that the placebo was just saline, it was in fact the aluminum adjuvant. Both suffered severe adverse effects, but these were not at first attributed to the vaccine. The first girl, who thought she was doing something that would help

women throughout the world, said "I didn't want it to be the vaccine."

The book quotes Marcia Angell, former editor of the *New England Journal of Medicine*, who stated in 2009: "Instead of promoting drugs to treat diseases, [drug companies] have begun to promote diseases to fit their drugs." The first step in developing and promoting HPV vaccine was to find a cancer that could be blamed on a virus. The authors describe the efforts to link HPV with cervical cancer, a connection that some still dispute. It is too early to judge the efficacy of the vaccine in preventing cervical cancer, since the onset is generally delayed for years or decades, but there is some evidence that the vaccine may even enhance the development of invasive cancer at a younger age.

Following the advice in the classic 1928 book *Propaganda* by Edward Bernays, Merck understood that "it is not enough to sell a product. Instead, you need to sell the vision that will lead to desire for the product." To promote Gardasil™, Merck funded a group called "The Cancer Research and Prevention Foundation," which urged women to link HPV with cervical cancer with the slogan "Be One Less."

Reports of adverse reactions flooded in. Between 2007 and 2013, HPV vaccine was named in 42 to 80 percent of adverse events for all vaccines administered to females aged 9 through 29 in reports to the Vaccine Adverse Event Reporting System (VAERS). Most reports of serious adverse reactions have been disseminated through patient support groups.

One family received \$200,000 in compensation, just less than the \$250,000 maximum. Their healthy 14-year-old son died in his sleep the day after receiving his second dose of Gardasil. The Joint Stipulation in the case states that the compensation "shall not be construed as an admission...that Joel's death, or any other injury, was caused by his HPV vaccinations." However, the expert witness stated that "teenagers vaccinated with Gardasil should stay away from competitive sports such as football for at least two months, and should have an electrocardiogram to rule out sudden myocardial infarction if there is any incidence of syncope, chest discomfort, tachycardia, or hypotension within two months after Gardasil vaccination."

The new aluminum adjuvant is possibly causing autoimmune effects. The authors ask: "Can we ignore questions about the safety of injected aluminum to protect immunization programs?" This issue echoes the FDA's concerns about protecting the U.S. polio vaccine program in the mid-1980s: "Any possible doubts, whether or not well founded, about the safety of the vaccine cannot be allowed to exist in view of the need to assure that the vaccine will continue to be used to the maximum extent, consistent with the nation's public health."

Japan was the first country to pull the plug on mandates. In 2013, more than 8 million girls, 70 percent of girls born between 1994 and 1998, had received the HPV vaccine. Less than 3 months after Japan's Ministry of Health, Labor and Welfare had added the vaccine to the recommended schedule, it suspended its recommendation due to "an undeniable causal relationship between persistent pain and the vaccination."

The effect of HPV vaccine on fertility is an emerging concern, as pregnancy rates have dropped in many countries following introduction of the HPV vaccine. The only test for potential fertility effects was done in rats. Researchers conducted no toxicology studies on female rats, destroyed the male rats after a short period, and made no long-term fertility observations.

Cases of primary ovarian failure, previously extremely rare in U.S. adolescents, began to occur after 2008, when Gardasil entered the mass market. In Gardasil trials, the miscarriage rate in women who became pregnant soon after receiving the Gardasil was 25 percent, much higher than the rate in healthy young women. Miscarriages and birth defects will not be seen in 9- to 12-year-olds; reproductive harm may not manifest until years later. The connection of menstrual abnormalities with the vaccine may be impossible to establish.

This book exposes appalling corruption in both science and the regulatory process. In the preface, Luc Montagnier, the Nobel prize winner for the discovery of human immunodeficiency virus, states: "What this vaccine is doing to thousands of our young worldwide is a crime."

Jane M. Orient, M.D.
Tucson, Ariz.