



Challenges and choices

Tough choices: living and dying in the 21st century

Maureen A. McTeer

Irwin Law, Toronto; 1999

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The title of lawyer Maureen McTeer's *Tough Choices: Living and Dying in the 21st Century* is ambitious, if not very precise. You have to turn to the back cover to discover that the book is about everything from "research on human embryos to genetic testing and reproductive technologies; from genetically modified foods to patents and organ transplants; from living wills to assisted suicide and euthanasia." That's a lot of territory to cover in 132 pages of text. McTeer writes that what began as a "narrow legal text kept growing and changing into a book for laypeople and lawyers alike. ... I hope this book will be a starting point for the many Canadians who, until now, have felt these issues too distant and new to join their discussion."

Unfortunately, this goal has proved elusive. *Tough Choices* holds little appeal for the layperson (I can't speak for lawyers), and that is a shame. Although many of the issues McTeer tackles are important and interesting, she doesn't seem to have a knack for communicating them clearly. The writing is often awkward and confusing, the sections are frequently poorly organized and the index is almost completely useless.

McTeer is at her most convincing when she discusses genetic testing and the need to keep the results of such testing private. She argues that people can suffer discrimination by virtue of their genetic profiles and recommends that such information be treated differently from other personal medical information: "[W]e must be assured that, if we seek genetic testing, or if we or our newborns undergo this kind of testing, we will also maintain control over the resulting information. All provincial

privacy legislation needs to be amended so that this principle is clear and enforceable."

Various passages on developments in reproductive technology and the legal status of human life before birth are also thought-provoking. McTeer notes that, in Canadian law, legal rights begin at birth: where there is an irreconcilable conflict between the interests of the fetus and the rights of the pregnant woman, our courts have chosen to protect the woman. She argues that, since there is no such conflict in the case of embryos created through in-vitro fertilization (IVF), these (unimplanted) embryos should be placed "within a zone of legal protection that spares them from abusive research, while simultaneously safeguarding women's reproductive rights in the context of contraception and abortion."

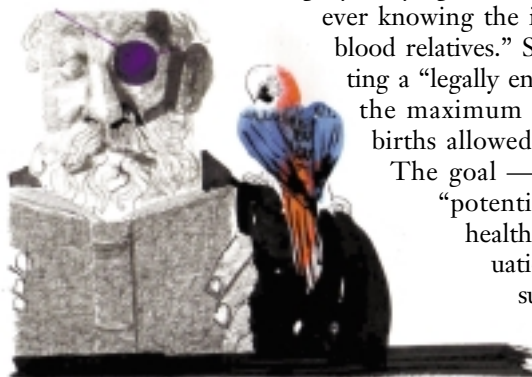
Generally, though, this book is an awkward hybrid of fact and opinion. Too often, just when an opportunity for thoughtful discussion appears, McTeer preempts the exploration of an issue with her own strongly held opinion. For example, early in her account of reproductive technology she insists that new laws "should guarantee that those suffering from medical infertility be provided access to those technologies through the public health care system." In other words, if the technology

exists, people should be able to have "genetically linked children" without regard to ability to pay. This is a controversial view, given the potential burden on the health care system and general disagreement about just how "medically necessary" it is to treat infertility. Moreover, McTeer makes no attempt to reconcile her view on the "rights" of the infertile with her next, very brief section on the health risks associated with the multiple births that sometimes result from fertility treatments.

Occasionally, ideas are injected into the text without contextualization, as if the reader is completely familiar with the issue. At other times, McTeer makes recommendations without the support of a practical discussion. For example, she expounds on the risks of "reproductive incest," which she describes as a risk created by reproductive technologies that allow for the "deliberate creation of human beings while legally denying them the possibility of ever knowing the identity of their blood relatives." She suggests setting a "legally enforced" limit on the maximum number of live births allowed for one donor.

The goal — to prevent the "potentially devastating health and human situations" that can result from the inadvertent pairing of close blood relatives — is laudable. But the mind boggles at how to legally limit sperm donation.

Extrapolating from what has been learned about the psychological needs of adopted children, McTeer believes that, at maturity, people conceived through IVF should have the option of meeting their biological parents. McTeer quickly moves on to another topic, but the reader is left imagining scenarios: 20 years later, the university



Fred Sebastian

student sperm donor meets his 64 children!

In her chapter on organ donation, McTeer lists as an option the long discredited idea that medical personnel be “legally mandated to ask all competent patients ‘in their last illness’... to donate their organs and tissue for transplant. A fine or loss of funding to the hospital

could be imposed for failure to do so.” There is no indication that McTeer means to ridicule this suggestion. She appears to be genuinely blind to the conflict of interest involved.

“Compact and provocative” is how Senator Wilbert J. Keon, in his Foreword, describes *Tough Choices*. This is probably a fair assessment, as is his obser-

vation that this book tackles fascinating and complex issues. Unfortunately, while the book may be provocative it is not always satisfying, and the quality of the writing offers little to entice the reader. Instead, reading it feels like a chore.

Ann Silversides
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Room for a view

What I could not return

I close my eyes and as if by remote control my mind flashes back 30 years. Click, and I am 8 years old again. I see the two of us riding rickety old bikes down gravel roads, a breeze sailing over our crew-cut heads. Wheat fields sway in the wind, as if waving me into this reverie. Blue prairie skies stretch before us into the future, many years of which I have already lived.

Sunshine. Gorgeous sunshine. It seemed our constant companion, as if it never rained, as if our lives consisted of endless summers untouched by gray skies or the crack of thunder.

And we were saints, our halos bright as the summer sky. Right. Boys, as they say, will be boys.

Bang, bang. (That was the cap-gun six-shooter.)

“Gotcha,” I said.

“No, you missed,” you said.

“No, I didn’t. You’re dead.”

“No, I’m not. I’m the Lone Ranger and he can’t die. Bang! Bang, bang. Now you’re dead.”

“No fair,” I said. “You never die.”

We fired our schemes like bullets against a bull’s-eye of woodland and farm. We pretended to be Ronnie Lancaster, pitching rocks like touchdown passes through the windows of abandoned farmhouses. We skinny-dipped in the creek, clutching our privates, fearful of leeches and snapping turtles. We scoured the land, noting wild flowers, animals and birds. Sometimes we did more than observe.

I crept up to a red-winged blackbird

chirping stupidly in the reeds of a slough.

BANG. (That was the BB rifle.)

“Ya got ‘er,” you said.

“Yep, pegged it right in the head,” I said.

“Naw, you nailed it right in the chest. See?”

“Oh, right.”

“Good shootin, anyways.”

“Yuck,” I said.

“What?”

“Look at its eyes. There’s sort of a film over them.”

“That ain’t no film,” you said. “It’s dead. So its eyes are closed.”

“Oh.”

“What did you expect?”

I made no reply. I’m sure I never told you — that I didn’t like shooting birds. Beautiful ones that sang. And I didn’t much like what we did to gophers, either.

You remember about the gophers. It was our prairie right to kill them: they were vermin. We poured water down the hole and as the critter surfaced — either that, or drown — we whacked it on the head with a big stick until it was dead. Used to bother me, seeing that poor thing. A soaking wet gopher bursting for air is a pitiful sight. A child’s natural instinct is to say, “Ah, poor gopher,” and then giggle with delight as it steps out and shakes the water off itself like a dog. You know, a prairie dog. But a kid grows up quick on the prairie. There’s no room for sissy talk. So you smash the gopher’s head or

shoot the dumb bird and feel sick about it, silently.

We grew older, and our thoughts shifted from the natural world around us to our changing physiques. We worried about the wisps of hair at our pubic bones and the new sensations our bodies offered up. How old were we when we first recognized our interest in girls? I see us now as we examined the advertisements in *The Bay* catalogue. The models in their undergarments summoned up shivery, naughty pleasures. We soon realized that the sight of Marion gave us the same goose-bumpy feeling. Ah Marion, the farmer’s daughter, fair maiden!

“Call her up,” you said.

“I don’t really know her,” I said.

“So what? How are you gonna get to know her if you don’t talk to her?”

“Well, you call her up,” I said. “She knows you, you’re in the same class.”

“Xac’ly why I’m not gonna phone her. Look, you’re the motor mouth. You call.”

And so I found myself, receiver in hand, nervously dialing the number. “Hello,” I said (twitch, scratch, sweat). “Is Marion there?”

“Who’s this?” she said.

“It’s Doug, Tom’s friend.”

“Oh.”

“So ...,” I said.

“So?” she said.

“How are you?”

“Okay, thanks. You?”

“Good, thanks,” I said. “Ahh ...” Click. Dial tone. There I stood,