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“A Rose By Any Other Name Would Smell As Sweet,” But Would It Still Be Treasured: The Mislabeled and Misunderstanding of Parents and Grandparents in American Policy

Randy Lee

**“A ROSE BY ANY OTHER WORD
WOULD SMELL AS SWEET,”[†] BUT
WOULD IT STILL BE TREASURED:
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POLICY**

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In any public debate, it is impossible to overstate the importance of definitions and the ability to control the terms of the argument. Throughout the twentieth century, writers such as George Orwell and Aldous Huxley have studied political language, advocating clarity over obfuscation and noting the rhetorical techniques used by political operators to sway public opinion, for good and bad. This essay considers the use of those terms in the field of elder law. Randy Lee warns of the dangers inherent in abstract language, such as the creation of the fictional monolith, the “elderly.” These dangers are particularly prevalent in the right to die debate which the author considers by viewing Justice Stevens’s concurrence in Washington v. Glucksberg, in which Justice Stevens attributes the idea of liberty to the benevolence of a Creator. The essay thus provides a thought-provoking look at the spiritual component of the ongoing debate over physician-assisted suicide.

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[†] WILLIAM SHAKESPEARE, ROMEO AND JULIET act 2, sc. 2.

The expression is “talk is cheap.” So cheap, George Orwell felt compelled to acknowledge in his essay *Politics and the English Language* that the common conviction among those “who bother with the matter at all” is that “any struggle against the abuse of language is a sentimental archaism, like preferring candles to electric light or hansom cabs to aeroplanes.”¹ Despite such prevailing wisdom, Orwell himself insisted that people must try to rescue language from abuse; they must try to preserve the role of language as an “instrument for expressing and not for concealing or preventing thought.”² As Orwell argued, “[O]ne ought to recognize that the present political chaos is connected with the decay of language, and that one can probably bring about some improvement by starting at the verbal end.”³

If we are to take Orwell at his word, then despite the cheapness of talk, there is value in considering how we talk about particular issues. There is a need, in at least some instances, to ask ourselves whether we are using language to express thought, or to conceal or prevent it. If the latter is the case, then one such instance must be the way in which we discuss issues surrounding the people we refer to as elderly or senior citizens and the benefits to which we say those people may be entitled.

The essential nature of this confrontation can be seen in two debates I recently encountered concerning the elderly. The first involved an article that proclaimed America is “shortchanging” its children because it spends too much on “entitlement” programs for the elderly.⁴ The article also warned that this problem is only going to get worse.⁵ As the author of the article, Isabel V. Sawhill, vice president and director of Economic Studies at the Brookings Institute, put it,

A conflict between the generations is brewing. The stakes are enormous. Exploding costs for the three big entitlement programs (Medicare, Social Security and Medicaid), along with an aging population and insufficient tax revenues, portend endless deficits and rising government debt. . . .

1. The Complete Works of George Orwell, *Politics and the English Language*, http://www.george-orwell.org/Politics_and_the_English_Language/0.html (last visited Oct. 29, 2007) [hereinafter *Orwell, Politics*].

2. *Id.*

3. *Id.*

4. Isabel V. Sawhill, *How Public Spending Neglects Children*, BROOKINGS, Oct. 16, 2005, http://www.brookings.edu/opinions/2005/1016childrenfamilies_sawhill.aspx.

5. *Id.*

The impacts on children are two fold: First, if we do not rein in deficits by reforming entitlement programs and introducing new revenues, children will pay for our profligacy. Children born today, for example, would face a lifetime tax rate of about fifty percent.

Second, we are shortchanging children by not spending enough on their health, education, and care. Currently, Washington spends about four-and-one-half times more on the average elderly American than on the average child. If we include state and local governments, which pay most education costs, per capita spending on the elderly is almost twice that for children.⁶

The second incident arose when a desperate friend called me for advice about her mother, who was in the final stages of life. My friend's mother could no longer swallow and would need a feeding tube to stay alive. Legally she was not competent, so the decision whether to insert the feeding tube fell to my friend.

My friend felt that her faith called her to have the feeding tube inserted, but the attending physician and officials at her mother's nursing home were pressuring my friend not to. After all, they said, my friend's mother was "terminal," she was in "some measure of pain," and her time to be "self-sustaining, productive, [and] useful" was behind her. Thus, they insisted "heroic measures" would be "fruitless, unnatural, inhumane," and it was time to consider the "dignity" to be granted to my friend's mother.

Having received my friend's request for advice, I called another friend, Dr. William Bird,⁷ whom I trust with these issues. I explained the situation to Dr. Bird and shared the advice my friend had already received from the officials. He responded simply, "So, does she really want to starve her mom to death?"

As these two examples demonstrate, how we view the issues surrounding America's elderly depends a great deal on the level of abstraction with which we consider them. It is one thing to rein in the "exploding costs" of an entitlement program for an "aging population." It is quite another to cut the retirement payments our parents are supposed to receive from a Social Security account into which they have paid their whole lives. It is one thing to grant a terminal patient

6. *Id.*

7. Telephone Interview with Dr. William Bird, Assoc. Professor & Vice Chair Patient Care, Family & Cmty. Med., Milton S. Hershey Med. Ctr., Coll. of Med., Penn State Univ., in Harrisburg, Pa. (June 25, 2007).

the opportunity to die with “dignity.” It is quite another to give the order to starve our parents to death.

Confronted with the concrete reality of her choice, rather than the comforting abstractions of language, my friend found the answer to her dilemma to be clear: the feeding tube was inserted, and her mother’s life, with her family here on Earth, was extended a little longer. To this day, my friend remains certain she made the best choice for both her family and her mother.

Orwell maintained that this substitution of the abstract for the concrete was what most marked the current abuse and decay of the English language. He wrote “[t]he whole tendency of modern prose is away from concreteness.”⁸ He lamented that the “mixture of vagueness and sheer incompetence is the most marked characteristic of modern English prose, and especially of any kind of political writing.”⁹ Orwell offered that “[a]s soon as certain topics are raised,”¹⁰ treatment of our parents and grandparents perhaps being one such topic, “the concrete melts into the abstract and no one seems able to think of turns of speech that are not hackneyed.”¹¹

Orwell’s is not the only voice to call attention to this turn toward abstraction. In his critique of the language of modern psychiatrists,¹² Dr. Robert Coles noted the language of those professionals has slipped “into wordy and doctrinaire caricatures of life.”¹³ He observed this is true not only of their professional language, but even their “habits of talk [have] become cluttered with jargon or the trivial.”¹⁴ As examples Coles offered the expressions “[n]egative cathects, libido quanta, ‘a presymbiotic, normal-autistic phase of mother-infant unity,’ and ‘a hierarchically stratified, firmly cathected organization of self-representations.’”¹⁵

Coles acknowledged psychiatrists seek to excuse “[s]uch dross . . . as a short cut to understanding a complicated message by those versed in the trade.”¹⁶ He insisted, however, that psychiatrists can only embrace such conveniences to the extent the language of

8. Orwell, *Politics*, *supra* note 1.

9. *Id.*

10. *Id.*

11. *Id.*

12. ROBERT COLES, *THE MIND’S FATE* 5 (1975).

13. *Id.* at 9.

14. *Id.*

15. *Id.*

16. *Id.*

psychiatrists continues to accurately communicate to them the world in which they live and the realities of their work in the lives of others.¹⁷ As Coles put it, “[T]he real test is whether we best understand by this strange proliferation of language the worries, fears, or loves of individual people.”¹⁸ The language of law would benefit from the application of this test as well.

Coles maintained the language of psychiatrists failed such a standard, and he criticized psychiatrists for creating language that made their professional lives easier for them to accept while dehumanizing and abstracting the realities faced in their work.¹⁹ Coles observed “[a]s the words grow longer and the concepts more intricate and tedious, human sorrows and temptations disappear, loves move away, envies and jealousies, revenge and terror dissolve. Gone are strong, sensible words with good meaning and . . . flavor.”²⁰ While Orwell attributed the decline in the quality of language to a “mixture of vagueness and sheer incompetence,”²¹ Coles attributed the language’s inability to capture the concrete passions of human life to a death of heart among the language’s adherents.²²

While Coles noted Orwell’s loss of concreteness in the language of the psychiatrist, Aldous Huxley returned the discussion to the language of politics. In his essay, *Words and Behavior*, Huxley wrote “[a]ll current political thought is a mixture, in varying proportions, between thought in terms of concrete realities and thought in terms of de-personified symbols and personified abstractions.”²³ Huxley added that “[p]olitics can become moral only on one condition: that its problems shall be spoken of and thought about exclusively in terms of concrete reality.”²⁴

Huxley maintained politicians, including the whole of society in this term,²⁵ use language to suppress and distort the truth so that we may “with a good conscience, . . . evade unpleasant obligations and responsibilities, because ignorance is the best excuse for going on do-

17. *Id.*

18. *Id.*

19. *Id.*

20. *Id.*

21. Orwell, Politics, *supra* note 1.

22. COLES, *supra* note 12, at 9.

23. ALDOUS HUXLEY, *Words and Behavior*, in COLLECTED ESSAYS 245, 255 (1958).

24. *Id.*

25. *Id.* at 252.