

PLENARY SESSION: CONCERN FOR THE QUALITY OF LIFE

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Quality of Life—Theme

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SYNOPSIS: Forensic scientists, as an integral part of the justice system, must move from merely relating their practices to the system to relating their practices to life—the quality life. Life's meaning has greatly changed since 1970 both at the birthing and the dying periods. Life's quality has no single definition. It can include goals to which we aspire or tasks that we must perform. Or, it can be concerned with an ordered preference of things we seek. It can also be determined by the "outcome" of our living or the "process" by which we live. Finally, quality, although it cannot be defined, can be felt. Should we not understand that the quality of life is to be recognized by the true worth of an individual and to be measured by the caring each of us has for our fellow beings as we practice our daily work in the justice system and live our daily lives in the whole human society?

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1980—a new decade for the calendar of Pope Gregory, a new era for the quality of life on spaceship Earth.

One decade ago, in 1970, the Plenary Session of the Annual Meeting of the American Academy of Forensic Sciences looked inward. Our thoughts focused on the "state of the arts" in our several sections of intellectual disciplines. We analyzed ourselves.

This 1980 Plenary Session looks outward. Today we analyze life. We seek to move from the consideration of the provincial state of our individual arts to a universal understanding of the quality of life and how our disciplines of knowledge relate to that condition. In so doing, however, we must not discard our thoughts from our special expertise in pathology and biology, toxicology, criminalistics, questioned documents, jurisprudence, psychiatry, odontology, anthropology, or the general sciences. We must blend these talents garnered from our special fields of knowledge with the greater task of comprehending and creating that quality of life we desire for the whole human family. The means by which we must blend our

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professional practices with the overall quality of life is through the institution called justice. Just as we have labored in the administration of justice to resolve individual problems, both civil and criminal, we now must strive to give, through the administration of justice, true meaning to the idea called quality in the life of the 1980s. We must relate our professional practices to the quality of life through America's justice system.

This institution we call justice has struggled continuously, since the beginning of human existence, to provide the best possible relationships among all human beings. This institution of justice has developed *laws* by which to live and *processes* by which to apply these laws to life in order to accommodate and resolve human conflicts. This institution of justice has constantly tested its laws and processes with the spiritual litmus of *morality* to determine whether the rules of law satisfy the needs and aspirations of all peoples and whether the procedures of law provide the means and capacities for the satisfactory resolution of human problems.

Members of the American Academy of Forensic Sciences have labored vigorously in this justice institution, not only to develop the laws by which we live, but also to perfect the procedures by which we act. In the fields of unexplained death, alcohol intoxication, poison control, drug abuse, psychiatric illness, questioned documents, and firearms examination, to name but a few, our knowledge and wisdom have been utilized. We have established medical examiners' systems. We have upgraded coroners' offices and crime laboratories. We have certified individuals for professional qualifications to be expert witnesses in the institution of justice. We have educated and trained forensic scientists and practitioners of law in the methods and techniques for providing truthful facts and honest opinions in the decision-making processes. The members of this Academy have truly devoted much time, great effort, and considerable dedication to improving America's institution of justice. In doing all of these, we have enhanced the quality of life for ourselves and our fellow citizens in specific cases and individual problems.

Today, we begin a new era of life, a greater challenge to our individual sciences. In simple terms we seek to understand the meaning of our labors, the purpose of our professional practices, the value not only of what we are doing but, more importantly, of how we are living. For ourselves, for the Academy, and for all humanity, this present decade is more than dangerous for our particular practices and personal lives. It is a time crucial to our very existence. Buckminster Fuller has graphically portrayed this thought [1]:

Humanity has come to an extraordinary moment. We have the option to survive, but it is absolutely touch and go. The question is whether the human family can begin to realize: *We are here for our minds*. At this point in time the fist and muscle control humanity. If the fist stays around for the next ten years, we're all through, wiped out. If we get through the next ten years with mind in control, we'll make it. You might call the next decade Earth's final examination period.

Whether the great danger of the decade be nuclear war, suffocation from the pollutions of our exploding technological revolution, or the perversions of our institution of justice, it matters little. All three have the capacity to annihilate us—physically, mentally, spiritually.

As citizens of the Earth we have a direct concern over nuclear war, the extinction of life, the desecration of justice. As practitioners in the forensic sciences, we have a special responsibility to prevent the perversion of justice. In fulfilling both our roles, as citizens and as practitioners, we desire to experience more than a mere existence. We seek to enjoy a personal quality of life that makes our living worthwhile—intellectually and spiritually.

Beyond our personal lives of quality, we believe that the entire membership of the human family should also be blessed with an institution of justice that dignifies each person, that provides a quality life for every member, and that respects each individual's integrity to seek that quality of life. While we are members of the American Academy of Forensic Sciences and participants in the institution of American justice, in the greater sense our loyalty is to the forensic sciences universally, to an institution of justice for the whole human race. If we

can comprehend the meaning of the quality of life, if we can marshal the ingredients for the life of quality, if we can produce within our professional practices the resources to beget quality living, then we can individually and collectively emerge from the 1980s with humanity in general and ourselves in particular at a higher level of fulfillment and happiness. We will have passed Earth's final examination. The human race will have survived because the world's peoples will have built an institution of justice that resolves human conflicts equitably and justly as well as achieves a life of quality for all individuals.

The task of this Plenary Session is to provide ideas on how to begin this great task of creating a quality of life for our individual professional practices and in our daily lives. We have summoned colleagues from the specialties of law, psychiatry, criminalistics, anthropology, and pathology. But we hasten to emphasize that the quality of life is measured not by the narrow specifications of these special segments of scientific knowledge. The quality of life is weighed by the ability to mold the specialized knowledge into the whole framework of the institution of justice, that important, specific facet of the quality of life for which we are responsible. To make the justice process work better, not to make our personal forensic science more glorious, is our unique responsibility.

To aid our personal involvement with the panelists we offer some preliminary thoughts concerning the meaning of the words "quality of life." Today everybody uses these words. But we are mindful of Justice Oliver Wendell Holmes' observation that a word is the "skin of a living thought." We are not interested primarily in the skin. We must be concerned with the thoughts in the mind of the living person who uses the words "quality of life." Since I cannot really penetrate the skin of the panelists' words nor the minds of the assembled members in this Plenary Session, I am left with only my own mind. Come join me inside this labyrinth. There is plenty of empty space for all to fit.

Quality of life? What is life? What is quality? And what do we mean when we use the two together? We shall start with life because if there is no life, quality becomes moot.

After many millennia of human existence the meaning of life in the past decade has moved from utter simplicity to intense complexity. Down through the centuries, life has meant an independent respiration and separate circulation of a human being. Birth and death were sharply measured by this simple formula: an independent body, a beating heart, heaving lungs, flowing blood. Beginning in the 1960s with scientific and technological advances, our simple formula, adopted in practice and sanctified in law, became obsolete. The independent body, the beating heart, the heaving lungs, the flowing blood could be maintained in the individual by inanimate machines completely controlled by other persons. The definition of life as it relates to death had to be recast to include not only respiration and circulation functions but also brain functions.

A similar alteration has occurred in the relationship between life and birth. Historically, life began when the human body was able to produce respiration and circulation independent of the mother. With the momentous decision in *Roe v. Wade* [2] the U.S. Supreme Court confronted the American people with the medical issue of abortion and the moral issue of life. The institution of justice has now become the battleground for these issues. Does life begin at the moment of conception? At the moment of fetus viability? At the moment of independent respiration and circulation? I submit that these questions profoundly affect the meaning of the words "quality of life." Today I have no answers to these questions. I simply urge you to join me in the search for answers.

The ramifications for the quality of life and for the forensic sciences during the time of life-beginning and life-ending are indeed profound. If the whole process of being born is to be considered life, then what is done to the fetus that affects the quality of life of that fetus and of the independent person who eventually emerges will certainly involve problems in pathology, toxicology, psychiatry, and jurisprudence. If the instant event of death is now recognized as a continuing process of dying, what is done during this process will also have

profound implications on the quality of life for the living person during this terminal period of human existence.

Both the birthing and dying experiences are immersed not only in the life quality issue but even more importantly in the simple issue of whether there is life itself. No greater challenge faces the institution of justice and the forensic sciences in the 1980s than this search for the true meaning of life. We shall, however, not tarry to discuss these particular issues of life, important as they are.

Our attention must focus on the forensic sciences as they relate to issues of life quality involved in the daily living of independent persons excluding those in the gestation period and the dying period. Here is where our work each day predominantly functions. Here is where we can make the most dynamic advances to upgrade the quality of life for our fellow citizens and for ourselves.

We must now focus on the meaning of "quality." Remember, you are still walking with me through the inner recesses of my mind. Let me peel off the outer skin of the word "quality" to expose my living thoughts on its meaning. Several corridors are now opening in my mind, each with a sign marked "quality."

The first corridor finds quality of life in the words of a contemporary writer. A decade ago, James A. Michener considered the matter [3]. He *first* identified the goals for America's struggle to achieve quality of life: saving the city, adjusting to race, educating the mind, inspiring the youth, utilizing instantaneous world-wide communications, preserving the environment, curing the population cancer. Then, *second*, this talented author defined the immediate tasks to be done in the 1970s to promote our efforts to achieve a quality of life: get out of Vietnam, distribute the benefits of our society more equitably, reestablish and maintain control of our institutions (especially our institution of justice), evolve a new spiritual agreement (encompassing religion and patriotic heritage, great documents of our history, and reliance upon law, industrial morality, and a belief in the equality of opportunity). Michener's approach to the meaning of quality of life is precise, understandable, and inspiring. But it is not the only meaning.

We proceed down a second corridor of my mind where the living thought called "quality" can be described as follows [4]:

Quality has several meanings, each of which tends to shade into the others. One is that the quality of something is identical with its nature. Another is "rank order" or "degree of excellence." The adjectival form, "qualitative," is the antonym of quantitative: whatever quality is, therefore, it cannot be quantitated. There is also a somewhat elusive connotation of wholeness in its meaning, wholeness in the sense of being greater than the sum of the parts; if one removes a component of quality, the quantity itself is lost. From all this, one might reasonably conclude that quality cannot be quantitated or fragmented, but it can provide a basis for a rank order. In other words, it can be measured, though without any degree of precision.

"Quality" in this corridor of my mind means that quality can be ordered but not measured. It permits us to relate, to place in order of preference, but not to wholly define. Can we do better in another corridor?

We enter a third hallway of my mind. It leads to another living thought on "quality." It can be identified as the "process-outcome" hallway. Quality can be measured or defined either by the way things are done or by the results achieved. In the forensic sciences both measurements are possible. A criminalist, an odontologist, an anthropologist, or a questioned document examiner will practice his or her forensic science profession by gathering, defining, and evaluating pieces of evidence. Each forensic scientist will then present to the decision-maker in the justice institution the facts and the expert opinions based on those facts. With this evidence, the justice process provides a decision resolving the issues in legal conflict. If these forensic scientists are expert witnesses for the prosecution and the decision

is “not guilty,” the outcome of the test of quality would appear to indicate poor quality in the forensic scientists. Often in our adversary justice system this is the feeling. The case is lost, so the expert witness must have been inadequate. “We should have gotten a good witness!” The real quality we seek would be hard to find if it rested wholly on a measurement rooted in the “outcome” of the justice problem we seek to resolve. As laborers in the vineyard of American justice, we must be dedicated to the conviction that we serve justice, the institution, not persons such as prosecutors or defendants, not causes such as law enforcement or civil liberties.

The other side of this third corridor, however, has been designated “process.” Quality is to be weighed by the performance of the forensic scientist, not the outcome of the justice procedures. What was the scientist’s education in the basic knowledge of his or her discipline? What experience does the scientist have in this discipline? How much additional professional training has the scientist obtained? Has the forensic scientist used the proper scientific theories and technological procedures to evaluate the piece of evidence related to the justice issue involved? Has the scientist as an expert witness clearly conveyed the evidence of facts and opinions to the decision-makers so that the justice process can function properly? It is in the answers to these questions that the identification of “quality” is revealed. Performance in one’s life, not the outcome of one’s practice, is the meaning of quality at the end of this third corridor in my mind. The real meaning of the quality of life gains stature in this corridor of my thoughts.

Come with me now down the last corridor in my mind. We still are searching for the room containing the ultimate meaning of the quality we seek for the lives we live. Along this hallway are quotations from a provocative book [5, pp. 184–185]:

But then, below the definition on the blackboard, he wrote, “But even though Quality cannot be defined, *you know what Quality is!*” and the storm started all over again.

“Oh, no we don’t!”

“Oh, yes, you do!”

“Oh, *no*, we *don’t!*”

“Oh, yes, you *do!*” he said and he had some material ready to demonstrate it to them.

He had selected two examples of student composition. The first was a rambling, disconnected thing with interesting ideas that never build into anything. The second was a magnificent piece by a student who was mystified himself about how it had come out so well. Phaedrus read both, then asked for a show of hands on who thought the first was best. Two hands went up. He asked how many liked the second better. Twenty-eight hands went up.

“Whatever it is,” he said, “that caused the overwhelming majority to raise their hands for the second one is what I mean by Quality. So *you* know what it is.” . . .

He paused for a long time. “I think there is such a thing as Quality, but that as soon as you try to define it, something goes haywire. You can’t do it.” . . .

A few days later he worked up a definition of his own and put it on the blackboard to be copied for posterity. The definition was: “Quality is a characteristic of thought and statement that is recognized by a non-thinking process. Because definitions are a product of rigid, formal thinking, quality cannot be defined.” . . .

When I say, “Quality cannot be defined,” I’m really saying formally, “I’m stupid about Quality.”

As we move further down this corridor our minds continue to cogitate over these words of failure. We seem to be at a stalemate. We look again at the wall and read [5, pp. 163–164]:

Quality . . . you know what it is, yet you don’t know what it is. But that’s self-contradictory. But some things *are* better than others, that is, they have more quality. But when you try to say what the quality is, apart from the things that have it, all goes *poof!* There’s nothing to talk about. But if you can’t say what Quality is, how do you know what it is, or how do you know that it even exists? If no one knows what it is, then for all practical purposes it doesn’t exist at all. But for all practical purposes it really *does* exist. What else are the grades based on? Why else would people pay fortunes for some things and throw others in the trash pile? Obviously some things are better than others . . . but what’s the “betterness”? . . . So round and round you go, spinning mental wheels and nowhere finding anyplace to get traction. What the hell is Quality? What *is* it?

Let us reflect on these four corridors. Our thoughts can start to fall into place about what quality really is. Can it be that technology, the mechanization of life, has destroyed our capacity to understand, to define, yes, and even to live a quality life? So rampant is the technological inundation of our daily living, the individual's personal worth is severely depreciated if not wholly eradicated. Even as forensic scientists in our practices or as common citizens in our lives, we have become slaves to machines. We are numbers to computers, we are punchcards to institutions, even the institution of justice. A human being cannot be a nobody, which modern technology has made each of us. Each of us must be a somebody. Only persons who are somebodies can understand quality. A machine is a nobody that produces quantity. A person is a somebody who produces quality. In short, we must restore the individual human being in ourselves if we are to grasp the real meaning of the quality of life. We must place the individual in control of the technology. In this human control over the machine technology of today's life, we will produce the seeds of quality [5, pp. 322-323]:

Technology is blamed for a lot of this loneliness, since the loneliness is certainly associated with the newer technological devices—TV, jets, freeways and so on—but I hope it's been made plain that the real evil isn't the objects of technology but the tendency of technology to isolate people into lonely attitudes of objectivity. It's the objectivity, the dualistic way of looking at things underlying technology, that produces the evil. That's why I went to so much trouble to show how technology could be used to destroy the evil. A person who knows how to fix motorcycles—with Quality—is less likely to run short of friends than one who doesn't. And they aren't going to see him as some kind of *object* either. Quality destroys objectivity every time.

Or if he takes whatever dull job he's stuck with—and they are all, sooner or later, dull—and, just to keep himself amused, starts to look for options of Quality, and secretly pursues these options, just for their own sake, thus making an art out of what he is doing, he's likely to discover that he becomes a much more interesting person and much less of an object to the people around him because his Quality decisions change *him* too. And not only the job and him, but others too because the Quality tends to fan out like waves. The Quality job he didn't think anyone was going to see *is* seen, and the person who sees it feels a little better because of it, and is likely to pass that feeling on to others, and in that way the Quality tends to keep on going.

Each of us as a practitioner in the forensic sciences has the opportunity to provide that quality job that generates a quality justice indispensable to the quality life. We can become the artist rather than merely the technician. Each of us counts in the justice process, which seeks to do what is legally correct and morally right. As forensic scientists we must provide truthful facts and honest opinions in that system. If any one of us becomes more enamored of quantity than quality, we have mechanized the institution of justice. And justice above all must not be a machine institution. It must be a human institution.

The last words on the corridor wall as we reach the room in my mind called "quality of life" read [5, p. 323]:

My personal feeling is that this is how any further improvement of the world will be done: by individuals making Quality decisions and that's all. God, I don't want to have any more enthusiasm for big programs full of social planning for big masses of people that leave individual Quality out. These can be left alone for a while. There's a place for them but they've got to be built on a foundation of Quality within the individuals involved. We've had that individual Quality in the past, exploited it as a natural resource without knowing it, and now it's just about depleted. Everyone's just about out of gumption. And I think it's about time to return to the rebuilding of *this* American resource—individual worth. There are political reactionaries who've been saying something close to this for years. I'm not one of them, but to the extent they're talking about real individual worth and not just an excuse for giving more money to the rich, they're right. We *do* need a return to individual integrity, self-reliance and old-fashioned gumption. We really do.

Now that we have emerged from the inner recesses of my mind, my theme for the quality of life discussed at this Plenary Session takes form. Quality of life for ourselves and our fellow citizens on spaceship Earth will be generated not by what the justice institution does to us but by what we do for the justice institution. What we do for justice depends on how we

care about justice. The key to the life of quality is caring. Caring is an action from us to others. Caring is a commitment to do our best so that others can be their best. Caring is to be found not merely in the great legal cases of international notoriety but even more importantly in the small justice problems that involve one of the least members of the human race. Opportunities for caring are to be found daily in each of our personal practices in the forensic sciences. Our panel members will illuminate these challenging opportunities. As participants in our 32nd Annual Meeting, which opens a new decade, we can best describe the quality of life theme as a personal faith in ourselves and a personal commitment to the forensic sciences—a cornerstone in the temple of justice serving all humanity. To strengthen this cornerstone will permit each human being to pursue that personal life of quality worthy of one's being a child of God.

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