

H.B.5898 – Favor – A Matter of “Pre-Constitutional” Rights

**Public Health Committee
Testimony – March 18, 2019**

**Luther Weeks
Luther@Weeks1.net
334 Hollister Way West, Glastonbury, CT 06033**

Chairs and members of the Committee, my name is Luther Weeks, a member of the Secular Coalition for Connecticut Legislative Acton Committee, a Member of the Freedom From Religion Foundation, a Humanist, and like Founder Tom Paine, committed to reason and common sense. This testimony is my own and has not been endorsed by the Coalition nor by any organization with which I may be associated.

I am not a lawyer, let alone a Constitutional lawyer, yet I am familiar with the concept of *Pre-Constitutional Rights*, which form the basis for our government. Many are declared and recognized in the *Declaration of Independence*. The entire legitimacy of the United States and the Connecticut constitutions rests on its declaration that “*Governments are instituted among Men, deriving their just powers from the consent of the governed*”. There are other pre-constitutional rights, “*among these are Life, Liberty and the pursuit of Happiness*”. **It occurs to me that these certain unalienable rights apply today, if, as I recommend, we continue to hold to the promises and ideals of our democracy.**

Life: The right to *Life* includes responsibility for how one lives their own one life. We have just one precious life – too precious for anyone else to choose how we live or to limit what the end will be. As with all rights the right to live has limits and must be balanced against both other rights and the rights of others.

Liberty: The right to *Liberty* includes choice for how one lives their own one precious life. We have a long tradition of avoiding limiting what others can do or can ingest as long as they do not directly harm others. We allow anyone to eat whatever food and drink they choose even if it results in an early death, along with significant healthcare, disability, and other social costs. For example, we limit where individuals may smoke, where they can drink, and what they can do after drinking only to the extent that it is directly harmful to others. We have grown as a society moving ever closer to the ideals of the Constitution, allowing all to vote, allowing all to marry, and in a growing number of states allowing all or those ravaged with disease to use marijuana.

and, The Pursuit of Happiness: The *Pursuit of Happiness* is perhaps the most obvious right that would be protected and provided by this bill. **I was executor for the estate of my cousin, who died of brain cancer five and one-half years ago. I sat with him in his last day of struggle in life – I do not know what his choice would have been, yet I would wish that he had that choice to end his life when he chose**, even if after due consideration he chose not to exercise it. Diagnosed just two months earlier, he chose wisely for no curative treatment. He was able to put his affairs in order, create a will a few days before he died, able to drive and shop until the last five days, conscious and able to make decisions until two days prior to natural death. In those last couple of days he could not legally have chosen to end it before the final struggle and vast pain. He chose hospice and at least avoided something that could have been much worse, and much much longer.

I understand that aid-in-dying is supported by an overwhelming majority of the voters of Connecticut. **H.B.5898 would provide a human; even if you agree only that it is justified by a single one of the rights of life, liberty, or the pursuit of happiness; even if this right were only desired or supported by a small minority of residents; even if you personally would not make that choice, I urge you to support H.B.5898 in the name of democracy, human rights, and the Declaration of Independence.**

Thank you.