

## **"No right to unapproved drugs, court says."**

----Tacoma News Tribune, Tuesday January 15, 2008, page A6

To the Editor, News Tribune:

I can't believe what the Supreme Court of these United States has done in this "free" country. Not long ago, they decided that a city, county or State may take away our homes, allowing them to be replaced with commercial development—which of course pays more taxes. Outrageous! Now, the "Supremes" have decided that even if you're dying, *los Federales* can prohibit you from obtaining treatment which might save your life!

No, I'm not kidding. On January 14, 2008, the "Supremes" refused to hear *Abigail Alliance v. Eschenbach* (Tacoma News Tribune, Tuesday January 15, 2008, page A6). Backed by the Washington Legal Foundation ([www.wlf.org](http://www.wlf.org)), the Abigail Alliance ([www.abigail-alliance.org](http://www.abigail-alliance.org), 540-899-3766) sued *los Federales* (in this case, the FDA) on behalf of dying patients to gain access to as-yet "unapproved" treatments that showed some promise of curing their illness, or at least giving them more time to live.

*Los Federales* (in this case the "Supremes") wouldn't even hear the case, in effect telling terminally ill patients to just die. Writing for another group of *los Federales* (the "Bush Administration"), United States Solicitor General Paul Clement wrote that "allowing patients to obtain and use unproven drugs carries a host of risks and potential detriments for the public health." Put simply, Mr. Clement is telling terminally ill individuals to die for the public good!

While it's true that terminally ill individuals might or might not be helped by as-yet "unapproved" treatments, any truly free individual living—and dying—in any truly free country has the right to freely chose any treatment that might be life-saving. Apparently the "Supremes", the Bush "Administration", and Solicitor General Clement have all forgotten these words: "*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.*" Aren't terminally ill patients with no alternatives left "pursuing Happiness"—in this case Life itself—by seeking any treatment possible?

Tyrants and dictators everywhere would approve the Supreme Court's decision. The rest of us can work with the Abigail Alliance to restore the freedoms envisioned by the founders of these United States.

--jonathan v. wright md  
tahoma clinic, renton, washington