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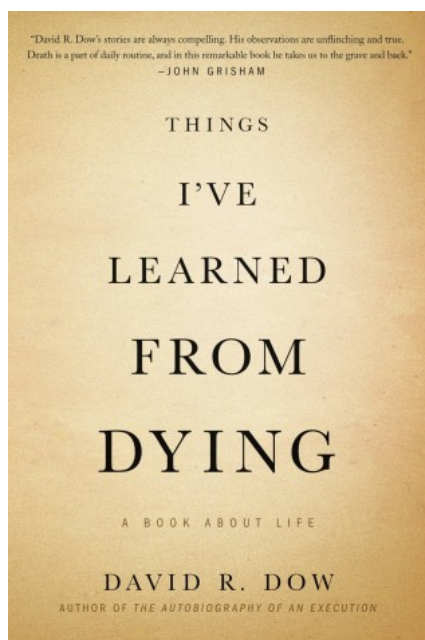
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SPECIAL REPORTS

Houston Author David Dow's Death and Dying Lowdown

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by [Allison Wright](#) Published on Monday, March 3, 2014, at 11:45 CST



Things I've Learned from Dying: A Book about Life
By David Dow
Grand Central Publishing
288 pages; \$25.00

There's a certain amount of irony in appending the epigraph "I could write a book about what I don't know" to one whose title foregrounds its intent to share the lessons gleaned over the course of a career, and one walks away from *Things I've Learned from Dying: A Book about Life* wondering if, in fact, there is anything David Dow has yet to learn. Perhaps the real question is: If there are things Dow still doesn't know, what hope do the rest of us have?

Things I've Learned from Dying is an energetic three-part memoir delineated into sections titled "Beginnings," "Middles," and "Endings." Dow, a professor of law at the University of Houston and of history at Rice University, as well as founder and director of the Texas Innocence Network, details his father-in-law's death from a quickly metastasized melanoma, his family's beloved Doberman's death from acute liver failure, and one of his many clients' final years on death row and eventual execution. True to its title, the book is peppered with sentences structured around the phrase, "One thing I've learned," such as: "One thing I've learned is that there is a time to be silent and there's a time to hold nothing back. What I might not have learned is which is when."

Taking some liberties with its timeline and compressing legal cases that spanned the better parts of decades, Dow explains how to argue a death penalty case in Texas, along the way bringing to light some of the nuances of the appeals system—and some of the ways in which he longs for even more nuance. He outlines the four stages of a death penalty case: the trial and state court appeal come first, followed by the state court habeas proceeding; after that comes the federal habeas appeal; the final stage is what Dow describes as "all the last-minute

freneticism when death penalty lawyers try to think of anything they can to save their client's life." In *Things I've Learned from Dying*, we enter death row inmate Eddie Waterman's case at the third stage. Dow's ruminations about representing Waterman before the 5th U.S. Circuit Court of Appeals show him at his most entertaining and opinionated:

People who think bogus legal proceedings happen only in places like Iran or China apparently haven't been to Texas.

It hasn't always been this way. ... But decent judges have been replaced by bureaucratic hacks who reach results that melt their political butter no matter how much violence they have to inflict on legal principles on the way to getting there.

In the section titled "Middles," Dow recounts offering advice to a younger colleague who is distraught after the execution of his first client: "Work on developing a cold cold heart, pal," he says, invoking Hank Williams. But while there is evidence here of professional numbness—occasional decisions based solely on detached experience and expertise—this is not the narrative of someone unaffected by a life spent with the dying. Throughout the memoir, using passages from a journal he kept during his father-in-law's illness and recreating other scenes from memory, Dow meditates on the instant between life and death. "One thing I've learned," he writes, "is that beginnings are unambiguous, but endings are not."

His story's overlap of human, canine, legal and familial loss ultimately leads Dow to acknowledge the difference between the individual and the universal: "The deepest knowledge, I've learned, can be awareness of the chasm separating you from

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Houston author David Dow on Death and Dying

someone else." In convincing prose, Dow shows what such lessons cost.

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A native Texan, Allison Wright is a writer and editor who now lives in Charlottesville, Virginia. She holds a Ph.D. in American Studies from the University of Texas at Austin.



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**elizabeth riebschlaeger** · 10 months ago

I will look forward to this book. Having accompanied Suzanne Basso to her recent execution (Feb. 5, 2014), and having learned her full story, I can say that this journey was an experience of the dehumanizing impact of our system of criminal justice as carried out in our time. There is no doubt that the death of Buddy Musso was cruel, even brutal, and totally unnecessary. But there is also no doubt that if we in the State of Texas had a truly competent system of criminal justice and all accused had access to competent defense and appropriate psychiatric care, there is also no doubt that victims like Buddy Musso and offenders like Suzanne Basso would still be alive today. Such incomprehensible behavior on the part of Suzanne and the other perpetrators cannot be justified, but it certainly can be plumbed to the depths possible to try to understand the human dynamic at work in such deeds. Our system is based on a desire to condemn and destroy lives, not to understand and compassionately save them. Our system is based upon a desire to continue violence in our society by justifying our executions, rather than ending violence by example. By this practice, we simply find a way to legalize our own need to act out our own violent behavior. To simply rattle through a judicial process on the basis of raw law, as our courts for the most part do, is to bury our own humanity as a society, along with the executed. Unless we can face the depths of our own humanity, and the circumstances in our society that create killers, we can honestly say that our system of Criminal Justice is not worthy of the name. For we refuse as a society and as a system to learn anything from murderous behavior, and so to prevent it in the future. Our system's failure to bring about true criminal justice based on human intelligence and creative response is equal only to our failure to comprehend mental illness or to make serious attempts at helping other human beings to overcome their own traumatic childhoods. It's just easier to convict them of criminal actions and then kill them. But that is not justice, even when they are guilty. Such legal behavior has failed to take into account the full human person and their personal history as a key to real justice. The story of Suzanne Basso's human history was ignored by her "defense attorney" and silenced by the courts as the appeals attorney requested funds for a "mitigation expert" to explore Suzanne's full story but was denied. If the State of Texas and the courts, most of all her court-appointed "defense attorney" had interpreted their roles intelligently in the light of twenty-first century understanding of the human personality, seeing Suzanne Basso as a human being, not just as a killer under the law, they might have helped Suzanne recover from her childhood experiences of violence. If such diagnosis could have been made early in her adult life as she was drifting into her own violent lifestyle, she and the victim, Buddy Musso might well be alive today. Is it asking too much for the Texas Criminal Justice system, the Board of Pardons and Paroles and the present Governor to move out of a 18th century mentality and understanding of "justice" and move into the 21st? Of course not. In fact, not to do so is to continue being "legalized killers" in our own right, with little comprehension of true justice. If we as a society do not insist on systemic change, then with every future execution, we will continue our own descent into more and more dehumanizing, violent behavior. Like it or not, the Suzanne Basso's and the Buddy Musso's of our society are our sisters and our brothers in the human family, and we are their keepers. Will our answer to this challenge be the same as Cain's in Genesis, in denying that fact before the Giver and Taker of Life, "Am I my brother's keeper"? If we do, we will have no right to mercy when we appear before our God to account for our own lack of compassion and mercy.

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