

Philosophy

ONE TINY MOMENT

IN AN INSTANT, EVERYTHING CAN CHANGE

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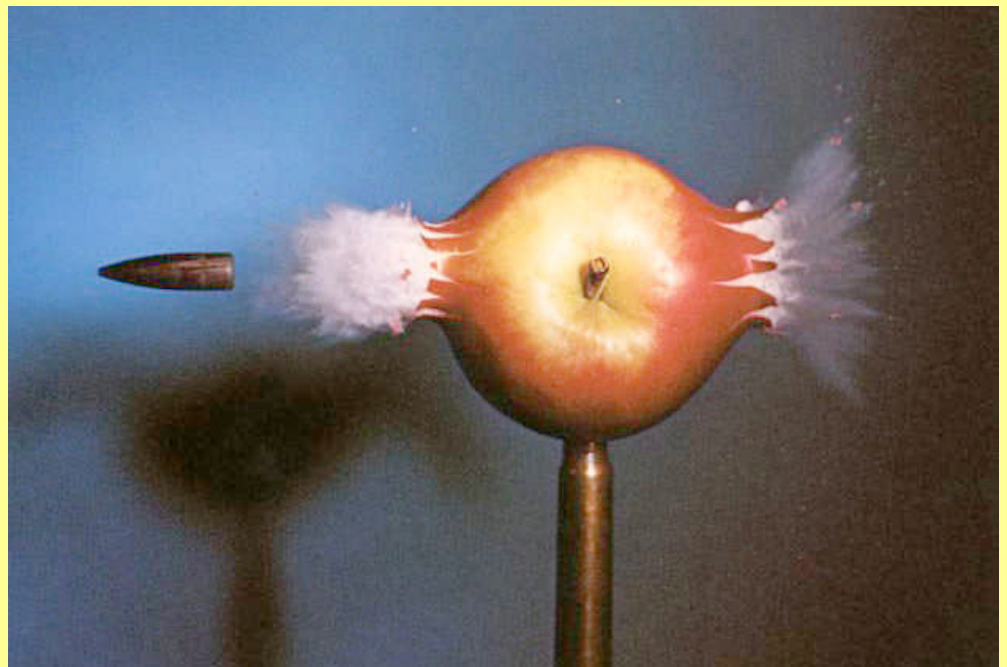
If not for a momentary twist of fate, you could be in prison right now.

Or crippled for life. Or even dead.

Actually, being dead might not be that bad. Family Court Chronicles has no insight into the hereafter, but we imagine it is quite painless. The people you leave behind might be upset, but they'll probably recover and move on. The nice thing about death is that it provides closure. There's no negotiation or turning back.

A lot of things can happen to you in an instant that you can't recover from and that don't offer the convenience of death. A car swerves off a road or a bullet shatters a spine, and suddenly everything changes. It could happen to you today, no matter how secure you feel, because your control of these fateful moments is very limited.

You can be a perfect driver, doing everything right as you transport your family to church, and still a truck can



drift from the other side of the road and smash your life to hell. You may be able to control your own misjudgments but not those of others or the random acts of the world.

It would be nice if we could rewind the tape five seconds, move six inches to the left, then play events over again, but life doesn't give us this chance. Some moments just come out of the blue, hit us hard, then leave us to deal

with the mess.

It is surreal when it happens. Just an instant of inattention is all it takes, and then you're mowing down pedestrians on the sidewalk. When it's over, you say to yourself, "Did this really happen?" For a few minutes, you're in denial, but then as the police cars and ambulances arrive, you realize that it did happen; you're at fault, and there is not a damn thing you can do about it now.

Much of our lives is determined by these nearly instantaneous, quasi-random events, but no one seems to know how to deal with them. Retribution is the first knee-jerk impulse. Our criminal justice system is built upon it.

If someone did something wrong, and this action results in a tragic unintended effect, most of society's efforts are focused on "holding accountable" the person who triggered the event rather than trying to repair the damage. We'll throw his ass in jail for 20 years, at a cost of some \$20-30k per year, while the surviving victims, unless they can sue somebody, don't get nearly the same amount of attention.

In fact, the perpetrator could be any one of us, especially during our adolescence and young adulthood. We take a foolish chance or make a flawed judgment, and two seconds later—Wham!—the consequences hit us.

All of us have had these momentary lapses in judgment where the only thing that ultimately separated us from death or a lifetime of imprisonment was a thin veneer of luck. A few inches to either side, two seconds soon or later, or one more word spoken, and all of our dreams might have been shattered.

Most of us have actually experienced this fate or know someone who has. One moment, you have a normal life, and the next, it is turned totally upside down.

The real world can be incredibly unforgiving. It won't give you your eye back after it has been poked out, and it won't unkill the friend who just died. The criminal justice system is also unforgiving. If you "caused" the disaster, then you are going to have to "pay" for it, even if this was a once-in-a-lifetime misjudgment and the payment does nothing to repair the damage.

You see it in juvenile justice. Two teenagers get involved in a trivial dispute. One of them goes home, gets a

gun (because there are plenty of guns in this neighborhood), comes back and shoots the other. In fact, this happens to nearly every teenager: They lose control. Probably the only reason this particular scenario never happened to us during our own adolescence is that we didn't have access to a gun or have it in our hands at the precise moment we lost control.

Nevada law can be brutal and inflexible. If a youth of any age is accused of murder, he is automatically tried as an adult, and if he is convicted in adult court, he must be given a long mandatory sentence, sometimes 40 years. Thereby, a momentary loss of control and impulsive pulling of a trigger takes not one life, but two.

A momentary lapse, such as we have all experienced, is fundamentally different from a carefully planned scheme. If someone poisons their spouse for the insurance money, then they truly do need to go to prison for a long time, because the crime reflects their long-term personality and is likely to be repeated. Their childhood, no doubt, was tragic, and prison is also tragic and won't fix them, but there is a greater sense that "justice is served" in these cases, in that you are at least getting a dangerous person off the street.

With many impulsive crimes, the perpetrator wasn't dangerous before the event and won't be dangerous after. The muscles just moved in the wrong way; there was a loss of emotional control, and something terrible happened that wasn't really intended. Punishing this person, at least in the United States, is more a matter of simpleminded accounting than societal protection. Crime "X" requires punishment "Y", regardless of the circumstances or the ongoing threat to society.

With or without a perpetrator or a misjudgment, bad things are going to happen. People are going to be struck by lightning. A "stomach ache" is going to

turn out to be a heart attack. Car tires are going to blow out at high speed. Almost always we can say there were things we could have done to change the outcome, but after the instant has passed, such thoughts are irrelevant. The moment cannot be erased, no matter what kind of accounting we do.

We can try to be safe for now, and this certainly improves our odds. If we always drive cautiously and proactively, then our chances of having an accident are greatly reduced, although never eliminated. By "obeying the rules" in whatever we do, we are at least assuring that we won't be subject to the big, dumb societal accounting system when bad things happen.

Bad things are going to happen to us no matter how careful we are. It is silly to think that they won't, that the rest of our life will be catastrophe-free, because we control so little of the world around us. It is wise to be ready for these tragic moments, not necessarily with emergency supplies but with a frame of mind that is ready to accept and absorb them when they happen—even forgive them.

Nothing you see around you is permanent. No matter how many locks, alarm systems or insurance policies you have, no matter how safe you think you are or how firm the law may be, it is all subject to the whims of happenstance and humanity.

If you want to survive the next instant disaster, then don't deny the possibility of it and don't build a fragile glass house for yourself. You need to live closer to the core of life, as though it were going to end in six months. If it doesn't end in six months, then you should consider yourself lucky. Then you can see how many more accident-free days you can squeeze out of the experiment 'til the Big One gets you.

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