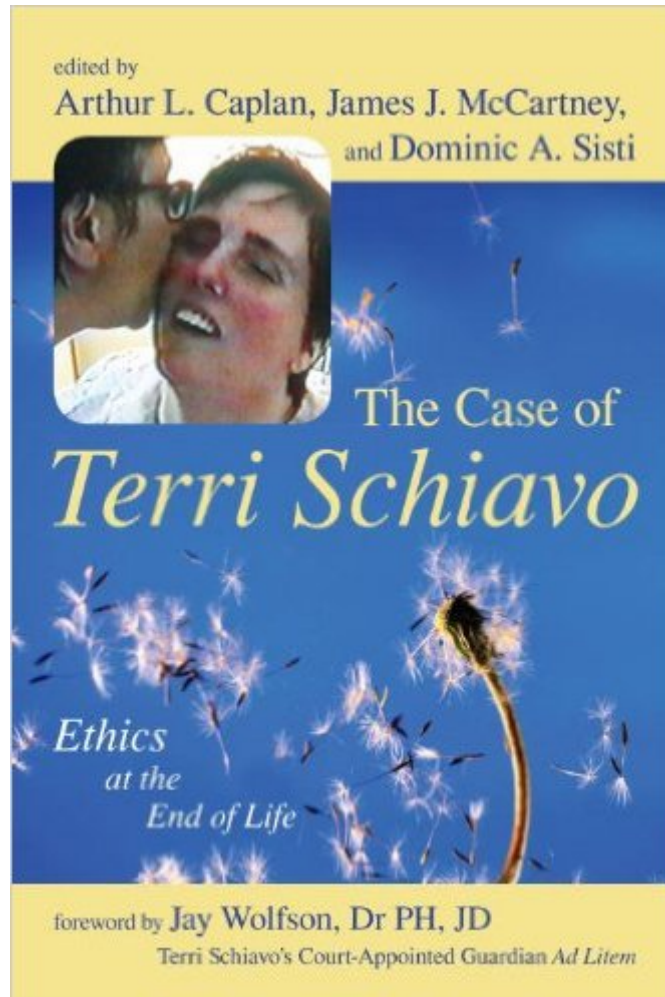


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# The Case Of Terri Schiavo: Ethics At The End Of Life



## Synopsis

After the Nancy Cruzan case was decided by the Supreme Court in 1990, and ultimately resolved by the Courts of the State of Missouri, the decision to withhold or withdraw life-prolonging nutrition and hydration appeared to many to be as noncontroversial as decisions to refuse respirators or dialysis. Even the Catholic Church held that, although there should be a presumption in favor of providing nutrition and hydration, the patient or the patient's surrogate could overrule this presumption, if either believed the treatment was disproportionate or burdensome. The Schiavo case changed all that. Although the decision to remove Terri Schiavo's nutrition and hydration was made by her husband — her legal surrogate — based on his wife's belief that such treatment was disproportionate, Schiavo's immediate family protested so much that the case took years to resolve. It eventually involved all branches of government at both the state and federal levels. The ethical dilemmas that such cases pose continue to stir great controversy. This in-depth examination of these dilemmas provides information and documentation from many perspectives. The editors have included a foreword by Dr. Jay Wolfson, Terri Schiavo's court-appointed guardian ad litem, as well as Dr. Wolfson's report to Gov. Jeb Bush on the case and Gov. Bush's reply; public statements by President George Bush and Senators David Weldon, Rick Santorum, Tom DeLay, Bill Frist, and Barney Frank; statements by the pope and other representatives of the Catholic Church on this issue; plus much medical and legal background material on both precedents to the Schiavo case and its aftermath, including the results of the autopsy report. For anyone wishing an in-depth understanding of these complex ethical issues, issues many of us will have to confront in our own families, this volume is indispensable.

## Book Information

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## Customer Reviews

There have been several books on Terri Schiavo. Jon Eisenberg wrote "Using Terri". He was the lead counsel for Michael Schiavo, Terri's husband in his litigation with the Schindlers (Terri's parents). The Schindlers had also written their own book, "A Life that Matters". Their lawyer himself wrote "Fighting for Dear Life". Michael Schiavo wrote "Terri: the Truth". These books are clearly partisan and some, especially that of the Schindlers were highly emotive. "The Case of Terri Schiavo", edited by Caplan, McCartney, and Sisti is a compilation of various materials written contemporaneously or shortly after the case(s) - the Terri litigation involved many rounds in various courts. Some of the materials in Caplan's book were clearly non-partisan. They might be described as "objective" in the sense that they were documents prepared impartially even though the conclusion favoured one side instead of the other. One such document was the autopsy report. There were others that were not objective. Most of the less objective ones were based on religious beliefs rather than fact, evidence, and reason. Edward Furton's article in the book, for example, questioned the basis which a person can be said to be "unaware". Furton believed in the Catholic view of the human soul (whatever that might be). Such writers have not answered the basic question that Ronald Dworkin posed in "What is Sacred?" (Bioethics, Oxford University Press, 2001). Even assuming that a person in a persistent vegetative state (as Terri was) could regain momentary consciousness from time to time (which wasn't the case with Terri Schiavo), the question would be whether that person would desire continued medical treatment or be left to die without further and useless treatment?

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