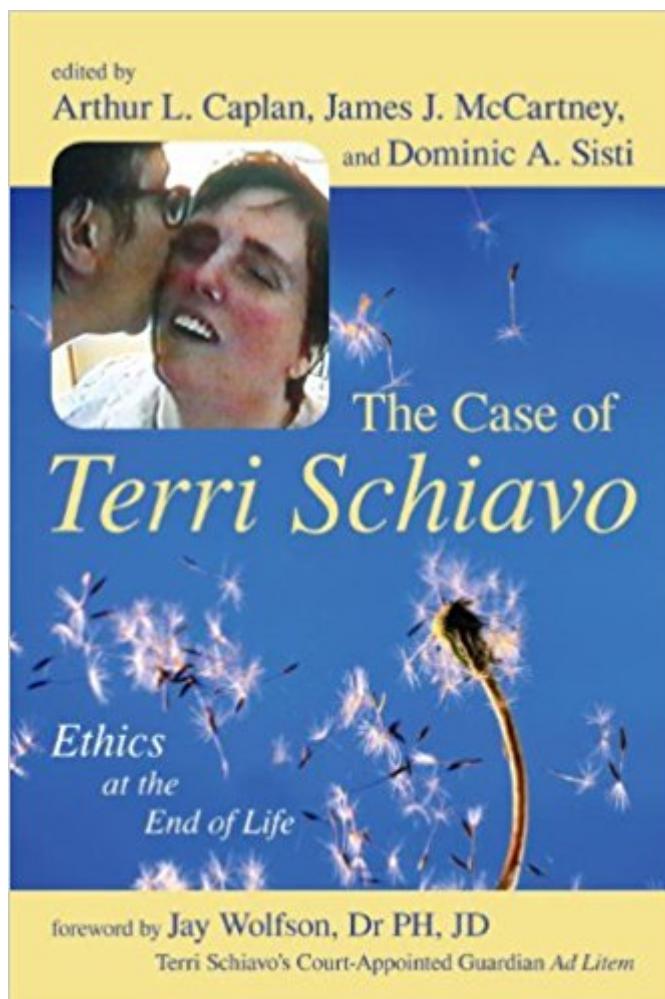


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# The Case Of Terri Schiavo: Ethics At The End Of Life



## 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

"Unlike many popular biographies that simply try to re-create events, this book is an objective scholarly anthology of documents, reports, and opinion pieces highlighting the complexities of an emotional case." - Library Journal "The Schiavo case constituted the perfect storm of medical, legal, moral, and constitutional disputes. In this anthology the editors have gathered a veritable treasure house of primary sources - from medical records and court documents to papal statements - to assist the reader in understanding the controversies and assess the issues." "The Case of Terri Schiavo will prove to be an invaluable resource for anyone teaching courses in law, medicine, and bioethics. Nowhere else will they find such a complete source of primary documents on the full range of issues that marked the Schiavo controversy." "This anthology is truly an outstanding collection of sources that would otherwise be unavailable except to the most resourceful scholar." John J. Paris, SJWalsh Professor of Bioethics, Boston College

The Case of Terri Schiavo: News and Reviews "The case of Teresa Marie Schiavo will long stand as an iconic moment (albeit a "moment" that lasted 15 years) in the history of the "right to die" in this country. The media's feeding frenzy is largely responsible for the notoriety, but theirs was a curiously fact-free frenzy, especially light on legal perspective, ethical context and expert medical opinion. This book - assembled by three bioethicists at the University of Pennsylvania, including the ubiquitous Art Caplan - gives us what thousands of pages and hours of pathos-soaked reporting largely ignored: key documents, judicial opinions, state and federal laws, timeline, and representative commentary that explain and clarify exactly what the Schiavo case was and wasn't about. Scholars, politicians, academics and citizens will debate the lessons learned from the Schiavo case for many years to come. That debate will be thin stuff, indeed, if the participants ignore the material in this important and definitive treatment of Terri Schiavo's case." - Tom Mayo, The Dallas Morning News, August 9, 2006. "With The Case of Terri Schiavo: Ethics at the End of Life, bioethicists Arthur Caplan, James McCartney and Dominic Sisti make a valuable contribution to the ongoing debate by allowing readers to digest the various source documents for themselves." - Nancy Frazier O'Brien, Catholic News Service. July 31, 2006. "Decision making at the end of life is an extraordinarily complex endeavor. Those who wish to fully learn from the life and death of Terri

Schiavo and who seek to deepen their understanding of how various individuals confront these difficult decisions will find ample resources in this remarkable collection of documents."- Paul Bascom, MD, JAMA. 2006. 296:339-340. "At first glance it would seem that The Case of Terri Schiavo: Ethics at the End of Life is another focus on her case alone - but actually its focus on end-of-life ethical questions holds far more meaning for the living than for the dead of the past. The ethical dilemmas surrounding end of life are many - and are surveyed in depth in a coverage which uses not just Terri's case but similar cases to expose issues, struggles and obstacles to quality of life and survival. Essays cover everything from legal issues and points to ethical concerns." - California Bookwatch, May 2006. "The only book I'm interested in reading about the Terri Schiavo case - if and when I'll ever have the stomach to revisit it - will be the new one co-edited by Penn medical ethicist Art Caplan. The Case of Terri Schiavo: Ethics at the End of Life breaks down the issues of Terri's death in a way that's enlightening to the national debate about who gets the final say about how we die. Unlike the other books, it exudes dignity. Now there's a legacy for Terri Schiavo." - Ronnie Polaneczky Philadelphia Daily News, Tue, Mar. 28, 2006. "The case had a searing impact in many ways on Americans in terms of the battle, and the plight of the young woman, and the family fight was certainly dramatic and commanded everyone's attention ..." said Arthur Caplan, co-editor of The Case of Terri Schiavo: Ethics at the End of Life." March 28, 2006, The Guardian "[This] book is a dossier that includes court documents, the autopsy report, the text of Senate Majority Leader Bill Frist's March 17 statement that questioned Terri Schiavo's diagnosis and various statements by the Catholic Church on artificial nutrition and other end-of-life issues." The Philadelphia Inquirer, Feb. 19, 2006. "...this book is an objective scholarly anthology of documents, reports, and opinion pieces highlighting the complexities of an emotional case...Highly recommended for academic, health, and larger public libraries." --Tina Neville, University of South Florida, Library Journal Reviews, Feb. 1, 2006.

I purchased this book for an Ethics class I was taking for my RN-BSN Degree. This book does an excellent job of focusing on the ethical dilemma of this very sad case. One of the very important points that is made clear is that each and everyone of us needs to have a very detailed and succinct Advanced Directive on file. It doesn't matter how young we are. So much of the angst of this case could have been avoided by a clearly delineated Advanced Directive.

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? Would that person himself/herself wish to be in THAT condition - physically paralysed, unconscious 99% of the time, and in rare moments of wakefulness, be incapable doing anything. The materials in Caplan's book will help the reader contemplate this question rationally. The non-rational religious declarations only serve to highlight how unreasonable we can be when it comes to the rights of other people. As Dworkin wrote: "Making someone die in a way that others approve, but he believes a horrifying contradiction of his life, is a devastating, odious form of tyranny."

Arthur L. Caplan, James J. McCartney, & Dominic A. Sisti, editors *The Case of Terri Schiavo: Ethics at the End of Life* (Amherst, NY: Prometheus Books: [...], 2006) 352 pages (ISBN-10: 1-59102-398-X; paperback) (ISBN-13: 978-1-59102-398-2; paperback) (Library of Congress call number: R726.C357 2006) (Medical call number: WB60C377 2006) This is a collection of writings previously published having some bearing on the case of Terri Schiavo. Some are provided as background medical ethics. Others specifically discuss the case of Terri Schiavo. Main sections: Facts and other cases of patients in PVS; Florida legal decisions; Federal actions: courts, Congress, President; Roman Catholic positions on patients in PVS; aftermath. This reviewer found the Roman Catholic section the most useful. It shows that many different Catholic moral thinkers have faced the

issue of what to do with patients in PVS. Most of these thinkers find some situations in which it would be permissible to disconnect life-support systems. This volume can be used mainly as a source book: It presents the basic facts and general opinions for further study. The introduction to each section is rather brief. And some of the more technical documents, such as the autopsy report, could have been explained in terms more readily intelligible to laypersons. Other books about Terri Schiavo provide deeper analysis of the implications of her case. If you would like to read other reviews of similar books, search the Internet for: "Books on the Right-to-Die". James Leonard Park, advocate of the right-to-die with careful safeguards.

At first glance it would seem that **THE CASE OF TERRI SCHIAVO: ETHICS AT THE END OF LIFE** is another focus on her case alone - but actually its focus on end-of-life ethical questions holds far more meaning for the living than for the dead of the past. The ethical dilemmas surrounding end of life are many - and are surveyed in depth in a coverage which uses not just Terri's case but similar cases to expose issues, struggles and obstacles to quality of life and survival. Essays cover everything from legal issues and points to ethical concerns. Diane C. Donovan, Editor California Bookwatch

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