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Holding on, holding fast

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The removal of Terri Schiavo's feeding tube signals an end may be near in a highly public family feud that has galvanized activists on the right-to-die issue and ignited a new debate about state and federal powers.

Terri Schiavo was 26 when she suffered a heart attack in 1990 that starved her brain of oxygen and left her in what doctors called a "persistent vegetative state." Eight years later, Michael Schiavo began legal proceedings to remove his wife's feeding tube.

Her parents, Bob and Mary Schindler, disputed doctors, saying she could get better.

Several right-to-die cases across the nation have been fought in the courts in recent years, but probably none since the landmark Karen Ann Quinlan case in 1976 - which established the right to die - have been this drawn-out and bitter. Here are the medical, legal, and ethical and religious arguments that have been waged.

MEDICAL ARGUMENTS

Remove the feeding tube: Court-appointed doctors testified that Terri Schiavo was in a "persistent vegetative state," defined by Florida law as a permanent and irreversible condition of unconsciousness in which there is an absence of voluntary action or cognitive behavior of any kind. Chances for any meaningful recovery were nonexistent, they said. That gave her husband the right to ask that her feeding tube be removed.

Leave tube in place: Terri Schiavo's parents argued that their daughter's behavior does not meet the medical or statutory definition of persistent vegetative state, and they found doctors to back them up. Terri responded to stimuli, tried to communicate verbally, physically distanced herself from irritating or painful stimulation, they said. None of these behaviors are simple reflexes and are, instead, voluntary and cognitive.

LEGAL ARGUMENTS

Remove the feeding tube: With no written medical directive, it was up to Terri Schiavo's husband, as next of kin, to decide for her. Saying she had expressed a desire not to be kept alive artificially, he asked that the feeding tube be removed. Court-appointed doctors testified that her brain damage was extensive and there was no hope for her brain to recover. Circuit Court Judge George W. Greer, since 2000 when he made his first ruling, has supported Michael Schiavo's position. State and U.S. Supreme courts refused to hear appeals.

"In California, the spouse would have priority and you would have to show good cause why the spouse shouldn't be her conservator," said Donna Bashaw of Mission Viejo, vice president of the National Academy of Elder Law Attorneys. "It is my understanding that ... every single time there has been a court hearing, it's come down that they could remove life support."

Leave tube in place: With Florida law upholding Michael Schiavo's rights, it was up to her parents to prove that their daughter was not in a persistent vegetative state or find arguments to have Greer's ruling heard on appeal. As late as January 2005, they argued that her due-process rights were violated because she has never had her own attorney. On that basis, they asked the judge to void the order to remove the tube. The Schindlers also asked to have Michael Schiavo removed as his wife's guardian. Both legal arguments were rebuffed.

"It was probably reasonable he be named conservator at first," Bashaw said, "but as years went by and he developed another relationship and had children, he was not a spouse in any other way but legally."

"The problem is that not all that many years ago, you knew when someone died. Now, with technology it makes it harder to determine."

ETHICAL ARGUMENTS

Remove the feeding tube:

"Every sign is that this person has been brain dead for a long time, so all she has left is human form," said Francisco Ayala, a professor in the Department of Ecology and Evolutionary Biology at UC Irvine.

"You cannot really call her a living human being because a human being is characterized by the functioning of the brain - most significantly the cerebral cortex, which differentiates us from other beings," said Ayala, whose expertise includes the intersection of science and religion.

"So in my view, therefore, this settles the question whether to keep her alive or not."

Ayala also cited ethical use of limited medical resources. "The fact is that health resources are limited. Surely there is a moral obligation to use health resources in a way that is responsible."

Leave tube in place: Whether Terri Schiavo exists in a permanently vegetative state should not affect society's decision to continue caring for her, says Jennifer Lahl, founder and national director of the Oakland-based Center for Bioethics and Culture.

"We need to feed her whether she stays this way or not because we should not be in the business of starving someone to death. Terri Schiavo is not terminal. Her feeding tube keeps her alive.

"I think the minute you start putting categories around people to say they no longer count, you (damage) what makes us a civilized society. Then all the gloves are off from premature babies to inmates on death row."

RELIGIOUS ARGUMENTS

Remove the feeding tube: Accept the will of God.

"We don't act in the place of God," said Rabbi Lawrence Goldmark of Buena Park, executive director of Pacific Association of Reform Rabbis. "That is to say, we wait for God to do his will.

"However, what's happened here is that modern science has created these procedures that keep somebody going.

"So the answer is case by case. What do the doctors say? Is there a reasonable chance that the person will survive or that there will be a cure in the reasonable future?

"The advice I give in my congregation is to take the advice of the experts and recognize that life in a bed without any kind of consciousness is not really life."

Leave tube in place: We must respect the dignity of life.

"I would side with the parents in this case," said the Rev. E. Wayne Wilson, pastor of St. Barnabas Orthodox Church in Costa Mesa. "It sounds like there is a chance that she is alive."

Wilson said he is not always against removing life support, but only when all hope is gone.

His son's reaction to lung surgery showed Wilson doctors don't always know best.

"They told us he wouldn't understand what was going on or hear us. Midway out of the anesthesia, he started mumbling

and they said it was nothing, that he didn't know what was going on.

"But my wife put her ear down to his mouth and heard what he was saying. In three different languages – Swahili, Greek and Arabic – he was saying 'Lord have mercy.' Bless his heart, what had been imprinted on his soul through his church experience was coming out.

"If there is reasonable doubt, you hang on. If there is hope, you wait to see God's will. If there is any doubt, how can we dare step in and play the part of God?"