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In Theory: Should jurors consider religious beliefs in a manslaughter case?

Two members of an Oregon-based faith-healing church have been convicted of manslaughter after failing to get medical help for their sick infant, David. Dale and Shannon Hickman instead rubbed olive oil on the baby and prayed over him after he was born 8 weeks early in 2009 with a bacterial infection and underdeveloped lungs. David died nine hours after being born.

Medical experts called by the prosecution asserted that there was a 99% chance that David would have survived if given proper medical care. When asked why he didn't call 911, David Hickman said, "Because I was praying," and added that he and his wife never even considered calling for help. The Hickmans' lawyers claimed the couple were brought to trial because of their religious beliefs. Jurors took less than four hours to convict them.

The case, the latest of several to involve members of the Followers of Christ church in Oregon City, has spurred Oregon governor John Kitzhaber to remove legal protection for parents who rely on faith healing and eschew medical help. The repeal of the law will not affect the Hickmans' sentencing; they face up to 18 months in prison instead of the mandatory manslaughter sentence of 6 years.

Should religious beliefs and practices take precedent in such a case, or should authorities have the power to force parents to seek medical help?

Answer:

How sad that an infant less than nine hours old had to die because of his parents' belief that God would heal his deadly infection and underdeveloped lungs through prayer and without the use of any medical treatment. I cannot believe in a God that would allow such a thing to happen. To me, such an idea is like saying that no one should have interfered with the perpetrators of the Holocaust because the extermination of six million Jews and millions of others was God's will. Such beliefs are both bad science and bad theology.

The progress of medical research throughout the centuries has helped us to find cures for large numbers of diseases. Such discoveries have allowed many people to overcome the life-threatening effects of serious illnesses and to go on

to experience significant and productive lives. We have brains and the ability to use them to make life better for those who are in need of healing care. How can people believe that such advances should not to be used for good as the blessings they are?

As a Unitarian Universalist Panentheist, I believe that each of us is endowed with a spark of the divine and that we are surrounded and connected by a divine force that works for good in our lives and in the world. When we deny the gifts that a positive force such as medical science can provide, I am convinced that we are rejecting the very foundation of an enlightened life. And I believe that medical science is a powerful revelation of the divine working for positive outcomes in our lives.

I am not suggesting that prayer cannot be a powerful source of comfort in times of great distress. But people of good will and governmental bodies who are mandated to provide care for those who cannot defend themselves should not support a belief that allows prayer, by itself, to take the place of medicine. As we have seen in the Hickman case, the results can be deadly.

We cannot bring back the life of baby David Hickman. But I hope that we can protect other infants from his unnecessary fate. May it be so.

The Rev. Dr. Betty Stapleford
Unitarian Universalist Church of the Verdugo Hills
La Crescenta

Authorities should be allowed to save an infant's life. My own belief is that doctors and others in the healing professions are doing the Lord's work. Living in this century, if you or I need to travel to the East Coast, we are going to fly, take the train or bus, or drive. We are not going to walk or ride a donkey, even though that's what Jesus and other biblical figures would have done.

I believe in prayer and its power — but when I have diarrhea, while I am asking God to heal me, I am also reaching for the paregoric or whatever other medication I can find that will stop the “passing through,” which is what the word “diarrhea” means.

Not to make light of the tragedy of the little boy dying in Oregon, but that Christian sect to which little David's parents went was almost certainly an ultra-

fundamentalist group. Such believers usually have a first-century worldview which I don't happen to share. Heaven is not "up there" and Hell is not "down there." Evil spirits don't cause disease; bacteria and viruses do. Demons don't inhabit people; mental illness does.

As people of faith in the 21st century, we take the ancient faith and modern medical science together. We live in the real, contemporary world at the same time we hang on to the ancient faith. As I have said before in this space, Jesus said we must love the Lord our God with all our heart and mind and strength (Matthew 22:37). For me, to love God with my mind means to accept the wonderful knowledge that modern medical science has brought us.

In Jesus' day, folks believed the sun, moon and planets revolved around the Earth. These days we know, thanks to Galileo and others, that that's not how things are. So we must integrate our ancient faith with what we know from the centuries of study since the Bible and other ancient texts were written. The hand of God can be anywhere, including the healing medications that are available to us.

There's a story of a man of faith who has moved up to his roof to get away from rising flood waters. Rowboats come to get him, but he declines, saying, "God will save me." Helicopters come to get him, but he declines again. Finally the flood waters cover him and he drowns. When he is standing before God in heaven, he says to the Almighty, "I trusted you to save me!" God shoots back, "Who do you think sent those rowboats and helicopters?"

Little David's parents refused to see the rowboats and helicopters that God had made available to them. Sad.

The Rev. Skip Lindeman
La Cañada Congregational Church
La Cañada Flintridge

I'll never forget whacking our first daughter's little head on the car roof once as I put her into her car seat. Her look clearly said, "What, you're in charge?" We were so ignorant that we ended up in the emergency room after a day of what we thought was just routine spewing at both ends. We didn't understand that formula wasn't helping, or how quickly that condition can turn tragic for an underweight baby.

Yet when we sought medical care for our second daughter's serious medical condition immediately after our arrival home with her from China, I was proactive in the extreme with the family practitioners and refused surgery on her at one point. (The specialists we turned to agreed that the surgery was unnecessary, by the way.)

I don't fault the Hickmans for wanting to be in charge of their son's treatment and I was prepared to give them the benefit of the doubt as new parents until I read that David was their third child.

I don't criticize using prayer to aid healing, since research shows that it can help. But the benefits accrue to those whose spirits are lifted by their own prayers or by knowing that others are praying for them. Neither awareness is present in the case of an infant.

What I blame them for is not using the brains that God gave little green apples, as they say.

David surely would have been better off under a comprehensive public health system, unlike the tattered patchwork here in the U.S. All families with new babies would benefit, as ours would have.

How can the Hickmans have watched little David so obviously struggling to survive without being moved to do everything and anything to save him, whether it fit their beliefs or not? And had the grandmother also drunk the Kool-Aid to watch her grandson die without proper care under her roof?

The Hickmans say, "God's will be done," but it sounds to me more like their own stubborn self-centeredness at work.

Parental rights do not extend to child endangerment, abuse and abandonment. When that line is crossed, obviously the authorities must step in and force needed treatment.

I also blame all of us for being complicit in not drowning out the ignorant elements in our country who decry universal health care as socialism, while at the same time allowing victimization of the helpless because of religious or other beliefs.

Roberta Medford
Atheist
Montrose

This seems to be a case of religious freedom versus common-sense responsibility. In a free society, both are necessary. At some point the government must be hands-off regarding our practice of faith. But at some point our failure to act responsibly becomes criminal neglect, even if we had the best of intentions. Cases of life-threatening danger deserve the closest governmental scrutiny.

This is a very tragic case of parents who wanted to do the right thing for their child and also to be faithful to God. I do not condemn them in any way. But it seems to me that they have misunderstood and misapplied some important biblical principles. They have apparently been taught that God should have healed their child without the use of medicine readily available to them. But one could also use that reasoning to argue that God should feed hungry people around me without my actually having to give them some of the extra food in my pantry.

Mature, authentic faith is both doctrinal and practical. "What use is it, my brethren, if a man says he has faith, but he has no works? Can that faith save him? If a brother or sister is without clothing and in need of daily food, and one of you says to them, "Go in peace, be warmed and be filled," and yet you do not give them what is necessary for their body, what use is that?" (James 2:14-16). Administering medicine is the use of what God has provided for our good, not a denial of his ability to heal.

Pastor Jon Barta
Valley Baptist Church
Burbank

Although some groups may urge individuals to rely exclusively on faith and prayer in times of sickness rather than seek medical help, in my view this approach is sacrilegious and represents an offense to God. I believe that God requires each one of us to cherish and guard our health, and, when necessary, to get professional medical attention. A person who circumvents proper medical

care when needed is in essence destroying life, which is a divine gift that does not belong to us to mistreat.

The spiritual teachings of many diverse religious traditions pay tribute to the sanctity of life. Treating this special gift disrespectfully is an affront to God Almighty. Our creator has graciously given us the scientific knowledge to cure many illnesses, advanced medical equipment to assist the process, and hospitals where the two come together to provide us the ability to restore health. Therefore, I feel strongly that legal authorities should prosecute and punish parents who use the cloak of religion as a cover for reprehensible behavior toward their children.

A case like this inevitably stirs powerful emotions, and rightly so.

Parents of a child who died or was harmed as a result of neglect are guilty of a crime, regardless of whether they claim to be following some kind of religious code. It is frightening to contemplate that there are mothers and fathers out there who would be so irresponsible and careless with the precious lives of their little ones.

Rabbi Simcha Backman
Chabad Jewish Center

Freedom of religion is an important right under the 1st Amendment that limits government's intrusion into religion. That right, however, is not absolute. Under Constitutional law, if religious practices threaten the welfare and safety of individuals, that right can be limited.

Governmental laws that require individuals to seek medical assistance in matters of life and death clearly are within the scope and role of government. The harder questions involve how far these laws can go in restricting religious practices and what the consequences are if those laws are violated. For example, should a violation of such laws result in a crime that is punishable by prison time? For Oregon, that is the case.

A corollary question to this is, what is the role of faith healing in our modern world of medicine? To me, one should take advantage of what medical science can offer. We have made tremendous strides in understanding and curing many diseases and ailments. At the same time, we have to acknowledge that modern

medicine cannot cure all diseases and ailments and that modern medicine is still both a science and an art.

In 1 Corinthians 12, the apostle Paul wrote about the gifts of the spirit. One of those gifts is the power to heal. The scriptures are replete with examples of individuals with the power to heal and with individuals who have the faith to be healed. See, for example, Acts 5:15-16 and 28:8-9.

Why shun modern medicine? Rather, shouldn't we combine the powers of modern medicine and faith to help those individuals suffering from disease and sickness to get well? The combination can be a powerful force for good.

Rick Callister
Church of Jesus Christ of Latter-day Saints
La Cañada

Religious beliefs and practices should not take precedence in cases where a child requires medical care. It is a basis of a civilized society that children should be protected and cared for. It is understandable that there are reasons adults often do not seek the medical care they need. A person may distrust certain aspects of modern medicine, or wish to avoid certain treatments or side effects.

I sometimes avoid seeing doctors because of personal questions about the efficacy and scientific basis of select procedures.

This issue brings up questions of where our society should draw the line between religious liberty versus enforcement of secular law. A helpful guide for our society is the legal finding that says parents with religious convictions cannot enforce martyrdom on their children.

In modern societies like ours, the state grants families a large degree of freedom in managing the nurturing and care of children.

Mostly in the United States, that freedom has ended when there are acts or behaviors that appear to be neglectful or abusive.

For some religious practitioners, faith is all important and supersedes the will and laws of the state.

While religious believers might feel superior to the dictates of modern medicine and the rule of law, they should demonstrate an understanding of the choices they are making. Many adults choose to manifest certain beliefs with actions that result in martyrdom or other negative consequences.

But just as we assume that those adults know what decisions they are making, decisions that are made for children should be made clearly, deliberately and seriously. If a parent claims the right to make a decision about medical care for a child, that parent should demonstrate an understanding of the medical symptoms, treatments and likely outcomes for their possible decisions. It is not enough for a parent to be proud of his or her ignorance and make a decision with no basis in medical knowledge. I think the Oregon governor made the right decision in removing protection from parents who rely on faith healing and prevent their children from receiving medical care.

Steven Gibson
South Pasadena Atheist Meetup
Altadena

On the one hand, I appreciate the utter trust that the Followers of Christ group has in God. God creates life, God has power over life, and therefore God can choose to sustain life or not. It is an extremely faithful position to take. Few of us are willing to take it that far.

On the other hand, it is one thing to take that position when one's own life is at risk, and another to take it on behalf of someone else. I have known people who decided not to pursue treatment, but chose instead to live their last days with gratitude and die with the assurance that God waits for them. Such deaths sometimes surprise us by how they offer spiritual comfort to everyone around.

But the question in this case has to do with a child who cannot make such decisions for himself. It is hard to reason that a God-created child who has fought his way into the world is somehow not intended to live. It is hard to make the argument that the researchers and practitioners who have invested their lives in developing life-sustaining medical techniques have done so in vain. It is hard to figure out how the three midwives reconcile their calling to bring life into the world with a decision to stand by while life left the world.

I have lots of questions, and I am aware that the future holds more complicated

ones about who holds the keys to life and death. For now, I will just think about these parents who must have agonized over the right thing to do for a new, precious baby and who now grieve their loss in public, in prison, and in judgment. Lord have mercy.

The Rev. Paige Eaves
Crescenta Valley United Methodist Church
Montrose

It saddens me to hear that someone has fallen victim to false doctrine based on ignorant Bible application. God nowhere teaches us to avoid medical help. In fact, St. Luke is mentioned by the apostle Paul in the book of Colossians (4:14) as “Our dear friend Luke, the doctor.” In his Gospel he quotes Jesus saying, “It is not the healthy who need a doctor, but the sick” (Luke 5:31). So this notion that medical aid is unbiblical or faithless is deadly wrong. And most doctors admit they heal no one; they only facilitate healing by correcting things that hinder.

God built into us an amazing system of self-regeneration and biological defense that functions with neither supernatural nor medical intervention. But when we cannot recover unaided, we seek doctors. Then we leave it to the “great physician” to complete the task via created design or divine intervention. Throughout the ordeal we pray, but especially when we’ve no further option. There’s that moment when we must accept an outcome, but until we exhaust every resource, the time is not yet.

Hippocrates said, “Let food be thy medicine.” I hesitate to quote him lest the Followers of Christ stop eating food to further avoid medicine, but this is how absurd faith-healing has become. The problem is with the simple folk caught between a proverbial rock and a hard place. Will they believe in God or medicine? This is a false dichotomy, but they don’t know it because their cult demands they choose either/or, rather than with/and. It’s a terrible situation, and I don’t think the parents should be further punished. Their baby is dead. Think on that for a second.

Should the state protect babies from adults that would cause their death, well-meaning or otherwise? I think yes, and religiously so. I would also extend that protection to those babies still three or four inches to the other side of their mothers’ wombs, no matter the mothers’ personal choice on the matter. Don’t tell us how terrible it is that religious ignorance has caused the death of a single child

when secular society permits it wholesale, with full knowledge.

The Rev. Bryan Griem
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