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Q1. What is a State Police Power?

These are powers invested in all levels of the government to control their territory. Through these powers, the government is able to pass quarantine laws, regulate commerce, institute justice courts, and pass laws to be used in punishing lawbreakers. It is due to sovereignty power that the government is able to govern different things and men. Its powers to regulate commerce laws can be compared to those used in regulating health laws. It is due to the existence of the constitution that government powers have been restricted.

Q2. Role religion played in Quinlan and Cruzan situation. Is it appropriate for organizations to participate in litigation process?

End-of-life decision proved to be simpler in earlier years as compared to the present. Technological advancement has played a major role in changing these decisions. Due to technological tools like feeding tubes and respirators, people are able to live longer. Development of these tools has led to a great desire in the medical field to define the real meaning of death. Different definitions have been offered which have a great contrast with traditional definitions. The medical field has, however, failed to address different legal, ethical, and spiritual questions that arose due to death definition. Many people have questioned the role of religion in making end-of-life decisions. There are those individuals who believe that religion is the main determinant of decisions made during end life (Johnson, 2009).

Religion played an important role in Quinlan and Cruzan situations. According to the family members of these two individuals, it was not appropriate to use technology in regaining life. They believed that once an individual loses conscience he should be allowed to die in a natural way without enhancing life (Johnson, 2009). When doctors used a respirator to regain Quinlan's consciousness, his father who was a devout Christian rejected this by terming it immoral. Another similar case was that of Cruzan whose religious parents were against the use of artificial



hydration when he was admitted to hospital after being involved in an accident.

It is not appropriate for religious organizations to participate in such litigations. It is clear that religious definition of death is different from medical definition of death. Medical ethics and standards require health practitioners to protect life through offering continuous treatment regardless of the medical condition. Some religious values dismiss the use of technological tools in enhancing life, which is against medical ethics. Life is precious and should be preserved by all means possible. Courts should not consider religious principles but rather individual's decisions. Even though most religions dismiss the use of technological tools in enhancing life, courts should consider the desire of individual and not religious principles. This is because each individual has a right to expression according to the constitution (Johnson, 2009).

Q3. How did the Quinlan and Cruzan cases come to court and explain how the court involvement could have been avoided?

Quinlan's case was filed in court by her father. This was after doctors failed to comply with her father's command of not using feeding tubes and respirators. Quinlan's father wanted the court to assist him in stopping physicians from using this technology on her daughter. Due to his religious values, Quinlan's father thought using respirators on her daughter after being unconscious was evil. He therefore stepped in to make end-of-life decision on behalf of his daughter. The involvement of the court in this case would have been avoided if the doctors had complied with the request of Quinlan's father. Another way through which this case would have been avoided was by Quinlan's father allowing the doctors to carry on with their duty of protecting life (Johnson, 2009).

Cruzan's case on the other hand was filed to court by parents. Cruzan's parents wanted Missouri Department of Health to withdraw the use of artificial hydration after she was involved in a fatal accident. It is through this accident that Cruzan suffered brain damage. This case would have been avoided if Cruzan's parents together with Missouri Department of health had allowed Cruzan to have a say on



the medical measures she wanted the hospital to take. This is because the Supreme Courts require that individuals be given a chance to declare their wish on the type of medical support they wanted (Johnson, 2009).

References

Johnson, S. H. (2009). Health law and bioethics: cases in context. In *Beyond the Symbol* (pp. 53-75). New York: Aspen Publishers/Wolters Kluwer.

