



When Prayer Fails: Faith Healing, Children, and the Law

Shawn Francis Peters

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Relying on religious traditions that are as old as their faith itself, many devout Christians turn to prayer rather than medicine when their children fall victim to illness or injury. Faith healers claim that their practices are effective in restoring health - more effective, they say, than modern medicine. But, over the past century, hundreds of children have died after being denied the basic medical treatments furnished by physicians because of their parents' intense religious beliefs. The tragic deaths of these youngsters have received intense scrutiny from both the news media and public authorities seeking to protect the health and welfare of children.

When Prayer Fails: Faith Healing, Children, and the Law is the first book to fully examine the complex web of legal and ethical questions that arise when criminal prosecutions are mounted against parents whose children die as a result of the phenomenon known by experts as religion-based medical neglect. Do constitutional protections for religious liberty shield parents who fail to provide adequate medical treatment for their sick children? Are parents likewise shielded by state child-neglect faith laws that seem to include exemptions for healing practices? What purpose do prosecutions really serve when it's clear that many deeply religious parents harbor no fear of temporal punishment? Peters offers a review of important legal cases in both England and America from the 19th century to the present day. He devotes special attention to cases involving Christian Science, the source of many religion-based medical neglect deaths, but also considers cases arising from the refusal of Jehovah's witnesses to allow blood transfusions or inoculations. Individual cases dating back to the mid-19th century illuminate not only the legal issues at stake but also the profound human drama of religion-based medical neglect of children.

Based on a wide array of primary and secondary source materials - among them judicial opinions, trial transcripts, police and medical examiner reports, news accounts, personal interviews, and scholarly studies - this book explores efforts by the legal system to balance judicial protections for the religious liberty of faith-healers against the state's obligation to safeguard the rights of children.

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