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Ableism and the COVID-19 Pandemic

Ableism is defined as “stereotyping, prejudice, discrimination, and social oppression toward people with disabilities” (Bogart & Dunn, 2019, p. 650).

In the Israeli context of dealing with the Pandemic, I recognized 4 topics that are unique to people with disabilities (PWD). The first topic demonstrates accessibility for PWD, while others are examples of ableism. I chose to write about a very sensitive issue - the Triage of Decisions for Critically ill Patients During the COVID-19 Pandemic.

The establishment of the Public Committee

Due to the concern of pandemic outbreak and extreme scenario of lack of means and staff to take care of all severe patients, The Israeli health ministry established a public committee to recommend a triage policy. Committee members included health experts, bioethics, religious leaders, social workers, lawyers, and more. At mid-April, the committee submitted the position paper.

The Committee emphasizes that "this is one of the most serious, difficult, and tragic legal ethical dilemmas due to the need to prioritize the treatment of critically ill and resuscitated patients. Some of the particularly severe patients will not receive optimal life-saving treatment. Therefore, these are questions of life and death in an immediate, tangible, and real way." (the IMA internet site).

The committee recommends PWD to the end of line

The main principle of the committee's recommendation is to prioritize patients who have a higher chance of surviving and recovering.

Many were surprised by the committee's recommendation to put PWD at the end of the line to the respirator, in case of deficiency that might occur due to a pandemic spread and shortage of

respirators. The committee determined that the degree of functioning would serve as a criterion for determining a precedence for respiration. A person who is confined to a bed or a wheelchair or is unable to take care of himself or work is at a low priority to receive life-saving treatment.

The mass protests

Many expressed strong opposition and disgust at the contents of the document. As expected, organizations of people with disabilities vehemently opposed its content. A coalition of disabled organizations, led by "Link 20", has decided to fight against the committee's recommendations due to discrimination.

More than 60 disability NGOs have signed a petition against the triage.

The Association of Internal Medicine opposed the committee's recommendations, stating that the inclusion of disability or functional ability in the criteria for the prevention of the respirator was contrary to the rules of medical ethics and Hippocratic oath. The association notes that the internal medicine doctors are at the forefront of the healing of Corona patients, and they are the ones who will have to implement the written recommendations. Despite this, no internal physician was among the committee members.

"We, the internal medicine physicians, make decisions all year round, and especially these days, regarding the lives of patients, at the internal medicine departments and the corona wards. Our decisions are based on medical and professional considerations. Prioritizing according to a disability or functional ability is unethical!"

The Commissioner for Equal Rights for People with Disabilities issued a scathing letter to the Ministry of Health, calling for the priority recommendations to be amended.

"I read and do not believe; this is a document that is affected by severe discrimination against people with disabilities. [...] This discrimination is contrary to the Equal Rights for Persons with Disabilities Law, 1998, which enshrines the rights of people with disabilities to a full life. [...] You set criteria that significantly discriminate against people only because of their disability. [...] The paper takes Israel back a few light-years when it comes to the equality of people with disabilities".

The commissioner added that the World Health Organization had recommended that countries ensure that people with disabilities were not discriminated against in making medical decisions and rejected similar recommendations from the U.S. Association of Anesthesiologists.

The second report- May 2020

In response to public criticism, the committee released an updated version of the report in mid-May. The committee did not change its recommendations but added the reasoning and explanations to its position. The Committee emphasized that even in extreme situations, it is forbidden to discriminate between patients based on belonging to minority groups.

"Ethically and legally binding equality stipulates that a patient should not be discriminated against on the grounds of religion, race, sex, nationality, country of origin, sexual orientation, socio-economic status, social status, marital status, civil status, occupation, disability, age, etc."

Nonetheless, the committee claims that confinement to a bed or wheelchair is a relevant criterion for the chances of recovery, as little exercise causes weakness of the muscles and respiratory system.

Activists for the Rights of people with disabilities objected to the updated report, as well. "The Committee still recommends the improper and immoral prioritization of medical care according to irrelevant indices that preclude any Israeli woman or man living with a disability".

The irrelevance of the functioning criteria

Many critics have argued against the committee's use of functional criteria, such as wheelchair mobility. They noted the irrelevance of being an amputated or paralyzed person to his or her breathing ability.

Esty Segal, an activist for the rights of PWD, was filmed for a video claiming against the discrimination. She is a fluent and talented woman, using a prosthetic leg. She is a very handsome young woman, and it is possible that her physical attractiveness, even if unconsciously, underscores the claim and undermines the prejudices concerning people with disabilities. You can watch it here:

<https://www.kan.org.il/Item/?itemId=70261>

WW2 Connotation

The committee published its recommendations a few days before the Israeli Holocaust Memorial Day.

Some activists mentioned a connotation to the 2nd World War. They noted that people with disabilities were the first to be marked by the Nazi regime as 'destined for extermination', followed by other populations such as Jews and Gypsies. They also noted that German doctors legitimated and justified the extermination.

Eyal Shachal, an autistic activist, writes: "I sincerely hope that Israeli society will condemn the committee's recommendations, and never let any person with disability die without treatment. The State of Israel was born from the sanctification of life. Survival of only the strongest and most productive persons was never the way of the Jewish people".

Bibliography

Bogart, K. R., & Dunn, D. S. (2019). Ableism special issue introduction. *Journal of Social Issues*, 75(3), 650-664.