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Update - July 1986

Loma Linda University Center for Christian Bioethics

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Update

NEWSBRIEFS

Jack Provonsha has lectured in recent months in Mexico and Australia as well as California and Washington. He will be speaking in Hawaii in August and in Guam and Florida in September. In addition to his lecturing, Provonsha serves the Center as Chairman of its Board of Councilors. He is also in the midst of writing two books and several articles. Doctors **Jack and Margaret Provonsha** now reside in Nordland, Washington, on the shores of the Puget Sound.

Charles Teel, Jr., chairman of LLU's Department of Christian Ethics, is leading a study tour for the university students and others in Spain this summer. He recently composed the sixth liturgy in his "ethics and worship" series, this one celebrating the universe as God's creation. **Charles and Marta Teel** are actively involved in planning the Adventist Women's Association's National Conference on "Women of Courage" to be held at Loma Linda on Thanksgiving weekend.

James Walters is now participating in a National Endowment for the Humanities Seminar on "Principles and Metaphors in Biomedical Ethics" led by **James Childress** at the University of Virginia. Earlier this year he presented a paper at the Pacific Region of the Society of Christian Ethics, which met at Fuller Theological Seminary in Pasadena, California, on "Anencephalic Humans as Organ Donors: The Current Debate." Walters will convene the society at Loma Linda next February.

David Larson will serve the Center as Director for two years following three years as Associate Director. He was the featured lecturer at a conference on "The Sanctity of Human Life:

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BABY JESSIE AND BEYOND

Arthur Caplan

Associate Director

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In many ways it is difficult to understand the furor that erupted around the Baby Jessie case. As anyone even vaguely familiar with transplantation in the United States should realize, there are far more persons in need of transplants than there are organs and tissues to give them. The gap between demand and supply is even worse where children and infants are concerned.

There is not a transplant center in the country that does not consider psychosocial factors in the attempts to maximize the chances of a successful transplant. The fact that all centers must ration organs should only surprise those who have paid little attention to the moral dilemmas raised by advances in transplantation in recent years.

The media and some bioethics

commentators appeared shocked at the idea that an assessment of the competency of Baby Jessie's family was made in an attempt to determine whether the infant was a candidate for a heart transplant. But any responsible hospital would try to insure that before an infant is put through an invasive and highly experimental form of surgery, adequate family support exists to help in the recovery process. I believe it would be morally irresponsible (as I argued vociferously in the case of Baby Fae) not to attempt to determine the capabilities and commitments of any family involved in an infant heart transplant whether it be from animal or human sources.

It is, nonetheless, possible that the selection committee at Loma Linda made a mistake about the ability and

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The Bouvia Decision: Right But Inadequate

James W. Walters

*Associate Professor of Christian Ethics
Loma Linda University*

Quadriplegic Elizabeth Bouvia has the right to refuse all medical treatment even if to do so creates a "life-threatening" condition, a California appellate court ruled in mid-April. The justices unanimously affirmed that Bouvia has a constitutional right to refuse treatment labeled "nourishment and hydration." The ruling minces no words: Bouvia's refusal of treatment "is not a medical decision for her physicians to make. Neither is it a legal question whose soundness is to be resolved by lawyers or judges. It is not a conditional right subject to approval by ethics committees or

courts of law. It is a moral and philosophical decision that being a competent adult is hers alone."

In light of medicine's increasing ability to sustain persons with marginal quality of life, the Bouvia ruling raises three vital issues: (1) the autonomy of the patient, (2) the protection of the physician's integrity, and (3) the preservation of the public good. The court excelled in underscoring the importance of the first issue, inadequately treated the second and ignored the third.

"Anglo-American law starts with the premise of thoroughgoing self-determination," stated the Kansas Supreme Court in 1960. "It follows that each man is considered to be master of his own body, and he may, if he be of sound mind, expressly prohibit the performance of life-saving surgery."

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Update

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commitment of Baby Jessie's parents to care for their child after surgery. The parents availed themselves of friends and the media, and after agreeing to transfer custody of the child, were able to secure the infant a place on the waiting list at Loma Linda.

But the fact that the committee may have been too harsh in its initial assessment of Baby Jessie's parents' abilities, or the fact that the committee changed its mind once responsible guardians were secured, does not mean that Loma Linda or any other hospital is wrong to try and assess psychosocial and familial factors in deciding which infants will receive experimental heart transplants. What it does mean is that individual hospital committees faced with the difficult and agonizing decision of how to allocate scarce organs to dying children and adults need more help.

The time is long past due for the federal government to issue some sort of general guidelines that can help guide the process by which rationing decisions are made in the transplant field. While individual medical centers will need to retain some discretion in the allocation of organs and tissues, our legislators should make sure that the public understands the medical and moral basis for allocating transplants. The only way to correct the misunderstandings that arose in the Baby Jessie case is to make sure that the ultimate responsibility for hard moral choices rests where it belongs — on the collective shoulders of all Americans.

NEWSBRIEFS *continued from page 1*

Create, Continue, Curtail" sponsored by the Long Beach, California, Region of the National Conference of Christians and Jews in March. The responders included **Anthony Battaglia** from California State University, Long Beach, **Patricia Ellen Ferris**, pastor of the Alondra Park United Methodist Church, and **Rabbi Jonathan Brown** from Temple Israel. David Larson and Pacific Union College's **Dick Winn** presented a seminar arranged by **Grace D. Scheresky** on ethics and values in May near Chicago for Adventist hospital administrators.

Gifts in honor of the late **Jean Lauer Wickett**, an active Methodist churchwoman and missionary to Africa, made possible a two-day conference on "Medicine, Law and Religion: Dialogue in Bioethics" that was presented by the School of Theology at Claremont, the Institute for Religion and Wholeness at Claremont, and the Center for Christian Bioethics at Loma Linda University. The speakers included **Joseph C. Hough** and **Dan D. Rhoades** from Claremont, **June O'Connor** from the University of California at Riverside, **Curt Morris**, Legal Counsel for the Pomona Valley Hospital, as well as **David Larson**, **James Walters**, **Joyce Peabody**, and **Dennis Hilliard** from Loma Linda. The conference included a full day at the Loma Linda University Medical Center.

Richard Rice, a theologian at LLU, presented a lecture entitled "Why Does God Allow Us to Suffer?" to a standing-room-only crowd at Loma Linda's Randall Visitors Center on May 9. **Steven Davis**, a philosopher at Claremont McKenna College, and **Irvin Kuhn**, an oncologist at Loma Linda, responded. The panelists included LLU's **Dalton Baldwin**, **Paul Heubach**, **David Larson**, **Marian Poos**, and **Jack Provonsha**.

Carolyn and Ralph Thompson hosted the Center's Board of Councilors at their home in Redlands on May 10. **Charles Teel, Jr.** led the Councilors in worship and **Jack Provonsha** provided the homily. **Milton Murray** discussed the roles and responsibilities of the Board. **Brian Bull**, **Bruce Branson**, **Charles Teel, Jr.**, **Jack Provonsha**, and **Kenneth Vine** gave brief reports regarding their recent travels. **David Larson** led the Board in a discussion of the Center's plans and priorities in light of a survey of its financial supporters. **Robert Willett**, President of

Kettering Medical Center in Ohio, made many helpful suggestions.

Two recent Medicine and Society Conferences centered upon the theme "Ethics in Life's Early Years." In April, **Alberta Mazat** and **Elmar Sakala** from LLU, as well as **Linda Levisen** from San Bernardino County, discussed "Teenage Pregnancy: Personal Ethics and Social Dilemma." In May **Susan Schaller**, a San Bernardino County Health Educator, joined **Nanette Wuchenich**, a Redlands gynecologist, and **Ron Morgan**, Vice Principal of Loma Linda Academy, for a presentation regarding "Sex Education and the Community." The June conference shifted the focus of attention to "Is America Obsessed With Health?" Contrasting views were presented by **Barbara Duden**, an historian at Pitzer College, and **Richard Hart** and **Rennie Schoepflin** of LLU's Center for Health Promotion and Department of History respectively. **James Walters** co-ordinates and convenes the monthly Medicine and Society Conferences. They are funded by The Wuchenich Foundation, **Danielle Wuchenich**, president.

LLU PLANS CONFERENCE ON ETHICS AND TRANSPLANTATION

Loma Linda University has initiated plans for a "working" conference on ethical issues in organ transplantation. The purpose of this symposium, which will involve recognized authorities in the fields of surgery, ethics, law, nursing and social work, will be to explore the range of moral issues evoked by recent developments in organ transplantation in ways that can be clinically helpful to those at Loma Linda University Medical Center and other surgical institutions.

The conference will build upon, and hopefully extend, the work that has been done in this area by task forces at New York's Hastings Center and elsewhere as well as by legislative commissions in Washington, D.C.

One set of issues concerns the criteria transplant centers use for selecting organ donors and recipients. Another cluster focuses upon ways and means of fairly increasing the supply of transplantable organs and assuring their just allocation. A third group of issues concentrates upon alternative private or public ways of financing the cost of organ transplants for those who cannot afford them.

Apartheid and Morality Today

Charles Teel, Jr., Chairman of LLU's Department of Christian Ethics, led a symposium on the morality and politics of apartheid at Loma Linda on February 28 and March 1. The speakers included Solomon Lebeso and Smuts Van Rooyen, both of whom were reared in South Africa, as well as Fritz Guy, Associate Pastor of the Loma Linda University Church, George Colvin, a specialist in government, and Joseph C. Hough, Jr., Dean of Claremont's School of Theology. Audio and video cassettes of all the sessions are available from Media Services, LLU Libraries, Loma Linda, CA 92350.

GROWING UP WHITE IN SOUTH AFRICA

Smuts Van Rooyen

One summer night I heard a woman weeping hysterically. It was pitch black outside. I said to my brother, "We must do something." He said, "I think it's only a native girl." But she was weeping seriously so I took a stick and my nephew came with me into the darkness without a flashlight — which was a mistake. When we got close the woman said, "He's hurting me." And a black man explained, "I paid for a beer, but she will not go to bed with me."

I said to him, "You must let the woman go." He was belligerent: "I will not let a white man tell me what to do." My nephew whispered to me, "Shall I use the knobsticks?" We didn't know what we would do in the darkness. We couldn't see.

Suddenly, across the street, a white farmer let fly with five dogs. I'm sure they couldn't see either. We started swinging our sticks. Finally my nephew shouted to the farmer, "There are white people here." The farmer called his dogs back and apologized. He said he didn't know there were white people there. Then he walked over to us in the darkness and said, "What's the problem?" By then his wife was at the front door. She called out, "What's the matter?" Her husband answered, "There's a woman here in trouble." His wife said, "She is one of God's creatures, too. We must help her." And so the Afrikaner who had set his dogs upon us kneeled down, picked up the black woman, and carried her to his house. We sent the black man on his way and headed back to my brother's place. As I entered the stone gates of his plot, I heard the click of a revolver being cocked and cried out, "It's me!" My brother stood ready to shoot.

I tell you this complicated story to help you understand the complexity of the South African situation. There are people who are afraid and irrational, who face tremendous problems. A tremendous power struggle is going on. The issue is, Who will run the country? There is fear. There is compassion. There is prejudice.

While I was attending a youth camp, I was called to a telephone booth and learned that my mother had died. I went home immediately, and when I arrived, Lizbet, our maid, was waiting for me in the kitchen. She took my two hands and said, "Little Boss, I must tell you something.

When the ambulance came to take your mother away, she called me over and said, 'Lizbet, I'm giving Smuts to you. He is your child.'" And then she said, "And now, you are mine." I put my eyes between her breasts and wept for the loss of my mother and for the compassion showed me by Lizbet.

Three months later, my Dad remarried. He had fallen in love with a colored woman, and this was an enormous scandal. The day after he married her all of the family heirlooms disappeared from our home. I have nine aunts and one uncle, and never again did any one of them come to our house. We were written off, for my father had married a colored woman.

When I was fourteen, I was invited by a friend to visit his cousin, a man of 22. The man said to us, "Let's go *Kaffir* hunting." I said, "What do you mean?" He replied, "Get into my car." We drove toward the mine compound. When we got there he stopped and said, "You take the wheel of

"I heard the click of a revolver being cocked and cried out, 'It's me!' My brother stood ready to shoot."

Smuts Van Rooyen

the car." I refused. I knew nothing about driving. He told the friend who had invited me to take the wheel of the car and he hopped into the back seat of the car, rolled the window down and pulled out a long *shambuck*, a type of whip. He instructed the driver to drive down the road and pull up close to blacks riding bicycles.

We pulled up close to a bicycle. He leaned out of the back and hit the man across the shoulders. He found it very funny. I sat in the front seat. I didn't know what to do. We continued driving. He hit another man, who cursed us as we went by. He hit a third with such force that I heard the black man expel the air as he was hit and fell off his bicycle and lay kicking on the ground. I got sick to the stomach, and said to my host, "I'm going to vomit in your car." He replied, "Don't be a baby." I spent an uncomfortable weekend with people who teased me for getting sick simply because someone hit a *Kaffir*.

IN FAVOR OF CONSTRUCTIVE ENGAGEMENT

George Colvin

Constructive engagement is a strategy of continued contact by American business and government with the South African society and government. Its goal is to work through existing institutions in South Africa to achieve greater self-government and social progress there. Constructive engagement does not exclude some sanctions which have been applied, nor does it mean support on a moral or diplomatic level for apartheid, an unjust and undesirable system. By contrast, the other strategy — divestiture, disinvestment, or divestment — means breaking contact with existing institutions in South Africa and joining the Soviets and the Third World to bring those institutions down.

The question is not whether change is needed, but how the United States should act to make change happen. In support of constructive engagement, I wish to make two principal points.

Firstly, the South African situation is complex and difficult. The government of South Africa is making real if inadequate reforms. The United States should work with this government and other societal institutions, not against them. When viewed in the world and African context, the government of South Africa is not nearly as bad as is often imagined. Our goal should be a stable, representative constitutional government, not merely the replacement of white rulers with black ones.

Secondly, Western business is a major force not sustaining, but undermining, apartheid and advancing justice in South Africa. It should be encouraged, not damaged by disinvestment.

South Africa must be understood in the context of sub-Saharan or "black" Africa. Most countries in that area became independent under "black majority rule" in the last 25 years. Sadly, most of these countries have declined politically and economically since they became independent. Nigeria, one of the most important countries in the area, once exported food; it now imports \$3 billion worth of food a year. Of the 360 million people in black Africa, almost two-thirds go to bed hungry each night. This area has the highest population growth rate in the world and the world's lowest rate in growth of food. Unemployment is rising while education is collapsing. In a clinic in Accra, the capital city

"The logic of capitalism is opposed to apartheid. Capitalism is race-blind. It works against any system, such as apartheid or feudalism, that is based upon caste, race, or nobility that forbids freedom in the market place."

George Colvin

of Ghana, a *Los Angeles Times* reporter found no bed-sheets, no paper for patient histories, no painkillers, no stretchers, no hypodermic needles, no hot water, and unreliable electricity. Yet when it became independent Ghana was rich, with money in the bank and a talented civil service. Widespread corruption, wars, and governmental instability are among the reasons for these problems. There are now civil wars in six countries in sub-Saharan Africa, including two near South Africa. In Burundi in 1972, the

minority Hutu tribe. Meanwhile, the majority Hutu in nearby Rwanda were killing the Tutsi in that country. In Nigeria in the 1960s, an estimated one million people were killed in a tribal war. Since Idi Amin took power in 1972, about 700,000 Ugandans have been murdered — an estimated 500,000 under Amin and 200,000 under his successor, Milton Abote.

Of the 37 sub-Saharan black nations, 21 are now ruled by military dictators in one-party governments. Since 1960, only two African presidents have left office peacefully, and one has lost an election. There have been 72 coups and 13 assassinations of heads of state. Freedom of the press, which exists in South Africa, does not exist in much of sub-Saharan Africa. The absence of a free press, which can correct governmental abuses, is another drawback to development.

This is not a racially-based analysis. Many African countries got their bad ideas, including their socialism and economics, from Europeans — especially Karl Marx and the Fabian Society in Britain. But these points suggest reasons for the South African government's opposition to immediate black majority rule.

In contrast, South Africa is making progress politically and economically. David Reed, a *Reader's Digest* author who has covered South Africa for more than a quarter-century, wrote that he had never imagined until his recent visit there that the South African government would dismantle some of the racial barriers that it is now taking down. Examples of these changes include full participation in local government by all races, opening of sports to all races, abandonment of forced resettlement of blacks, desegregation of many public facilities, abolition of the job reservation system which restricted blacks to menial jobs, a 400 percent increase on spending on education for blacks in recent years, and a commitment by the government in 1985 to end influx controls and repeal the pass laws.

Freedom House, an international watchdog organization of human rights, recently classed South Africa as "partly free." This condition is not good, but it is better than most sub-Saharan nations. Indeed, on the whole continent of Africa, with more than 45 nations, only two countries are rated "free."

South African blacks are better off economically than most citizens of other African nations. A black middle class has emerged — the only one in Africa. A modern trade union system is now more than 50 percent black. More private cars are owned by blacks in South Africa than the total number of private cars in the Soviet Union. Blacks completing secondary school in South Africa are about to outnumber the whites. Black South African women with professional qualifications now total over 100,000 — probably more than the number of black professional women in all the rest of sub-Saharan Africa combined. South Africa is the only country in the region where black people's income has risen substantially over the last 25 years.

In light of these improvements, changes, Alan Paton, South Africa's leading writer and a liberal on matters of race, declared: "Since 1910 I've observed all our prime ministers closely . . . and I certainly think the most astute of them all is the current chap who is now our state president, Pieter W. Botha. I believe that P. W. Botha with his whole heart wants to remain part of the West. And I think

that P. W. realizes that if we were once dropped by the West, it would be the end of us, and especially the end of the Afrikaner. P. W. has said things that no prime minister has said before — not one. He said that he wanted a future for every child in this country — white, black, or brown. He said that if these people are good enough to go and fight on our borders (the South African army is integrated), they are good enough to have a place at home.”

“Western business is a major force not sustaining but undermining apartheid and advancing justice in South Africa. It should be encouraged.” *George Colvin*

The strongest opponents of apartheid within South Africa are South African businessmen and businesswomen. These people have taken out ads opposing apartheid and have met with the government’s armed opponents, the African National Congress, to see if negotiations can begin. Why is business leading the way in opposition to apartheid? Because, I suggest, South Africa is a capitalist country and the logic of capitalism is opposed to apartheid. Capitalism is race-blind. It works against any system, such as apartheid or the older systems of feudalism in Europe, that is based on inherited caste, race, or nobility and that forbids freedom of movement and a free market in labor. It is in the nature of the capitalist system to destroy apartheid; and that is what capitalist business people of South Africa are trying to do.

What if divestment were effective? The people it hurt would be apartheid’s strongest opponents. It could polarize the country and strengthen the extremists. The first people it would injure would be the black noncitizens from neighboring nations who work in South Africa and send their wages home. These people would be the first to be fired

and sent back to their home countries. The next people hurt would be South African black workers. Of every 100 jobs eliminated by disinvestment, 70 to 80 are held by blacks; and these are the best-paid industrial jobs in Africa. As Alan Paton maintained, “My firm belief is that those who will pay most grievously for disinvestment will be the black workers of South Africa.” And Gatsha Buthelezi, elected chief of the Zulu tribe, also stated, “Disinvestment is a strategy against blacks, and not a punitive stick with which to beat apartheid.” The argument that blacks are willing to suffer the pangs of divestment is presumptuous. It is not for us to doom them to greater misery and privation.

It is a long-standing principle that the United States should not dictate the form of government of any nation that is not a danger to America and is not subverting its neighbors — neither of which is true of South Africa. The job of Americans concerning South Africa thus is primarily advisory. What advice should we give South Africans? We should advise them that they will best help themselves by adopting the principles on which the United States was founded, as stated in the Declaration of Independence. These principles include the idea that all human beings have rights to life, liberty, and the pursuit of happiness, and that governments exist to secure these rights, deriving their just powers from the consent of the governed. We should urge them to move toward the full attainment of these principles in a prudent and timely way. But we must remember that the problem is complex, involving religion, tribal affiliation, language, and economics. The solution will take time.

The interests of South Africa, of the United States, and of the world are best served by an active and constructive engagement by the United States with South Africa consistent with prudence and with the principles on which America was founded.

DIVESTMENT: REALISTIC MORAL OPPOSITION TO APARTHEID

Joseph C. Hough, Jr.

First, I shall argue that the policy of constructive engagement is not only ineffective, but a morally bankrupt policy, the primary interest of which is not to destroy apartheid at all. Secondly, I shall argue that measures short of withdrawal, defiance and divestment have had very little effect. Finally, I shall argue that complete divestment from South Africa should be the goal of every serious investor and that every serious major transnational corporation in the world should consider withdrawal or defiance.

I should like for us to look at what constructive engagement really is. The term is seductive. Professor Sam C. Nolutschungu has said that constructive engagement is a slogan and not a scientific concept, and it may cover a wide range of different shades of ideological opinion and policy advice. But it is reasonable to include under it all those positions which have in common a desire to maintain the more valuable economic ties between South Africa and the West, and while doing business, to do good as well.

Actually, constructive engagement is based on the assumption that very little can be done in South Africa to alter the policies of the Botha regime. Ambassador Crocker, and more recently Ambassador Eagleberger, have followed in the train of Henry Kissinger’s logic in the selection of his infamous “tar baby” option. Kissinger

reasoned that the whites are here to stay, and the only way constructive change can come about is through them. There is no hope for blacks to gain the rights they seek through violence.

In light of that assumption, it is important for us to understand both the short-range and long-range objectives of the so-called constructive policy. Deborah Tohler has indicated that among the short-range objectives are: 1) to eliminate the Cuban and Soviet military presence in the region; 2) to conclude an internationally acceptable Namibian independence movement; 3) to promote evolutionary change and diffuse potential for revolutionary change in South Africa, 4) to increase U. S. influence over South Africa, and 5) to contribute to the economic development of those sections of African economies most relevant for foreign private investment. In the course of accomplishing these shorter-term objectives, constructive engagement seeks to create an environment in which the following longer-term U. S. objectives can also be met: 1) support for a pro-Western South Africa can be brought openly into the Western military community as the guardian of Western strategic interest in the region; 2) support for a pro-capitalist South Africa remains the region’s dominant economic power; 3) a guarantee that the West permanently replaces the Soviet Union and Cuba as the region’s

external security patron; and 4) insurance that Western private investments are protected by locking the economies of the region's states firmly into capitalist South African economy and into the international capitalist system as a whole. This would delay, if not permanently postpone, African state action such as nationalization against foreign private investments. It would also insure that African states' attempts to break dependency ties on capitalist trade or investment will lead to severe economic dislocations and subsequently to political instability.

Constructive engagement has no real interest in apartheid except as it perceives that a continuation of the policy of apartheid might in some way create the sort of instability which would undermine these long-term objectives. Therefore, much as we have done in the Philippines, we shall continue basically to support the apartheid regime, whatever it does, while chastising it publicly and reminding it that we really don't approve of the kind of actions that are going on.

The American policy has not modified South African policy at all. On the contrary, it actively encouraged South Africa to wage war on its neighbors while escalating military and political assistance to the South African regime. Every change which has occurred thus far in South African policy has emerged under the threat of black violence. What constructive engagement has done is to discourage blacks to the point where they are becoming more and more inclined toward revolutionary violence.

There are persons who support investment with the requirement that businesses who invest should adhere to the

“During the last year, 20 U.S. corporations have withdrawn from South Africa, and it is my hope that their tribe may increase.”

Joseph C. Hough, Jr.

Sullivan Principles governing business in South Africa. However, the Sullivan Principles have very little to do with apartheid at all. The Sullivan Principles focus upon the problem of discriminatory policies within the business itself. A business that adheres to the Sullivan Principles promises to implement employment policies, advancement policies and provision of facilities on the basis of complete equality for all racial groups. This is a lofty ideal and certainly would be better than having no moral basis for company policy in South Africa at all. However, a very small minority of the more than 1,000 transnational companies doing business in South Africa adhere to the Sullivan Principles.

Constructive engagement as a government policy has not worked, and was probably not intended to work to bring down South Africa's apartheid policy. The arguments for encouraging the role of U. S. business interests in South Africa simply do not hold up under careful examination. But let us assume for the sake of argument that the Sullivan Principles had been widely accepted and that corporations were making noticeable progress in their implementation. There is still a problem: they still must operate within the legislative and judicial system of South Africa.

I therefore conclude that the so-called policy of constructive engagement so ardently promoted by the United States government is inadequate at best, and at worst, morally bankrupt. It is so because it purports to be in opposition to apartheid, while it includes the advocacy of poli-

cies which reinforce the power of the South African government and strengthen its ability brutally to destroy any opposition to the structures and policies of apartheid within its own borders. We must look for interim ways to express our political and moral disgust over the morally bankrupt policy of apartheid and our government's inadvertent and intentional support of the government of South Africa which is implementing that policy.

Disinvestment is desired by most of the important black leaders in South Africa. This has been stated clearly in spite of the fact that under the Internal Security Act of 1982, it is a criminal offense to advocate divestment in the Republic of South Africa. The offense carries with it a sentence of up to 20 years in prison. The most notable recent victim of this law was the Reverend Allen Boesak, a respected clergyperson and anti-apartheid leader charged with subversion in September of 1985. Another who has taken that risk is Desmond Tutu, Anglican archbishop of Johannesburg. The Congress of South African Trade Unions, the largest labor federation in the country, asserted its support of divestment in its first policy statement in December of 1985. The Federation of South African Trade Unions, which is a leading federation of black trade unions in South Africa, signaled its support for foreign divestment and a statement adopted by its national executive in 1984. The United Democratic Front, a national coalition of more than 600 community, religious and labor organizations, adopted a resolution in April of 1985 denying that foreign investments benefit the oppressed and exploited people in South Africa in any way. The South African Council of Churches, in a resolution adopted June 28, 1985, supported disinvestment and similar economic pressures. It is these leaders who represent the last possibility for peaceful changes in South Africa.

During the last year, 20 U. S. corporations have withdrawn from South Africa, and it is my hope that their tribe may increase. Institutional investors with assets of over 75 million dollars have filed shareholder resolutions calling for disinvestment.

The consensus is growing. Major study commissions, corporate leadership, and international business and political leadership are all moving in directions which spell a radical change in policy with respect to South Africa. At the same time hostility increases and polarization worsens. Time is running out. If there is to be a peaceful solution to the transition of power in South Africa, it is urgent that morally serious persons act now.

It is clear that we have no alternative but to confront the hideous moral distortion of apartheid head-on. The most important avenue open to us is to announce our corporate judgment about apartheid by urging everyone to proceed with disinvestment immediately. We should support those businesses who are withdrawing from South Africa and urge our own government to provide economic incentives for that withdrawal. Those businesses remaining in South Africa should be encouraged to defy the despicable Key Points Law and security laws which make the conditions of doing business in South Africa the support of a morally unacceptable apartheid policy. The days of constructive engagement are over. That policy has proved to be totally ineffective and, in the judgment of many people, counterproductive. It is time for new directions. While the move to divestment will not solve everything immediately, it could well provide a signal to the United States government that a new policy with respect to South Africa is urgently needed and that the citizens of this country will demand it in the name of international justice.

What Should Transplant Committees Consider?

David R. Larson

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Baby Jessie was *not* initially denied an opportunity for a new heart because of the marital, racial, economic, educational, religious, legal, or political status of his parents. The question was whether his parents would be able to provide the intensive and continuing care required to enhance the possibility for success following surgery. Loma Linda's transplant committee regretfully but unanimously answered this question with a "no" until more promising arrangements could be made with Baby Jessie's grandparents.

I have no personal or professional need to pretend that Loma Linda managed every detail of Baby Jessie's case flawlessly. But I'm not sure how those who do not have all the information the transplant committee considered, some of which would violate the canons of confidentiality if released, can persuasively second-guess its decision. And I wonder how anyone can doubt the moral necessity in cases like Baby Jessie's of considering everything that truly pertains to a therapeutic venture's possibility for success.

One consideration is that clinicians have an obligation not to demoralize themselves and their institutions by initiating ventures that they believe cannot succeed. Appropriate forms and degrees of self-regard always deserve some consideration, and the more self-supporting and professionally hazardous the venture is, the more weight self-regard merits.

A more important matter is that clinicians have an obligation to the public not to bestow a scarce medical resource upon a patient who for any reason truly seems unlikely to be able to benefit from it when there are others who might successfully utilize it. Whether there were others on Loma Linda's own waiting list when Baby Jessie's needs first surfaced is a provincial question. As long as the current shortage of transplantable organs exists nationwide, there is no moral justification for putting any candidate on any waiting list anywhere unless all the circumstances, as judged by qualified and authorized persons closest to the scene, provide reasonable hope for a successful outcome.

But the most important factor is that

RELIGION AND POLITICS ON SABBATH

March 1, 1986

Permit me the privilege of a bit of self-centered reflection; not moralizing, but self-centered reflection. I have reflected on these matters with some of you before. Forgive the repetition.

In the 1950s, there would never have been at Loma Linda the discussion of apartheid that took place last night and this afternoon. In the 1950s, Dwight David Eisenhower was president in the White House. Joseph McCarthy was in Congress. My father was pastor of the Loma Linda College Church. Dean Walter B. Clark was Chairman of the School of Medicine's Admissions Committee.

In Loma Linda at that time (and correct me if I am wrong) we all looked alike. The two exceptions were the Requenez family—four beautiful daughters—and the Dawson family. When I had the honor of being invited back to Loma Linda Adventist Elementary School to emcee a celebration in honor of Alma Nephew, sixth grade teacher for so many of us, it was with intense satisfaction that I looked at the current choir: many shades, many hues, many accents, many different shapes of eyes. I then looked out to the audience and saw Sylvia Clark and Doyleen Rutherford and Eldon Dickinson, all of whom were classmates of mine in the 1950s, and I said to myself, "Things have changed."

In the 1950s, I thought religion was distinctly separated from politics, especially on Sabbath. Hence it was with surprise that I discovered in the *Adventist Review* for the years between 1860 and 1865 the following things as apparently appropriate for the denomination's leading periodical, and apparently even to be read on Sabbath: one hundred forty articles

aggressively talking about abolition, anti-slavery essays, and even open letters to President Lincoln written in acerbic terms. Apparently Sabbath reading in early Adventism included wrestling with these "political" issues.

As I kept reading I found an astounding editorial by J. N. Loughborough, prominent Adventist pioneer. His remarks followed weeks of discussion, letters, and calls to Congress to cooperate with the anti-slavery and abolitionist forces. This editorial by Loughborough is entitled, "On Slavery." I paraphrase it, but paraphrase it very closely: "Some will think on that final judgement day that they can walk past the gates of paradise while pulling behind them a trunk that is labeled 'politics.' And when asked regarding their pro-slavery tendencies, they think they will simply be able to say, 'I am not at all censurable, Oh Lord, for that which is in this trunk for Thou knowest that that was simply a part of my politics.'" And then Loughborough ends his editorial with a simple one-liner: "Will such a thoughtless response characterize any reader of this article?"

People in Loma Linda in the 1980s, unlike people in Loma Linda in the 1950s, no longer all look alike. This is positive, indeed. This may make it possible for us to come slightly closer to the spirit of the Advent pioneers irrespective of whether our various views are closer to this side of the table or to that side. While we may shout the slogan "separation of church and state," our religion can still inform our morality which can influence our laws—which does involve politics. Hence we continue with our discussion this afternoon.

Charles Teel, Jr.

clinicians have an obligation to their patients not to offer any person an invasive and difficult treatment that seems for any reason unlikely to succeed. Precisely because they are such drastic measures, transplants should be performed only when the patient's own doctors believe, all things considered, that the patient has a reasonable chance to benefit from the burden. To proceed in any other way is as cruel as it is futile, and its cruelty is heightened by its futility.

This is so even if there is no one else in the entire universe who is also a candidate for a particular organ.

Thus, whether we consider the case of Baby Jessie through the eyes of his doctors or the public or Baby Jessie himself, we come to the same conclusion: everything therapeutically pertinent must always be considered. Because these three different lines of reasoning point in the same direction, this conclusion strikes me as safe and sound.

BOUVIA continued from page 1

Such logic usually leads American courts to concur with adult and competent Jehovah's Witnesses, who would rather die than accept blood transfusions.

A similar logic of self-determination informed the Bouvia decision. The justices acknowledged Bouvia's plight: cerebral palsy, deteriorating arthritis, and extremely limited body mobility (a few fingers, neck and head) resulting in total dependence. However, quality of life considerations were secondary. The substantive argument stands on its own: A patient "has the right to refuse any medical treatment." Religiously-committed patients have long been able to refuse life-sustaining treatment. But our pluralistic society is now recognizing that any competent patient who can no longer bear suffering is owed identical consideration.

The Bouvia decision had no intent of flouting the professional ethics of physicians. However, the court held that medical practices cannot be maintained at the expense of a patient's unapproved pain: "It is incongruous, if not monstrous, for medical practitioners to assert their right to preserve a life that someone else must live, or more accurately, endure for '15 to 20 years.'" True enough.

Nevertheless, two unresolved conflicts remain. First, physicians who are ethically opposed to participation in certain procedures must be respected. Such physicians can dismiss themselves from compromising cases. However, locating other physicians and hospitals which will accept difficult cases cannot be assumed. Second, the court heightened but left unresolved the tension between society's need to be served by a medical community that esteems life and society's proper recognition of each citizen's individual autonomy. The court does "not purport to establish what will constitute proper medical practice in all other cases." Presumably, the Bouvia decision does not imply a right to starvation in a hospital. Although clear protocols are yet to emerge, physi-

cians must eschew any notion of biological vitalism. How the medical profession's dedication to preserving life can be fostered in this legal context remains an open question.

The "public good" is a mute issue in the recent Bouvia ruling, whereas it was the pivotal matter two years ago in another court's opposite decision when Elizabeth Bouvia was at Riverside General Hospital. Was the earlier court totally wrong? No, according to associations for the disabled. They argued that if Bouvia was assisted in her attempts to die, society would receive a strong cue that disabled life is not worth living and withdraw support from necessary social services for the disadvantaged. Bouvia must live, it was implied, for the public good — at least for the good of the disabled public.

Perhaps some citizens will use the

Bouvia case for inhumane comparisons and cutbacks. A more appropriate response would be to provide more counseling and social services for the severely disadvantaged, enabling them to live lives truly worth living so that death is not viewed as a welcomed relief.

Surely more should be done for society's disabled. However, when an Elizabeth Bouvia comes to her place in life — whatever the reason — should we add prolonged pain to existing injury? Should we demand that Elizabeth endure an unwanted life of pain in order somehow to symbolize society's high valuation of human existence? No. The good of all is best served when disabled persons are generously supported in their weakness. But they should not be forced to live if and when life for them becomes unbearable.

George Otto Schumacher, M. D. (1913-1986)

Doctor Schumacher practiced general medicine and then geriatric psychiatry for a total of 37 years in Turlock, California. An Air Force Flight Surgeon during World War II, he was a skilled photographer and environmentalist, an avid student and friend of Ansel Adams. Doctor Schumacher was also one of the earliest financial supporters of LLU's fledgling Ethics Center. He was deeply concerned about the dignity of human life and the ways this can be assaulted by overly aggressive "therapies" for terminally ill patients. He hoped the Center might be of help in this regard, a dream we will not let perish. We express our heartfelt sympathy and gratitude to Doctor Schumacher's wife Lou, to his son George and daughter Dorothy, and to his three grandchildren.

Thomas Gordon Goman, Ph.D. (1944-1986)

The Reverend Doctor Thomas Goman lost his life with nine of his students in a blizzard near the top of Mount Hood in Oregon. James Walters, Steven Hecht, and David Larson were Tom's classmates in Claremont Graduate School's doctoral program in theological ethics beginning in the Fall of 1974. He was an experienced mountain climber, a self-giving Episcopalian priest, a "Renaissance man" at home in math and physics as well as theology and philosophy. But most importantly, Tom was a life-loving Christian who was deeply committed to the Anglican tradition. He could have made an outstanding contribution to utilitarian ethical theory, one of his intellectual passions. But instead he gave himself to his teen-age students, and with some of them he died. Our sense of loss is overcome only by the joy it was to be among Tom's friends. We send our respectful love to Mar, Tom's widow, and to all the relatives and companions who also mourn.

James W. Walters David R. Larson

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