

Life, Liberty and Law



Nancy Murphy

Either he's getting older and forgetful with age, or I'm getting jaded. Dr. Joseph Fletcher is visiting professor of Medical Ethics at the University of Virginia School of Medicine, a member of the Advisory Board of the Euthanasia Educational Fund, and an outspoken proponent of Humanistic Medicine. He defines that "human happiness and well being is the highest good, or summum bonum, and therefore any ends or purposes which that standard or ideal validates are just, right and good. That is what Humanistic Medicine is all about."

He used to horrify me with such brutal candor. In 1972 he wrote an article Indicators of Humanhood: A Tentative Profile of Man in which he "made a stab at the problem" of defining humanness. He listed 15 indicators which he thought must be displayed in order for a life to be recognized as human: minimal intelligence, self awareness, self-control, a sense of time (the future and the past), ability to relate to others, concern for others, communication, control of existence, curiosity, changeability, balance of rationality and feeling, idiosyncrasy, and neo-cortical function. When I thought of all the people that list removed from humanity

In 1973 he wrote, "Yes we are playing God. . . . What has taken place in birth control is equally imperative in death control. We can morally justify taking it into our own hands to hasten death for ourselves (suicide) or death for others (mercy killing). Yes indeed to justify either one, suicide or mercy killing, is to justify the other." Brutal but honest. His motivations and goals are clearly displayed.

His latest essay is a refining of his indicators list. He explains that in an attempt to isolate the singular essence of humanity, the one requirement without which the others on the list are meaningless or nonexistent, he opened "the investigation" to those concerned to add or subtract, agree or disagree as they may. That reduced the list to four, and Dr. Fletcher reduced it to one: Neo-cortical function, which has the familiar ring of a Madison Avenue slogan. He defines it briefly as the functioning of the cerebral cortex of the human brain, which I define (from a text book) as that section of the human brain which controls conscious thought.

N.J. Study

Most Hospitals Balk At Permissive Abortion

Trenton, N.J. [RNS] — The New Jersey health department has disclosed that more than half of the 69 hospitals who responded to a survey still refuse to perform abortions unless the woman's life is endangered, although it has been two years since the U.S. Supreme Court struck down state laws prohibiting abortion.

These findings, offered to a review committee of the State Health Planning Council (Jan. 21), noted that 39 hospitals said they would perform only therapeutic abortions to save the mother's life, and 30 others indicated that from October 1973, to October 1974, more than 7,500 abortions were performed in their facilities.

There are 99 hospitals in New

reason, intelligence and voluntary acts. The 'neo' simply means 'new' which in this case probably means the current Fletcher interpretation.

He says, "I will stand by my own thesis or hypothesis that neo-cortical function is the key to humanness, the essential trait, the human sine qua non. The point is that without the synthesizing function of the cerebral cortex (without thought or mind), whether before it is present or with its end, the person is non-existent, no matter how much the individual's brain stem and mid-brain may continue to provide feelings and regulate autonomic functions. Without mentation, the body is of no significant use."

Would he say worthless? Some of us remember the four men in 1939 who were purposely killed with carbon monoxide gas in the presence of a group of medical doctors and an expert chemist; and the rest of us can at least recite the number (275,000) of those who were to follow — killed not because they committed crimes or were madmen, for indeed they were docile and cooperative to the end, but because they were 'worthless' mental patients of a state psychiatric hospital in Germany. And it was not the German Army — it was the German doctors.

What happened to Dr. Fletcher's brutal honesty? He said he was going to define humanness. All he gave us in my estimation was a list, definitively incomplete at best, which does not define humanness at all. And I strongly suspect that it was not really intended to do so, but to describe a specific medically determinable point at which the community could morally justify the killing of 'useless' human beings.

He in fact defies the point of law which states a person is dead when the portion of his brain which governs the autonomic functions, such as cardiac and respiratory activity, ceases to function, independently. Dr. Fletcher also in that one phrase "whether before (the cerebral cortex) is present. . ." reveals his commitment to very early abortion on demand, the only time in human development which precedes the formulation of the cerebrum.

No, Dr. Fletcher's little list does not define humanness. He forgot to be honest about motivations and goals. He didn't write a definition.

He wrote a neo-morality.

Please voice your support for the Human Life Amendments now stalled before Congress. Local legislators: Frank Horton [34th]; Barber Conable [35th]; Howard Robison [27th]; William F. Walsh [33rd]; Henry P. Smith [36th]; and James F. Hastings [38th]. U.S. House of Representatives, Washington, D.C. 20515.

Jacob Javits, James L. Buckley U.S. Senate, Washington, D.C. 20510.

High Court Dismisses Abortion Appeal

Washington, D.C. [RNS] — The United States Supreme Court has dismissed on procedural grounds Minnesota's appeal of a three-judge ruling that the new Minnesota abortion law is unconstitutional.

The case is expected to return to the court. However, a tentative appeal previously filed with the U.S. Circuit Court of Appeals in St. Louis automatically goes into effect now. The loser there is expected to go back to the high Court.

In the meantime, the federal three-judge panel decision holding that the Minnesota law is unconstitutional stands unless it is overturned.


The law, signed by Minnesota Gov. Wendell Anderson last March, was challenged by five doctors and a pregnant woman

who claimed that its key sections unconstitutionally limited abortions. They also attacked Minnesota State Board of Health regulations for abortion clinics adopted under the law.

The three-judge panel ruled that the law, in seeking to bar abortions after 20 weeks of pregnancy, was not in keeping

with 1973 U.S. Supreme Court rulings that mentioned 24 weeks as the earliest cutoff point. The regulations governing abortion clinics also were overturned.

The ruling by the U.S. Supreme Court leaves virtually only one restriction on abortion in Minnesota: that the operation be done by a licensed physician.



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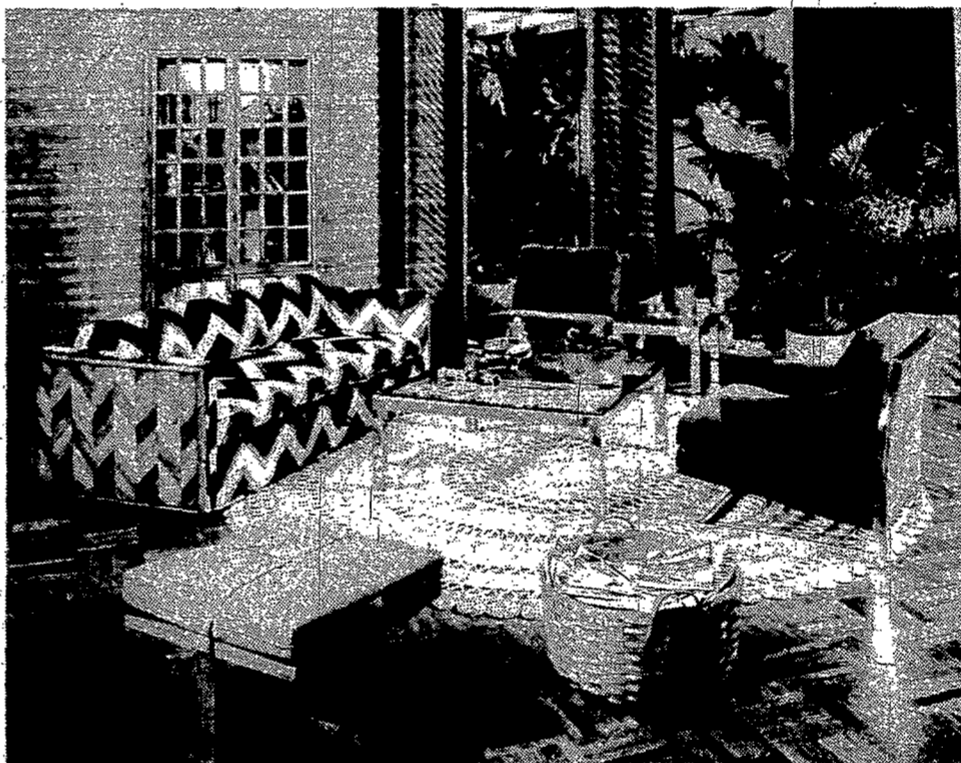
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