

Commentary



PAUL GREENBERG

By the standards of our times

First, a cautionary tale. The story came out last weekend and, if it made your paper at all, was probably buried inside. Here in Little Rock, it appeared on Page 7A under the headline: "Six Japanese tell of WWII research, including dissections of live humans."

It seems that 50 years after the end of World War II, a 74-page book has been published about a biological warfare unit of the Japanese army that performed experiments on human subjects. In exchange for not having to face war-crimes trials, six members of Unit 731 detailed its activities in Manchuria, where they injected germs, chemicals and gangrene-inducing shrapnel into humans to study the effects. At least 3,000 people from China, Russia, Korea and Mongolia were subjected to these experiments. "Sometimes dissections were carried out without anesthesia," according to one former member of the unit. "They would let out a horrible shriek but then fall silent right away."

Surely somewhere in the Imperial War Office the activities of Unit 731 were duly logged, explained and euphemized as scientific research. Just as in Berlin, similar assignments on a massive scale were to be described as population transfers. It was all in accordance with accepted policy and current regulations. Everything was legal. All the papers were in order. Long after the war, the noted intellectual Hannah Arendt attended the trial of Adolf Eichmann in Jerusalem. Here was her opportunity to look into the very heart of darkness. All she found was an upwardly mobile, lower-middle-class ex-salesman who had hit upon a successful career in political administration. Her discovery profoundly insulted many who preferred to think that Evil wears red socks, smells of fire and brimstone and is immediately identifiable. Instead, Hannah Arendt had identified its most salient characteristic in this technologically advanced century. She



Henry Foster

called it the Banality of Evil.

In 1995, elective abortion is both accepted policy and the law of the land. Yet the nomination of Henry Foster, M.D., as surgeon general of the United States has stirred questions about this perfectly legal, constitutional procedure. It seems some Americans are still uncon-

fortable about the widespread practice of abortion, including Dr. Foster, who says he finds it "abhorrent."

The debate over his confirmation, he adds, is ironic, since "my life's work has been dedicated to making sure that young people don't have to face the choice of

abortion." The doctor points out that he has performed fewer than a dozen abortions, or rather only 39, during a long, 38-year career in medicine, and these principally for therapeutic reasons. So what's all the fuss about?

Eut the latest Authorized Version of the number of abortions performed by Dr. Foster doesn't include those in a drug trial of a vaginal suppository that induced abortions in 55 of the 60 women to whom it was given for no clear therapeutic reason. If he found abortion abhorrent, why did he supervise this test at Meharry Medical School?

Dr. Foster explained why in a televised interview last week: "To keep my veracity. We are in a medical setting. We had a research grant. We have to do that to train our residents. We were in a multi-center study with the Upjohn Co., and we tested a product, a suppository, not a mechanical procedure, to train residents. ... That's a part of keeping our program accredited, and at that time, and, like now, 20 percent of all universities survive on grant funds. That was a grant."

Dr. Foster has made it clear how a physician, and not just a physician, can be induced to do something he finds personally abhorrent: Use a chemical agent instead of a mechanical procedure, ensuring the key element in carrying out any morally dubious policy — distance. Call it reproductive health care. Do it in the name of scientific research. Or grantsmanship. Or accreditation. Do it for the unit, the team or, in this case, the school. Depersonalize the decision. Keep telling yourself it is all legal, constitutional, etc.

Dr. Foster also participated in the sterilization of mentally retarded women at a Tuskegee hospital in the 1970s — in order, he wrote at the time, to obtain "significant hygienic benefits to these severely handicapped individuals." The procedure has since been mercifully abandoned, but Dr. Foster was not doing anything illegal or unconsti-

tutional. ("A White House official said Saturday [Feb. 11] that Foster was very much in the mainstream of medical practice at the time he performed those hysterectomies.")

— Robin Toner in the New York Times.)

Indeed, Dr. Foster's long and distinguished career would seem to conform admirably to the medical, social, legal and constitutional standards of our times. There is nothing in his record that violates official policy. When it comes to his performing abortions, as the good doctor noted the other day, his "patient records and operative logs" are all in order.

One hopes that all the support for Dr. Foster out of the White House does not turn out to be the usual prelude to a cave-in, and that Henry Foster — unlike Lani Guinier — will get his day in front of a congressional committee. By now the doctor may have been sufficiently sensitized by this arduous process of confirmation to make a good surgeon general. His statements against abortion and in favor of sexual abstinence for teen-agers would seem to make eminently good sense, socially and morally. Like old Noah in the Book of Genesis, he seems a righteous man in his generation.

The hearings on Dr. Henry Foster's nomination offer the American people something more important than an opportunity to judge his fitness for high office. Confirmation hearings can be about a lot more than confirmation. They offer an opportunity to explore the medical, social, legal and constitutional standards that have shaped his and all of our attitudes on matters of life and death, science and morality. The hearings could even offer a clear look at the banality of evil. It would be interesting to see how many of our distinguished leaders could recognize it.

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