

commission," such as pulling the plug on a respirator, can be done without the concurrence of the family, the tone of the MGH statement reflects what one ethicist called the "missing patient syndrome."

By contrast, the Beth Israel policy focuses directly on the right of the patient to make decisions about his own care, and is consistent with that hospital's leadership in the patients' rights movement. (In 1972, Beth Israel was the first hospital to draw up a "patients' bill of rights" which is given to every patient at the time of admission.) Although the Beth Israel statement, "Orders Not To Resuscitate," calls for the establishment of a committee, its role seems limited to advising the primary physician on whether the patient's death is so "certain" and so "imminent" that resuscitation would serve no purpose. Once such a decision is made, on what Rabkin defines as "physiologic grounds," responsibility for actually deciding to issue orders not to resuscitate shifts to the patient and his family, which can give consent for a patient who is not able to speak for himself. Where there is no consent, there can be no orders not to resuscitate.

Whereas the Beth Israel position outdoes that of the MGH in its expressed concern for patients' rights, it falls short with respect to medical scope, dealing only with cardiac resuscitation rather than the full range of death-prolonging technologies. Rabkin says he hopes to remedy that this year.

One potential solution to the dilemma over the patient's right to give informed consent at a time when he may be unable to do so is the so-called "living will," in which an individual declares his desire not to be kept alive at all costs. In the third article of the *New England Journal's* trilogy on the right to die, ethicist Sissela Bok calls the best known of the living wills, that of the Euthanasia Education Council (*Science*, 26 December 1975), "vague in such a way that real risks of misinterpretation arise"—it refers to but does not define "physical and mental disability," for example. She proposes a version of her own.

Unlike other versions of a living will, Bok's will is written as an order, not a plea that others will be good enough to see things your way, and it provides space to authorize two persons—relatives, friends, lawyers, whomever—to see to it that one's wishes are carried out. In addition, the Bok will leaves room for the inclusion of very personal instructions. She has in mind the fact that some patients might want pain-killers, even in amounts that might hasten

Robert Gillette, a member of the News and Comment section since 1971 and a Nieman fellow at Harvard University for the past year, has joined the Los Angeles *Times* as a science writer.

death, while others would not. One person might want to be kept informed of his condition, no matter how bad, while someone else would not want to know.

Bok's version of a living will has the advantage of meeting many more contingencies than do others. But it also requires more thought and effort on the part of anyone wishing to execute it which, one could argue, is the way it should be. (At present, no state recognizes any version of a living will as legally valid, although several legislatures are considering laws to change that. On 30 August, California became the first state in the nation to pass a bill that would sanction a living will, but the governor has yet to sign it.)

One of the great unresolved issues in this whole matter of helping the dying to die is the legality of withdrawing or withholding treatment. Fried reports there has been little litigation on the subject and not much in the way of legislative law. As long as a patient is mentally competent, there is no doubt about his legal right to refuse treatment. In fact, to force treatment on such an individual could be considered battery. It is when a case can be made that the patient's judgment is impaired that problems arise. As Fried explains it, once a physician begins to treat a patient, he assumes an obligation to do everything that is reasonable on his behalf. To do otherwise would be negligent. The hard question then becomes, What is "reasonable?" And that is something about which there is not much agreement.

Decisions, Fried predicts, are going to end up being made by juries as cases are brought before the courts, and that is where legally binding living wills and formal hospital policies may come to have their greatest effect.

With respect to hospital policies on withdrawing or withholding life support, Fried believes they could be important in helping a jury assess the "reasonableness" of a physician's action—it could be argued that it is reasonable to

The Beth Israel and Bok papers grew out of discussions of the Law and Ethics working group that is part of a multidisciplinary faculty seminar that meets every other Thursday at the Harvard School of Public Health and includes scholars from the entire Boston-Cambridge academic community.

act in accord with hospital policy. However, he doubts that any policy, of itself, could ever provide immunity from prosecution.

There are problems with the prospect of hospitals establishing formal guidelines for the care of those about to die, and the greatest may lie in the inevitable fact that committees will now be introduced to a facet of human life that many people believe is already too much in the hands of institutions. As a surgeon from Walter Reed Army Hospital said in a letter to Fried, official guidelines will benefit only lawyers and administrators, while making it infinitely more difficult for physicians to do for the dying what most of them have been doing all along.

On the other hand, the idea has its virtues, one of which is that guidelines would let physicians, hospital personnel, and patients and families know where they stand. It is fanciful but not inconceivable to imagine a time when patients might choose one hospital or another on the basis of its particular policy, assuming that hospitals in any community have clearly different views about the right thing to do.

"The idea that we will ever reach a consensus on these matters is ridiculous," says Fried. "What I'd like to see is the evolution of a more flexible attitude, an admission that wishing to die is not always unreasonable." What we need is room enough to allow for individual choice.—BARBARA J. CULLITON

APPOINTMENTS

William R. Johnson, interim vice president for academic affairs, Texas Tech University, to vice president at the university. . . . **James Sawrey**, dean, School of Social Sciences, San Jose State University, to vice president for academic affairs, Austin Peay State University. . . . **Eldon Sutton**, associate dean of graduate studies, University of Texas, Austin, to vice president for research at the university. . . . **Louis D. Volpp**, professor of economic theory, marketing, and mathematics, Columbia University, to vice president for academic affairs, California State University, Fresno. . . . **Cedric Davern**, professor of microbiology, University of Utah, to dean, College of Medicine at the university. . . . **Vel Nair**, vice chairman, pharmacology and therapeutics department, University of Health Sciences/Chicago Medical School, to dean, School of Graduate Postdoctoral

Studies at the university, and **John H. Morrison**, chairman, biology and health sciences department, Cleveland State University, to dean, School of Related Health Sciences, University of Health Sciences/Chicago Medical School. . . . **Leonard T. Grant**, academic dean, Indiana Central University, to president, Elmira College. . . . **Peter S. Amenta**, professor of anatomy, Hahnemann Medical College and Hospital, to chairman, anatomy department at the college and hospital. . . . **Samuel T. Nerenberg**, professor of biological chemistry, School of Basic Sciences, University of Illinois Medical Center, to chairman, pathology department, Abraham Lincoln School of Medicine, and **David A. Hilding**, professor of otolaryngology, New Jersey Medical School, College of Medicine and Dentistry of New Jersey, to chairman, otolaryngology department, Abraham Lincoln School of Medicine, College of Medicine, Chicago. . . . **Martin Prinz**, senior research scientist, University of New Mexico, to chairman, mineral sciences department, American Museum of Natural History. . . . **Leland N. Edmunds**, associate professor of cellular and comparative biology, State University of New York, Stony Brook, to head, biological sciences division at the university. . . . **Allen L. Steinhauer**, acting chairman, etomology department, University of Maryland, College Park, to chairman of the department. . . . **Joseph L. Fleiss**, adjunct professor, biostatistics division, School of Public Health, Columbia University, to chairman of biostatistics at the university. . . . **Immanuel Wallerstein**, professor of sociology, McGill University, to chairman, sociology department, State University of New York. . . . **Horton A. Johnson**, professor of pathology, Indiana University, to chairman of pathology, Tulane University. . . . **Victor H. Frankel**, professor of orthopedic surgery, Case Western Reserve University, to chairman of orthopedics, University of Washington. . . . **Earl W. Davie**, professor of biochemistry, School of Medicine, University of Washington, to chairman of biochemistry at the university. . . . **Michael D. Gershon**, professor of anatomy, Medical College, Cornell University, to chairman of anatomy, College of Physicians and Surgeons, Columbia University. . . . **Thomas A. Bond**, dean, College of Liberal Arts, Idaho State University, to vice president for academic affairs, Midwestern State University. . . . **Ronald F. Bunn**, acting executive vice president, University of Houston, to vice president for academic affairs, State University of New York, Buffalo. . . . **John A. Di Biaggio**, dean,

School of Dentistry, Virginia Commonwealth University, to vice president for health affairs, University of Connecticut. . . . **David C. Johnson**, dean of arts and letters, East Stroudsburg State College, to vice president of academic affairs, St. Cloud State University. . . . **Warren J. Baker**, dean, College of Engineering, University of Detroit, to vice president for academic affairs at the university. . . . **James A. Talbot**, acting vice president for academic affairs, University of Montana, to vice president for academic affairs, Western Washington State College. . . . **Mary F. Berry**, provost, behavioral and social sciences division, University of Maryland, College Park, to chancellor, University of Colorado, Boulder. . . . **Donald H. Riddle**, president emeritus, John Jay College of Criminal Justice, to chancellor, University of Illinois, Chicago Circle. . . . **John Cowee**, professor of law and business administration, Marquette University, to chancellor, University of Colorado Medical Center. . . . **Eugene L. Nagel**, chairman, anesthesiology department, Harbor General Hospital, California, to director, anesthesiology department, Johns Hopkins Hospital and School of Medicine. . . . **Marilyn L. Zimny**, acting head, anatomy department, Louisiana State University Medical Center, to head of the department. . . . **Noam A. Chomsky**, professor of modern languages and linguistics, Massachusetts Institute of Technology, to Institute Professor at MIT. . . . **Frederick F. Becker**, professor of pathology, School of Medicine, New York University, to head, pathology department, University of Texas M. D. Anderson Hospital and Tumor Institute. . . . **Edward C. Heath**, head, biochemistry department, University of Iowa College of Medicine, to chairman, biochemistry department, University of Pittsburgh School of Medicine. . . . **V. Jacque Voegeli**, chairman of history, Vanderbilt University, to dean, College of Arts and Science at the university. . . . **Fairfield Goodale, Jr.**, chairman of pathology, Medical College of Virginia, to dean, School of Medicine, Medical College of Georgia. . . . **Mary E. Conway**, associate professor of nursing, Boston University, to dean, School of Nursing, University of Wisconsin. . . . **J. William Moncrief**, associate professor of chemistry, Emory University, to dean, Oxford College at the university. . . . **Elleen Jacobi**, executive director, American Nurses' Association, to dean, School of Nursing, University of Texas, El Paso. . . . **James D. Nixon**, chairman of sociology, Austin Peay State University, to dean, College of Arts and Science at

the university. . . . **Max D. Larsen**, interim dean, College of Arts and Sciences, University of Nebraska, Lincoln, to dean of the college. . . . **John E. LaTourette**, provost for graduate studies, State University of New York, Binghamton, to dean, Graduate College, Bowling Green State University. . . . **Dale F. Roeck**, acting dean, School of Dentistry, Temple University, to dean of the school. . . . **George R. Bernard**, coordinator, basic sciences division, School of Medicine, Mercer University, to dean of the school. . . . **Don Gillot**, chairman of electrical engineering, California State University, Sacramento, to dean, School of Engineering at the university. . . . **Robert A. Burnham**, associate dean, College of Education, University of Illinois, Urbana-Champaign, to dean, College of Education, Illinois State University. . . . **Jack H. Rayson**, associate dean, School of Dentistry, Louisiana State University, to dean of the school. . . . **John E. Nellor**, associate vice president for research, Michigan State University, to dean, Graduate School, University of Nevada, Reno. . . . **John M. Deutch**, professor of physical chemistry, Massachusetts Institute of Technology, to head, chemistry department, MIT. . . . **Leroy R. Sparks**, associate dean of health sciences, Hostos Community College, to chairman of radiologic sciences and technology, Downstate Medical Center, State University of New York. . . . **Edward Bresnick**, chairman of cell and molecular biology, Medical College of Georgia, to chairman of biochemistry, University of Vermont. . . . **Richard E. Garrett**, former chairman of the design group, School of Mechanical Engineering, Purdue University, to chairman of mechanical engineering, University of Connecticut. . . . **Nancy J. Bigley**, professor of microbiology, Chicago Medical School, to chairman of microbiology, Wright State University. . . . **Richard Chiroff**, associate professor of orthopedic surgery, Upstate Medical Center, State University of New York, to chairman of orthopedic surgery, Creighton University. . . . **Robert E. Fellows**, associate professor of physiology and pharmacology, Duke University, to chairman of physiology and biophysics, University of Iowa. . . . **Harold Goetz**, professor of botany, North Dakota State University, to chairman of the department. . . . **Paul A. Hartman**, professor of bacteriology and food technology, Iowa State University, to chairman of bacteriology at the university. . . . **Edward A. Carr, Jr.**, chairman of pharmacology, University of Louisville, to chairman of pharmacology and therapeutics, State University of New York, Buffalo.