

CASES

FOR THE

SEVENTH INTERCOLLEGIATE ETHICS BOWL

TAKING PLACE AT

THE ANNUAL MEETING OF

ASSOCIATION FOR PRACTICAL AND PROFESSIONAL ETHICS

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Case 1

In early fall 2000, Beth Israel Deaconess Medical Center (Boston) and Duke University Medical Center were the first of several health care facilities to enter into a partnership with Ardaís Corporation, a biotechnology company. Ardaís Corporation's stated goal is to accelerate understanding of the links between certain genetic patterns and disease, and so improve clinical applications by facilitating better diagnosis, drug development, and treatment. Ardaís will create a tissue bank to provide genetic researchers with disease-specific tissue and detailed patient information to enable researchers to link specific genetic sequences with diseases such as cancer, heart disease, and neurological disorders. Ardaís plans to "systematize and standardize the collection and processing of high quality clinical materials and associated information". Ardaís will then provide biological materials that would otherwise be discarded as medical waste, process them into usable samples, and make them available to researchers.

Prior to surgery, patients will be asked by a hospital nurse if they would be willing to donate tissue samples left over from their surgery to the tissue bank. Surgeons will not know which patients have consented, to prevent the possibility that additional tissue will be removed for the purpose of providing samples. All patient information will be anonymous, protected by a rigorous coding system. The hospitals will sell this tissue to Ardaís. Ardaís in turn will sell the patient information to biomedical researchers. Ardaís will also receive license fees.

Although sale of human organs is illegal in the United States, no similar legal restriction applies currently to the sale of human tissue. The medical community, at this time, has not discussed extensively either the morality of selling human tissue, or, assuming that such sales are morally permissible, the question of who might have a right to share in the profits.

Case 2

Recently the FDA voted narrowly (7-6) to continue a ban on gay men donating blood that it imposed in 1985. Dr. F. Blaine Hollinger, Chair of the FDA Blood Products Advisory Committee said, however: "Personally, I'm very open to a change. It's discriminatory. We have to see all the data first. If it can be done without changing the safety of the blood supply, it ought to be done."

Gay activists argue that the ban unfairly discriminates against gay men. They note that a heterosexual woman who has had sex with an AIDS infected partner may donate after a year. Similarly, promiscuous heterosexuals are also at risk for HIV infection, but are not prevented from donating blood. Jeffrey Haviland, a gay man who once lied in order to donate blood argues, "The question should not be, 'Are you homosexual,' [but] 'What risk factors have you engaged in?'"

New testing procedures have increased the likelihood of detecting HIV in donated blood. Ten years ago, tests searched for HIV antibodies, which take as long as a year to appear. Now tests use nucleic acids, which can detect tiny amounts of virus even before antibodies emerge - as early as eleven days after infection.

However, some blood experts worry that easing the ban could result in an increased in the number of HIV infected donations. Dr. Michael Bush, UC San Francisco, said, "The tests are not perfect. And even though they are very good --- there remains a small but significant rate of test error." In fact, each year approximately 10 HIV infected units of blood (of 12 million units donated) escape detection and result in 2-3 cases of HIV infection. Put another way, each year one in every 675,000 people who receive blood donations nationwide receives HIV infected blood.

If the lifetime ban were changed to a five year ban, an estimated 62,300 men who have had sex with men would be eligible to donate. If the lifetime ban were changed to a one year ban, an estimated 112,000 previously ineligible man could give blood. This information comes at a time when the nation's blood banks are increasingly short of donors. The National Blood Data Resource Center predicts that in 2001 demand will exceed supply by 200,000 units.

Nonetheless, the American Red Cross recommends retaining the ban, contending that the increased benefit is not worth the very small increased risk of HIV infection. The Red Cross insists that gay men are not singled out unfairly. Any group posing a risk to blood recipients, says the Red Cross, is restricted -- e.g. IV drug users, prostitutes, and persons with infectious diseases, such as hepatitis. Other blood bank organizations disagree, however. In this regard there is approximately an even split on the issue among blood bank organizations.

Case 3

In 1997 the Skull Valley Band of the Goshutes, a small Native American nation, agreed to store 40,000 metric tons of high-level uranium on its reservation (60 miles southwest of Salt Lake City) until a permanent site is opened elsewhere. Utah State officials and environmentalists adamantly oppose the project. Governor Michael Leavitt reasons that since Utah has no nuclear reactors, it should not be responsible for other States' nuclear waste. He also fears that the temporary site could become a permanent one given the difficulty and expense involved in transporting nuclear waste to the site.

Leon Bear, a Goshute leader, however, condemns the opposition to the temporary storage plan of "blatant racism." He says, "Before Utah was even a State my people signed a treaty with the federal government. We were granted a small reservation in Skull Valley. During the past fifty years, the Utah and U.S. governments have built many hazardous-waste facilities and disposal sites near our reservation, even burying sheep killed by nerve gas on our tribal lands. Did either government ask for our permission? Of course not."

For Leon Bear, opposing the temporary storage project is tantamount to denying the Goshutes the right to pursue financial prosperity. Few economic opportunities exist on the reservation, and the project will provide desperately needed income. The estimated cost of the project exceeds \$3 billion, and, although the Goshute's remuneration is confidential, sources predict that each tribal member should receive \$100,000 at a minimum, and, possibly, as much as \$2,000,000.

The agreement marks a significant shift in tribal leaders attitudes toward the environment and nuclear waste. In 1992 leaders wrote: "European Americans must re-examine their lifestyles and ask how we can co-exist with the environment. They must understand, as Chief Seattle warned over a century ago, that man is only a strand in the web of life."

Support for the project within the tribe is not unanimous, however. Margene Bullcreek, who lives three miles from the proposed site, believes that the repository is inconsistent with traditional Indian respect for the land. "It's about being in harmony with our creator, and showing Him we do not wish to spoil His gift to us," she says.

Despite the widespread opposition to the Skull Valley repository, plans continue to move ahead. In May 2000, Governor Leavitt conceded that the State of Utah may not have legal authority to stop the project in virtue of the 1863 treaty between the Goshutes and the federal government which gave the tribe sovereignty over its traditional land, which includes Skull Valley.

Case 4

In 2000 a reporter for the New York Times, developing an article about gay and lesbian teenagers and the Internet, posted a notice in an on-line chat room. The reporter received responses from a number of adolescents, and followed up by meeting and talking with them. She learned that the Internet was helpful to many children with questions about their sexual identity. For example, children who worried about their homosexual interests found support from others in similar situations. Many found consolation in discovering they were not "the only one". Some were developing mutual interests and even falling in love.

Adolescent lust made its presence felt in these interviews as well. One teenager reported he had been visiting pornography sites, and thrilling to the experience, since age 11. The reporter asked teens about sexual experiences ("cybering") they had carried out on-line. Masturbation to sexy messages and pictures was common. The reporter learned some teens had been in contact with people many years older who were interested in them sexually, and that one boy had hacked his way into the account of someone in whom he was sexually interested, viewing and deleting messages from a competitor.

In one instance, the reporter traveled to a rural Southern town and met with a 15 year old boy without the knowledge of his parents. Such an approach would not be permitted by the codes of conduct for researchers in areas other than journalism (e.g. psychologists and sociologists) relative to the protection of research subjects. Such protections are considered particularly important when dealing with children; for example, typically interviewers are not allowed to question children without their parents' consent. Particularly when topics are sensitive (e.g. sex, religion, illegal activity) parental consent must be obtained before children can be asked to give information.

The reporter's article in the New York Times stressed the value of the Internet for early exploration of sexual identity, especially for children who are isolated and worry about their parents' reactions. While articulating many benefits of a cyberculture protected from prying eyes, however, the article made clear the dangers of sexual predation. Still some critics of the article worried that in touting the benefits of on-line conversations, the article may have the result of exposing naïve or troubled teens to sophisticated sexual predators.

The Society of Professional Journalists recognizes a commitment to avoiding harm. It appreciates that "gathering and reporting information may cause harm," and that reporting is "not a license for arrogance." The Society further recognizes the importance of being especially sensitive when dealing with children, as well as an obligation to the "voiceless," and to support exchange of viewpoints, especially those that others might loathe to air.

Case 5

You are the Principal of Pleasantville High School, located in an area twenty-five miles from the center of a large Midwestern city. Originally semi-rural, the area has undergone rapid growth and social change over the past two decades. Completion of a major expressway has brought high tech growth and large numbers of engineers, scientists, and other professional people with extremely diverse ethnic and religious backgrounds.

Ahmed Said, a student at Pleasantville High School, browses the shelves of the school library one day in search of sources for his history paper on the historical roots of the Arab-Israeli conflict. His eyes fall upon a volume entitled The Protocols of the Elders of Zion* which he looks over and decides to check out. The next day at school he tells other students about the contents of the book. A Jewish student, David Greenburg, overhears Ahmed's description of The Protocols and tells his parents about it.

Deeply disturbed, David's parents contact the B'nai Brith Anti Defamation League ((ADL), a group devoted to combating anti-Semitism). After verifying that Pleasantville High School's library in fact has a shelf copy of The Protocols of the Elders of Zion, the ADL lodges a furiously angry protest with the Principal of Pleasantville High School (i.e. yourself). You, in turn, investigate the situation and learn the following. It appears that in the early years of the high school, when it opened in the late 1960's, there was an assistant school librarian with anti-Semitic inclinations who worked for the high school only a short time before being let go for unsatisfactory work. This individual, however, during her short tenure, had the responsibility of ordering books, and it is believed that, without authorization, she had The Protocols of the Elders of Zion purchased by the library.

*The Protocols of the Elders of Zion is a notorious tract of anti-Semitic propaganda, widely used to stir up anti Semitic passions in Europe in the late nineteenth and early twentieth century. Purporting to be the manifesto of a tightly knit Jewish conspiracy bent on dominating the world, The Protocols is a fraud, in all likelihood, the work of secret police in czarist Russia during the late nineteenth century, who wanted to provoke widespread anti-Semitic violence against Russian Jews.

Case 6

An anonymous couple from Malta traveled to England this past year for a complicated delivery of their Siamese twin daughters, Jodie and Mary, who were born on August 8, 2000, joined at the abdomen and with a fused spine. Doctors soon determined that unless the twins were surgically separated both would die. Mary, the weaker twin, whose brain was underdeveloped, would never be able to survive separated from Jodie. Jodie, who was strong and alert, had an 80-90% chance of dying if surgery was not performed. She had a good chance of surviving in the event of surgery, although, in all likelihood she would be severely handicapped and need medical attention throughout her life. In similar cases in the past, the surviving twin has sometimes died within six months of surgery. In other cases neither twin survives. The medical team at St Mary's Hospital, to which the twins were taken, had never done a successful separation of Siamese twins.

When the medical team suggested surgical separation, the Parents, who were Roman Catholic, refused on religious and moral grounds to give their consent. The Hospital went to court, pleading that life-saving surgery was in Jodie's best interest, and that saving one of the twins would be morally preferable to losing both. The presiding judge acknowledged the court's duty "to put the welfare of each child paramount," but, nonetheless, concluded that Jodie's right to life outweighed Mary's, thus ruling in favor of the Hospital.

The Parents appealed the decision of the court. In support of the Parents' position, Archbishop Cormac Murphy-O'Connor, head of the Catholic Church of England and Wales, submitted a statement to the court of appeals in which he said:

[T]hough the duty to preserve life is a serious duty, no such duty exists when the only available means of preserving life involves a grave injustice. In this case, if what is envisaged is the killing of, or a deliberate lethal assault on, one of the twins, Mary, in order to save the other, Jodie, then there is a grave injustice involved.

Despite the objections of the Parents and the Archbishop, the court of appeals ruled that the surgery should go forward. On November 7, 00 a team of twenty surgeons, nurses, and technicians at St. Mary's Hospital performed the 20 hour surgery that would result in the death of Mary and give Jodie a chance to live.

Case 7

The State child welfare systems across the United States are overflowing with abused and neglected children. A large proportion of the children taken into the system are born to drug addicted mothers. Such, so-called "substance exposed" infants often suffer cognitive deficits, psychological and behavioral disorders, and chronic health problems. Such problems are substantial barriers to the well-being of these children and often significantly limit their opportunities. For instance, because of these problems it is notoriously difficult to find adoptive homes for substance-exposed infants. Families realize that adopting such a child will likely bring ongoing disruption to their homes, increased health care expenses and an overall uphill battle. What is worse, because non-infants are more difficult to place than infants, such children become harder and harder to place as they grow older. In reality, most of these children grow up in the child welfare system, victims of "foster care drift," i.e. being transferred from foster home to foster home. This reality costs society millions of dollars, but worse, it brings harm to children.

The traditional ways of addressing this problem have focused on treating drug addiction as well as encouraging families to consider adopting state wards. A more radical alternative has been proposed by an organization known as Children Requiring a Caring Kommunity, "C.R.A.C.K." With chapters and representatives across the Untied States, the basic premise is captured by C.R.A.C.K.'s web page address, www.cashforbirthcontrol.com. Crack offers \$200 for any drug addicted woman who is willing to undergo long-term or permanent birth control. The organization's primary goal is to prevent drug addicts from giving birth to children that may have the deficits and disadvantages mentioned above and, in so doing, reduce the size and cost of public child welfare systems. While some argue that C.R.A.C.K.is unethical because it exploits the vulnerability and desperation of marginally competent or incompetent women, among C.R.A.C.K.'s supporters is radio talk show host Dr. Laura Schlessinger. "Some organizations just need me to mention them; others just need my money. I felt this was an organization that not only needed my money but my name too", said Schlessinger.

Case 8

During the 1950's the government of Canada moved seventeen Inuit Eskimo families in Northern Quebec to a remote region in the high arctic as part of a policy of encouraging settlement in the area. They were abandoned in dreadful conditions, and, although promised the option of returning home if they desired, were not allowed to do so when they indicated a wish to return to their former home. It is unclear how many Canadians knew about any of this at the time, but it was not widely publicized. In the 1990's representatives of the Inuit people called upon the Canadian government to apologize for its actions in the 1950's, but the government rejected these calls. One administrator in Canada's Indian Affairs Ministry was reported to have said the following: "An apology implies we're apologizing for something we did. Now there's nobody in the government who had anything to do with the relocation at the original time; so I think it might be more appropriate to say there'd be an expression of regret on behalf of the Canadian people." Against this viewpoint, a Canadian Human Rights Commission Report recommended that the government apologize for the hardship that the removal policy caused the Inuit.

Case 9

One of the most popular and profitable vehicles on the road today is the sports utility vehicle (SUV). Auto makers like the vehicle because they can make \$8,000-\$20,000 profit on each one. Consumers like the SUV because of its multiple use capacities - the family car and the rugged adventuresome truck. But the big tall vehicle has an Achilles' heel; it rolls over much more frequently than a standard car. According to the National Highway Traffic Safety Administration (NHTSA), last year rollovers accounted for 66% of SUV deaths, but for only about 20% of deaths in cars.

Vehicle manufacturers are aware of the rollover problem. They have placed warning statements in owners' manuals for almost twenty years, informing motorists that the "vehicle may roll over" if the driver makes sharp turns, as in an accident avoidance situation. Additionally, the SUV's high center of gravity and narrower track can be deadly when a vehicle swerves at freeway speeds. In the past twenty years, though, little has been done to design greater stability in the vehicle.

Information regarding the risks of driving an SUV has not been shared with consumers. A record 3.1 million SUV's were sold last year to many consumers who were unaware they could tip over if they hit a curb, soft shoulder, ditch, loose gravel, or guard rail. NHTSA has asked for "consumer information notices," but still has proposed no minimum safety or stability requirements for SUV's. Last year NHTSA pledged to issue consumer information on crash tests, however, Congress, under pressure from the auto industry, blocked plans to publish rollover ratings.

The *New York Times* printed an analysis of federal crash statistics in November 2000 showing that since 1991 occupants of Ford Explorers have been 2.3 times as likely to die in rollovers (tire related or not) than occupants in traditional cars. They are nearly twice as likely to die in rollovers as are occupants of Jeep Cherokees and Grand Cherokees, SUVs that are built like cars. (The Explorer is essentially a roomy passenger cabin with luxury seats and family friendly amenities bolted onto a Ranger pickup frame. This allows Ford to build the Explorer on the Ranger assembly line, using many of the same robots and parts.) Additionally, the analysis showed that Explorer's fatal rollover rate has been rising considerably. Rates for cars and Jeep SUVs have remained steady (40 fatal rollovers per million vehicles), while the Explorer's rates rose from 53 per million in 1994 to 121 per million last year.

In addition to the rollover problem, SUV's are not required to meet the same safety standards as passenger cars. In this regard, SUV occupants are not protected by the side-impact crash safety, air bag, or bumper strength standards that apply to passenger automobiles.

Case 10

You are an attorney representing a rock group. Recently the group has told you that it wants to get out of its present recording contract in order to take advantage of a much better offer. The group's contract is a "new kid" agreement common in the recording industry. The group complains, and you agree, that the terms of the contract heavily favor the recording company. For example, although the contract calls for the group to make eight records, the company can drop the group at any time. In contrast, however, under the contract, your client (the rock group) cannot terminate the agreement at will (i.e. whenever it wants to), but instead must stay with the recording company and make all eight recordings. These could take twelve years to produce, however.

The rock group entered into the contract, before you represented them, at a time when the members were all just out high school. In your opinion, however, had you been there to represent them, you probably could not have secured a much better deal because the above kinds of contractual terms are standard throughout the recording industry. In this regard, record companies say they have to rely upon "new kid" contracts to balance the financial risks of signing and producing many new artists, most of whom do not pan out.

A lawsuit requesting a court to release the group from its contract could go on for years. You know about another legal strategy, however, that could generate the same result much sooner -- declaring bankruptcy. Under federal bankruptcy law, the courts may free debtors from contracts the court views as burdensome. The purpose of the bankruptcy law is to enable debtors to make a fresh start, and not simply to make it possible for individuals to get out of contracts they dislike. Nonetheless, you realize, although you have not yet shared this with the rock group, that it might be able to get out of the contract if the group members all rapidly accumulated large debts that might convince a judge they are financially bankrupt.

Case 11

Kevin Wright came to Dr. Robert Smith, a general surgeon at Falkirk and District Infirmary in Scotland, with an unusual request. He wanted one of his legs to be amputated below the knee. Dr. Smith referred Mr. Wright, a teaching assistant from Essex, to the senior psychiatrist at Falkirk and District Royal Infirmary, Dr. George Dodds, for a psychiatric consultation. After meeting with Mr. Wright, Dr. Dodds said that he could not support the surgery and so advised Dr. Smith, the surgeon.

Despite Dr. Dodd's negative recommendation, and without further consultation, Dr. Smith amputated Mr. Wright's leg below the knee, as requested. Earlier in the year, Dr. Smith had carried out an amputation on a German citizen, Hans Schaub. In both cases there was no medical reason for amputating the limbs. The limbs were physically healthy and not diseased or deformed in any way. According to a report by Dr. Smith, Mr. Wright subsequently e-mailed him and said that he was very happy after having been in misery for thirty years. Dr. Smith admits that he does not understand the motivation of these patients: "It is a concept I still have difficulty in understanding," he said.

Both patients were diagnosed as suffering from Body Dysmorphic Disorder, a condition in which people feel that some part of their body is defective. This disorder is not listed in the Diagnostic and Statistical Manual (DSM-IV), the standard manual of psychological disorders used in the United States. Those experiencing this disorder experience intense dissatisfaction with the presence of one or more limbs themselves, and in some cases will even attempt to amputate the limb themselves, often with undesired results. Apparently psychological and psychiatric therapy does little to assuage their desire to have a limb removed.

Although the operations were performed in National Health Service hospitals, the patients were private patients who paid the cost of the operation personally. Dr. Smith received no fee for the surgery.

When Dr. Smith revealed that he intended to perform a third amputation, this time on an American psychoanalyst (Greg Furth, a Jungian analyst in New York) who also wanted a healthy limb removed, the hospital board learned of his plans and refused him permission to perform the operation. At a news conference, Ian Mullen, a spokesperson for the hospital board said: "I don't believe it's appropriate for this type of operation to go ahead without consideration being given to the potential implications for the local reputation of the hospital and the concerns that might arise among the local population.

Case 12

In response to growing concern about undergraduates without adequate health insurance and alarming medical related drop-out rates, the University of California Board of Regents will require undergraduates, beginning Fall 2001, to have health insurance.

An estimated 40 percent of UC undergraduates are currently uninsured or underinsured, according to a report on student health presented at the July Regents' meeting. System wide, an estimated 25 percent of students who leave school do so for medical reasons, a significant portion of which are linked to inadequate or no insurance, noted the report prepared by the UC advisory committee on student health. One explanation for the high drop-out rate is that many students who are insured through their parents are insured through HMOs which provide very limited out-of-area coverage. As a result, students beset by serious injury or illness and whose parents live some distance from campus have little choice but to drop out of school and return home to receive health care.

Health insurance packages will be determined by each campus, with an estimated cost to students of \$400-\$500 for year-round coverage. Costs will be factored into grants, loans, and work-study programs offered to students who receive financial assistance. Students already covered by adequate health insurance can waive the requirement.

The new campus-based insurance plans will not replace the primary medical care, mental health, and referral services provided by the student health services. However the health service is facing increasing difficulties meeting students' health needs. In addition to addressing typical health problems - upper respiratory tract infections, musculoskeletal injuries, routine or non-routine gynecological care, and dermatological conditions, clinicians are also treating an increasing number of students with chronic and complex medical and mental health conditions, and conditions affecting older adults. Further, campus health services are treating increasingly diverse students with diverse and complex health care needs, e.g. physically challenged or older students with special chronic health needs. If students' needs exceed health service capacities for care, clinicians recommend referral to outside specialists. Students often refuse, however, saying they cannot afford outside care. As a result, students fail to get proper evaluations and appropriate care.

Opponents of the plan note that a UC education is already prohibitively expensive for many. The average annual cost of \$4300 impedes matriculation by many otherwise qualified students; that number will rise, the opponents point out, if another \$400-\$500 is added to the cost. They also note that to make the insurance affordable will likely require a deductible of \$300-\$500 that is itself beyond the means of many students. Moreover, if the plan assumes an HMO or PPO approach, it may not be able to insure easy of sufficient access to off-campus providers.

Case 13

In 1999, five California TV news helicopters broadcast live the fatal shooting by police of a man who had led authorities on a three-hour freeway chase. The episode occurred the day after Thanksgiving and dominated morning TV when many children were home and tuning in to watch cartoons. The chase was aired to its conclusion (the shooting), though no close-up images were aired. With thousands of strangers, the dead man's mother, ex-wife, and adult daughter watched as he was shot.

In 1998 TV stations had aired live telecasts of a bank robber killing himself and a man shooting himself in the head on a freeway exchange after a lengthy standoff with police. Critics of live TV expressed horror at exposing children (or adults) to graphic violence. If coverage is live, outcomes cannot be predicted, so viewers cannot be warned about upcoming violence. Following strong, negative public reaction, TV stations promised to reevaluate their policies for live coverage and consider instituting delaying mechanisms that permit interruption of transmission should events turn tragic (or ugly).

Critics questioned whether such coverage has any value to viewers. TV spokespersons retorted that persons in urban areas need to know when commuter routes are closed, or when for safety's sake they should avoid particular streets or intersections. They further claim that such incidents are news, the coverage of which is their *raison d'etre*, and that the public has an interest in and a right to know about such incidents. (Some viewers called TV stations to complain that close-in shots of the killing should have been provided.) Opponents charge that the motivation for live coverage is not a commitment to professional reporting but to garnering the best ratings.

The Society of Professional Journalists recognizes commitments both to making news stories available to an interested public and to avoiding harm. The Society further recognizes the importance of independent action; i.e., avoiding conflicts of interests, and pressure to cover news so as to promote goals other than providing truthful information.

Whatever the motivation, live coverage of potentially violent events is on the rise. Mediascope, a non-profit public policy research group working to improve the ways social issues are covered by the media, reports that crime constitutes the content of 30.2% of local TV news broadcasts across the country.

Case 14

Tony, Claire, and Beth were the best of friends through high school. Tony and Beth attended the same college and began dating each other in their sophomore year. After graduation they announced their engagement and Beth asked Claire to be her maid of honor. About six months before the wedding, Beth's mother became ill. Since Beth was unemployed, her father asked her if she could stay home and take care of her mother. Because her mother needed her constantly, Beth found little time to spend with Tony. Although Tony became quite lonely, he was very understanding and tried to be as supportive as he could.

Two months passed and Beth's mother's condition worsened. Given the circumstance, Claire offered to help Beth to call off the wedding. However Beth explained that the wedding was now even more important to her mother than it was before and that she had no intention of calling it off. Claire understood and continued to be a supportive friend both to Beth and Tony. Knowing Beth's fragile emotional condition and Tony's feelings of loneliness, Claire made a point of spending time with both of them.

One evening Claire met Tony for dinner, and noticed while dining that he was very quiet. She asked him if there was something bothering him, other than the obvious circumstance with Beth and her mother. Tony paused for a moment and asked Claire if she could keep a secret. Claire warmly assured Tony that he could tell her anything. He proceeded to confess that he had had a brief affair shortly after Beth's mother became ill. After his confession, Tony told Claire how grateful he was to have gotten all of that off his chest and thanked Claire for being such a good friend. Still, Claire was speechless.

The following week, Beth called Claire and asked her to help her pick out a restaurant for the rehearsal dinner. Beth and Claire spent the afternoon driving around visiting restaurants. In the car Beth mentioned that she thought that Tony seemed a little preoccupied for the past month, but also added that the last few times they were together he seemed like his old self again. She then asked Claire for her opinion about whether "something was going on with Tony".

Case 15

Pange and Matini were two women who lived all their lives in a secluded area of Rhodesia (now Zimbabwe) belonging to the primitive Kalanga tribe, and had never interacted in any significant way with people outside of the tribe. In 1961 there was a drought in the area, which posed the threat of starvation to the entire tribe. While talking to a local witch doctor, the women expressed their fears to him, and he promised to prepare some muti, a magic potion, to mix with seeds during planting so that crops would be plentiful. It was a custom among the Kalanga people to prepare such a potion during the times of drought, consisting of several ingredients collected by witch doctors plus the fingers, toes, and inside portion of the stomach of a tribe member who is killed, usually a relative of the person who requests the potion. The witch doctor told Pange and Matini they must kill a child. Neither woman had children, however, they killed Matini's two year old cousin, and brought her body to the witch doctor. The colonial authorities of Rhodesia (Rhodesia was a British colony) learned of the killing and brought murder charges against Pange and Matini. The two women were put on trial in a Rhodesian court.