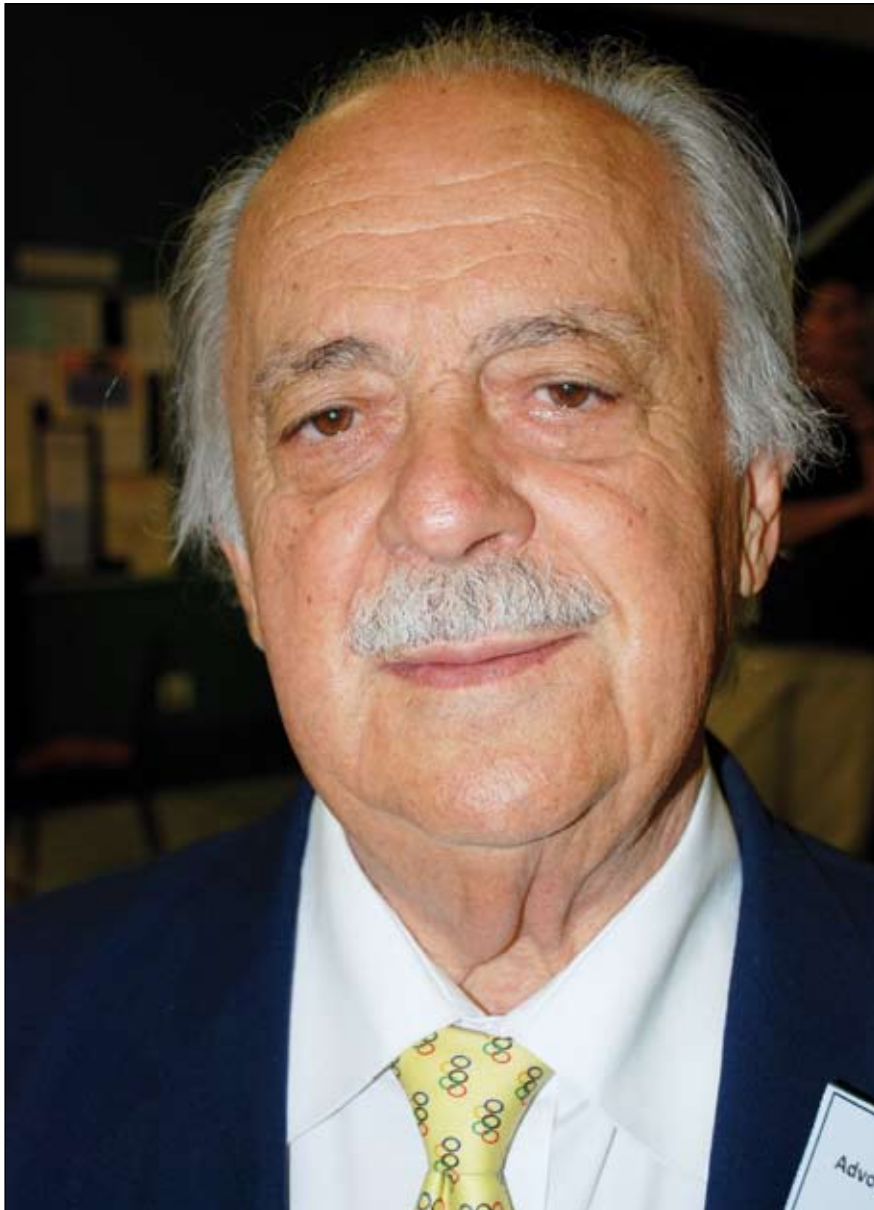




BIO-ETHICS VIGILANCE VITAL: MEDICAL AND LEGAL DOYENS



Human rights lawyer, Advocate George Bizos, 81.

Picture: Chris Bateman

Advocate George Bizos gave a University of the Witwatersrand audience some unpalatable food for thought in the 'Ethics alive' forum last month when he outlined the involvement of doctors, many of them Wits graduates, during the worst excesses by apartheid security police.

The celebrated human rights lawyer, now 81, gave a moving address tracing the dramatic history of dual loyalties in South Africa over nearly half a century, with a personal account embracing most of the pivotal cases. Speaking in a soft voice that compelled a ghostly silence, he cited a string of doctors who

helped security police cover up torture and murder, by either ignoring glaring injuries before or after detainee deaths or by failing to speak out. He also named doctors who did speak out and/or were detained, tortured or murdered for their beliefs or for putting their patients first.

These ranged from Dr Fabian Ribero and his wife Florence (murdered in their Mamelodi, Pretoria, home in 1986 for giving free medical treatment to township residents injured by police gunfire during protests), trade unionist and medical aid activist for workers Dr Neil Aggett (found hanging in his cell in 1982 after 80 days of solitary confinement and torture), to doctors who helped exonerate police for the deaths of Ahmed Timos (injuries later found to be inconsistent with his fatal 'fall' from the 10th floor of Johannesburg's John Vorster Square) and the most infamous collusion by district surgeons, Drs Ivor Lang and Benjamin Tucker, who examined Black Consciousness leader Steve Biko after his brutally fatal security police torture and interrogation.

Bizos was scathing of Tucker's 'lack of common human decency' and sensitivity, revealing that Tucker dispatched a Truth and Reconciliation Committee orderly with a message for him at the amnesty hearing of Biko's killers. 'Tucker came in his Sunday best with his wife and smart hat. He sent the orderly to ask whether "Mr Bizos would

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kindly come and have his photo taken with us". Bizos refused.

He quoted Tucker's (successful) affidavit applying to be reinstated on the Medical and Dental Professions Board (MDPB) doctors' register in which he merely stated: 'I have been advised that in order to be re-admitted I have to apologise. I hereby do so.'

Bizos observed: 'There are people who not only do not have loyalty to their profession, they lack a sense of common human decency ... (inaudible) ... to do the right thing.'

Dual loyalty did not 'disappear with apartheid'

Former head of the World Medical Association Ethics Unit, Professor John Williams, said hearing Bizos speak reminded him of the torpid response by the world's researchers after the Nuremberg Trials involving Nazi doctors conducting medical experimentation on human subjects. 'One would have thought that this would have made a great impression on medical researchers across the world to ensure that the highest standards of research ethics were maintained, but nothing much happened until the late 60s.'

It seemed 'the atrocities were so horrible that people believed they couldn't possibly happen again'. Nobody had really bothered to develop high standards of informed consent and research monitoring 'because people were going to do the right thing anyway'. However, people did not and 'eventually a lot of horror stories were revealed before action was taken'.

Modern-day doctors: 'stay awake'

Williams wondered whether a parallel situation did not exist in South Africa,

where young students 'don't consider themselves a part of the system. Dual loyalty is simply not a problem anymore.'

He said vigilance was crucial, especially when abuses occurred in more subtle ways.

'These need dealing with in medical education ... right up to the self-governing bodies of the profession,' he warned. Bizos warned today's doctors that 'many great countries profess to be great democrats, but whenever they're threatened or under danger they no longer comply with or have regard for the laws of humanity'. The danger for such tyrannies, oligarchies or illegitimate governments was that 'they too may one day be in distress and the laws and values will not be there to protect them'.

Unlike her erstwhile district surgeon helper, Hogan appears to remain willing to pay a price for her principles when it comes to dual loyalty and human rights.

Hogan tortured by security police

He revealed that a district surgeon once mysteriously confessed to him, threatening 'to deny it if you say anything', that the current health minister Barbara Hogan had complained to him that she was tortured in detention. This came while he was probing Dr Neil Aggett's death by suicide. Hogan was one of 18 people from whom he obtained affidavits after their detention by the same team of security police.

Of the district surgeon's 'anonymous' confession Bizos said: 'He said his job

was at stake. I don't know what made him confess to me. He had great loyalty to the regime he was serving.' Bizos said he kept his promise not to call the district surgeon to the witness stand as this would have been a betrayal of confidence.

Unlike her erstwhile district surgeon helper, Hogan appears to remain willing to pay a price for her principles when it comes to dual loyalty and human rights. This March she demanded a public apology by the government for refusing the Dalai Lama a visa.

Speaking on 24 March at the AIDS Law Project's 18-month review of AIDS, health and the law, held at the Constitutional Court, Hogan said: 'The very fact that this government has refused entry to the Dalai Lama is an example of a government that is dismissive of human rights. I believe (the government) needs to apologise to the citizens of this country, because it is in your name that this great man, who has struggled for the rights of this country, has been denied access.'

Government spokesperson Themba Maseko described Hogan's statement as 'open defiance. However, government sources said that President Motlanthe was unlikely to take any harsh steps against Hogan and would at best censure her – and then leave it to his successor to take a decision on her reappointment to the cabinet.

Watch this space ...

Chris Bateman

