

BIOETHICS/HEALTHCARE—CARE TOPIC SESSION

Topic: Justice and Mercy
Convener: Robert V. Doyle, California Lutheran University
Moderator: Meghan Clark, Saint John’s University
Presenters: Tim Carey, Boston College
Christina G. McRorie, University of Virginia
Jennie Weiss Block, Partners in Health

In his paper, “‘Remove the Harm, Lord of Men, and Give Healing’: Justice and Mercy in Catholic and Muslim Bioethical Approaches to HIV and AIDS in Kenya,” Tim Carey explored the concept that mercy and justice represent common denominators between the Catholic and the Muslim approaches to theological bioethics in that both traditions are theologically and practically meant to include every member of society, regardless of religious affiliation. In particular, he presented the case of HIV and AIDS in Kenya as an example where the vocabulary of theological bioethics can be operative in providing an interfaith response to the disease from both an African Catholic and a Sunni Muslim perspective. His argument concluded with the notion that bioethics, through the lens of justice and mercy for those suffering, can be considered an entry point for dialogue between religions.

In the discussion that followed, questions arose regarding the scope of the communities that were considered. Tim elaborated that 12 priests and 12 imams were interviewed as part of the preparations for this paper. Notions about the complex communities and identities in Kenya were also discussed. In addition, the risk of transmission of HIV/AIDS was considered as a more pressing issue over some of the theoretical considerations.

In her paper, “Do We Need Justice or Mercy in International Pharmaceutical Markets? A Natural Law Argument for Limiting Intellectual Property Rights,” Christina G. McRorie developed the idea that the thought of Thomas Aquinas contains resources for reframing lack of access to expensive pharmaceuticals in developing nations as a global public health issue requiring justice, and not solely charity. Although lack of access to HIV medication is often framed as an unfortunate scenario required by respect for intellectual property rights to pharmaceutical patents, employing Aquinas’ claims regarding the purpose of creation, just pricing, “superabundance,” and “urgent need” reveals it to be a case of human law abrogating divine law. Her argument concluded that justice requires a limited respect for intellectual property rights.

In the discussion that followed, considerations emerged addressing the future of a shrinking global community, in particular, nation states and transnational corporations. Concepts such as moral imagination and political imagination were considered in light of intellectual property rights.

In her paper, “Liberation Theology in Action: One NGO’s Efforts to Make a Preferential Option for the Poor in Healthcare,” Jennie Block considered the themes of justice and mercy in relation to the “option-for-the-poor” service model forged by Paul Farmer and Partners In Health. Jennie presented: 1) An overview of the PIH model highlighting the way liberation theology has been used to create new theory and praxis; 2) A discussion on two key principles of the PIH model—pragmatic solidarity and accompaniment—both of which amplify the Gospel’s message; and 3)

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The ways PIH's model of service makes justice and mercy manifest and communicates God's universal love and preferential option for the poor.

In the discussion that followed, questions arose regarding the staff of Partners in Health "buying into" the arguments that Jennie presented. The mission of PIH was considered as one of the ways in which the principles mentioned in Jennie's paper were addressed. Discussion centered also on sister organizations in different countries and the role of mission education and training that is necessary to consider the PIH model.

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