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ETHICAL ISSUES IN THE FORCED TRANSFUSION OF JEHOVAH'S WITNESS CHILDREN

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☐ **Abstract—This paper examines the views of Jehovah's Witnesses in regards to their refusal of blood transfusions for themselves and their children. After setting out the legal framework society presently has in place for dealing with such refusals, the paper reviews the ethics literature that justifies the intervention by the State to force the transfusion of Jehovah's Witness children. It is claimed that the arguments such literature develops are seriously problematic. A different approach is suggested.**

☐ **Keywords—Jehovah's Witness children; ethics; forced transfusion**

INTRODUCTION

The purpose of this article is to discuss the issue of forced blood transfusion for Jehovah's Witness children, particularly in cases where the lack of a transfusion will result in the child's death. The discussion will consist of several parts. First, background concerning the beliefs of Jehovah's Witness will be provided. This will be followed by a description of the legal framework within which the state, through the courts, has established the legitimacy of forced blood transfusion. Then, arguments developed in the ethics literature supporting such intervention will be reviewed and critically evaluated. It will be established that the basis upon which the state takes such action has not been defended well in the existing ethics literature. The final section of the paper will consist of observations and recommendations. The paper, with some misgiving, will conclude that it is right for the state to take temporary custody of a child of Jehovah's Witnesses in order to force the child to undergo a blood transfusion.

BELIEFS OF JEHOVAH'S WITNESSES

Little attention has been given to the question of whether medical personnel who must deal with Jehovah's Witnesses in life-threatening circumstances truly understand the concerns by which the religious group is motivated. In fact, only one instance was found in which this question was even considered—a letter to the editor of the *Journal of the National Medical Association*. Samuel V. Duh, MD, MPH, from Montefiore Hospital in Pittsburgh, distributed a questionnaire to medical students at the University of North Carolina and to physicians at the North Carolina Memorial Hospital, a teaching hospital. Duh (1) reports:

> Fifty-eight percent of the students did not know why Witnesses refuse transfusion. It is obvious from the reasons given that most of those who checked "yes" did not really know the reason. Sixty-seven percent of the physicians stated they knew the reason, but their answers indicated that most of them did not know.

Duh also reports that responses to the questionnaire reflected strong disagreement, along with sadness and

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