New federal regulations, approved by the Food and Drug Administration (FDA) in November of 1996, will allow medical researchers in some cases to perform medical experimentation on patients without their consent. The new regulations apply only in the following circumstances: The patient must face a life threatening situation, such as a severe head injury; he must be unable to say whether he wants to participate in the experiment; and it must be infeasible to secure a relative's consent. The new regulations introduce an exception to the principle that "voluntary consent of the human subject is essential," which was stated over fifty years ago at the Nuremburg trials of Nazi doctors after World War II. Supporters of the new regulations maintain that they make it possible for researchers to study treatments that could save many lives. The former rules, say the supporters of the new regulations, made it almost impossible to study treatments that must be provided to gravely ill patients, with heart attacks or strokes, for whom time is critical, but whose relatives cannot be found in time to give permission.

Are the new federal regulations morally justifiable? If so, why? If not, why not?

Case from the March 6, 1997 Intercollegiate Ethics Bowl.