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Alphonse M. Schwitalla

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ETHICS OF ECTOPIC OPERATIONS

THE appearance of the second printing of the second edition of "Ethics of Ectopic Operations" by Father Timothy Lincoln Bouscaren, S. J., affords a welcome opportunity, first of all, for answering numerous questions concerning the present status of a problem which is still controverted, and secondly, it affords an opportunity of reprinting the endorsement, with whatever value such a statement might have, of Father Bouscaren's book as originally published in HOSPITAL PROGRESS, January 1934.

It is interesting to note that while Father Bouscaren's original publication in 1933 bore the *Imprimatur* of His Eminence, the Cardinal Archbishop of Chicago, the *Nihil Obstat* of the Reverend John B. Furay, S. J., and the permission to publish of the Very Reverend Charles H. Cloud, S. J., Provincial of the Chicago Province of the Society of Jesus, the new edition is published under the authoritative sponsorship of a new group. The *Imprimatur* of the second edition is given by His Excellency, the Most Reverend Joseph E. Ritter, the Bishop of Indianapolis, on November 29, 1943. (Note that this is fully ten years after the appearance of the first edition.) The *Nihil Obstat* was signed by the Right Reverend Monsignor Henry F. Dugan, Chancellor of the Archdiocese of Indianapolis, and the permission to publish is given by the Provincial of the Chicago Province of the Society of Jesus, the Very Reverend Leo. D. Sullivan, S. J. All of this is pointed out here to show that Father Bouscaren's publication has undoubtedly been given the fullest study and re-study by competent critics and that the publication has merited the confidence of ecclesiastical authorities.

Father Bouscaren in the Foreword defines in unmistakable terms and with commendable definiteness, first, the status of the question which he discusses and secondly, the answer which he gives to the question, this answer taking the form of the thesis which the whole book is intended to explain and vindicate.

The question is defined as follows:

"The principal question which this book attempts to answer is, whether the surgical operation by which an unruptured pregnant fallopian tube is removed, and which results in the death of the unborn, non-viable child, is to be considered morally as a *direct* abortion, and hence never under any necessity to be permitted, or as an *indirect* abortion, and hence permissible in cases of urgent necessity to save the life of the mother. Several practical accessory questions arise in connection with the principal one."

The answer which Father Bouscaren gives is the following: "The removal of a pregnant fallopian tube containing a non-viable living fetus, even before the external rupture of the tube, can be done in such a way that the consequent death of the fetus will be produced only indirectly. Such an operation may be licitly performed if all the circumstances are such that the necessity for the operation is, in moral estimation, proportionate to the evil effect permitted. But in all such operations, if the fetus be probably alive, care must be taken to baptize the fetus immediately, at least conditionally."

We are re-producing herewith, the original review as published in HOSPITAL PROGRESS, January 1934.

"Father Bouscaren divides this particular subject into four parts, dealing respectively with the history, the doctrine, the facts, and the argument concerning the moral liceity of ectopic operations. In his first part, he brings up to date the practice of former days concerning craniotomy and direct abortion, touching emphatically in the course of his discussion upon the decrees of the Holy Office and of the Catholic Church on the matter of the direct killing of a fetus. He, furthermore, discusses the changes in the procedures for Cesarean section. He analyzes in detail the position concerning the removing of an ectopic fetus of such prominent authors as Lehmkuhl, Aertny, Sabetti, and Eschbach, and explains decrees of the Holy Office of 1889, 1898, and 1902.

"In opening his subsection in which he summarizes the, 'opinions of modern theologians,' he says, 'there is no unanimity of opinion among theologians as to the question where a pregnant tube may be removed to save the mother's life before the tube has actually ruptured' (page 30). *The direct removal of an immature fetus* is forbidden by the decrees of the Holy Office (May 4, 1898, and May 5, 1902) but, so Father Bouscaren points out, 'several theologians may be cited for the proposition that the removal is indirect when that which is removed in order to save the mother's life is not the fetus directly but the diseased organ of the mother in which the fetus is contained.' On the other hand, Antonelli, Noldin-Schmitt, and Sabetti-Barret cling to the severer opinion denying the licitness of the operation under any pressure of necessity. These differences of opinion are traceable according to Father Bouscaren, 'to vagueness of some of their expressions,' and, 'a want of accuracy in describing the physiology of the subject.'

"In his second part, the author discusses the fundamental principles upon which any solution of the problem must be based and then shows the inadequacy of the arguments heretofore reduced for defending the liceity of ectopic operations. It would manifestly lead us too far in the course of a brief review to go into details.

"Part three, which deals with physiological facts of ectopic gestation is excellently presented and summarizes the permanent facts on the basis of acceptable authorities. Finally in his fourth part, Father Bouscaren comes definitely to grips with his subject. To remove all possible doubt as to his meaning, he presents a carefully considered statement of his thesis at the beginning of Chapter VI." (There is here omitted from the original review, a statement which we have printed above as Father Bouscaren's thesis.)

"The author is aware of the fact that, the principle contention of this thesis contradicts the extreme views of those moralists who hold that, '*until the tube is actually ruptured*, the removal of tube inclosing a living and nonviable fetus is always and necessarily illicit.' He then adduces arguments for the following steps in the development of his thesis: (1) when the pregnant tube is removed the death of the fetus is produced only indirectly; (2) this indirect removal is licit when there is a proportionately grave cause for the operation; (3) this proportionately grave cause, namely, the threatened death of the mother, must be differently estimated: (a) when the mother can be kept under close observation; (b) when the mother cannot be kept under observation; and (c) when the ectopic is discovered in the course of some other operation; (d) when a fetus has gone four or five months without rupture of the tube. Finally, Father Bouscaren devotes a section of his chapter to the question of the baptism of the fetus.

"The summary of conclusions follows closely the outline which we have here given. In several of his concluding paragraphs, the author reiterates the thought that, '*if the present excision of the tubes offers a notably greater probability of saving the mother's life, it may be done.*'

"Obviously from the nature of the case, it would be impossible to lay down a definite date in the pregnancy history after which certain procedures may be deemed licit or illicit. On the other hand, the principles are defined so clearly and the conditions under which the physician may proceed with his operation are so adequate in their formulation that the reader is not left in doubt regarding Father Bouscaren's position.

"It may be said that Father Bouscaren has done a great service to moral theology and to the Catholic hospital for thus clearly stating a problem which is constantly vexing those who are working in the field of obstetrics. If physicians, nurses, attendants, or medical social workers lend even greater service to many an expectant mother and her family, this splendid thesis will be regarded as a classic in every Catholic hospital in the land. We strongly urge that our hospital authorities have the book readily available for consultation and

that they see to it that a copy of it may be in the hands of every member of their obstetrical staff. To be sure, the book should be found in the nurses' library. We may well regard this volume as one of the most influential influences today molding opinion and views on the matter with which it deals as probably no other contribution in our language and in this country has thus far done. The Catholic hospitals are grateful to Father Bouscaren and they will, no doubt, manifest their gratitude by an extensive use of this important and valuable contribution to the literature of a most difficult field."

Reproduced too is an editorial comment on the review quoted above which appeared in the same issue of *HOSPITAL PROGRESS*, the significant passages of which were the following:

"Father Bouscaren shows that there is no new principle involved in the solution of this question. He shows, furthermore, by his whole line of argument that while the direct killing of a fetus can never be permissible, the indirect killing may at times be tolerated, and that therefore an operation for the removal of an ectopic fetus may be permissible. Father Bouscaren, moreover, clearly defines the conditions under which such an operation may be performed. We are pleased that the final solution has been greatly advanced through Father Bouscaren's contribution and that a helpful guide for conduct has been supplied to the many for whom the operative removal of an ectopic fetus has been a vexing moral problem of the most serious magnitude."

—A. M. S., S. J.

