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Doing Medical Ethics As A Catholic Physician

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Human beings who think seriously about ethical issues do so with the aid of a conceptual framework: some set of beliefs and assumptions which they bring to issues requiring a just response. Members of the Catholic Physicians' Guild bring to their reflections on ethical issues a rich conceptual structure called the Catholic tradition. Rooted in sacred scripture and classical philosophy, Catholic teaching about morality joins the ancient wisdom of saints and scholars with contemporary thinking about right and wrong in medicine. The Catholic tradition is rooted in our own moral experience and that of fellow believers throughout history. This lived experience of Christian people in history provides the context in which Catholic physicians do their moral reflections about the issues confronted in clinical practice.

Christian people did not always approach moral problems in the same way. Catholic tradition is rich because of the many different perspectives on right and wrong which have been integrated and synthesized in it. An optimistic St. Irenaeus is part of that tradition and so, too, is St. Augustine, who was much less optimistic about human ability to do what is right. But not every perspective or conceptual category has been allowed to form part of the context of Catholic moral reflection. Our tradition is rich, but it is also critical. Extreme positions on how to judge right and wrong have been rejected in our history and do not now play a role in our thinking about moral questions.

One of the rejected perspectives is called nominalism. Originating with Peter Abelard and William of Ockham, this way of doing ethics rejects the validity of objective norms and has, since medieval times, returned again and again, in only slightly different variations. After World War II, certain types of existentialism in Europe advocated a modernized nominalistic view. Americans may be more familiar with the moral vision of Joseph Fletcher, a situation ethicist who, like 13th and 14th century nominalists,

insisted that there are no general principles or objective standards for morality. Older nominalists and more modern situationists agree that moral actions are individual responses to specific situations and nothing more. Because each situation is different, a response to one has little or no relevance to another. Consequently, each moral agent is left to devise his or her own individualistic moral responses to unique and unrepeatable situations, and morality becomes both relativistic and subjectivistic. Personal authenticity and upright intention or good will are the only guides to what is right and wrong.

Respectful Tradition

Our Catholic tradition is too respectful of the importance of human community for human life to accept nominalism with its accompanying relativism and individualism. Radical individualism in morality means chaos for community and, therefore, was rejected by a tradition which respects human life taken in its social, as well as its individual forms. Catholic tradition recognizes the importance of particular persons and pays the greatest attention to each situation, but affirms, at the same time, that there is both something different and something the same about the moral responses human beings make in the human situation. Our tradition, therefore, insists on the role of norms and rules and general guidelines which apply to everyone. Authenticity, like good feelings, in our tradition are the fruit of doing what is right rather than the goal of morality. Over and against nominalism, the Catholic tradition stands for objectivity in morality.

Another vision which, over the years was rejected by Catholic tradition, carried objectivity to the extreme. Legalism is a way of doing ethics which recognizes the validity of general norms, the importance of community, and the inadequacy of both relativism and subjectivism, but nevertheless remains seriously flawed. If nominalism ignores what human beings have in common, legalism ignores what is unique and peculiar about persons and situations. Legalism is extreme and one sided, because it collapses ethics into a simple obedience to what has come to be defined in law. Keeping the law, like feeling authentic, is important but cannot bear the whole weight of the ethical enterprise. Jesus is just one moral guide who repeatedly called attention to the truth. He condemned both civil and religious legalism, teaching time and again that respect for the law does not mean collapsing right and wrong into following the law's letter. As Americans, we respect our civil laws, and as Catholics, we respect our Church laws, but we do not collapse ethics into either one or the other. Canon law can never be discounted by Catholics searching for the right response to a particular problem, but complex medical ethical cases cannot be settled simply by appeal to a legal proposition. Persons tempted by legalism frequently try to overcome the obvious impossibility of finding a canon to cover a case by asking someone in authority to settle a moral

conflict by issuing "an official response" which is, at least, "something like a law."

Magisterium Judgments

The magisterium of the Church has issued very few infallible judgments about particular moral issues, just as it has issued very few infallible judgments about the meaning of particular biblical texts. Rather, the magisterium of the Church provides us with teachings about morality: judgments of the leaders of our Church that certain actions are not in tune with the dignity of the human person and the requirements of the new covenant. These judgments are expressions of the wisdom of our Catholic tradition about what is right, helpful to other persons, and respectful of human dignity. They have a function in maintaining the moral substance of community and they aspire to objectivity.

In some areas, the Catholic tradition is clear and we can be confident about how its teachings apply to certain acts. But in many more areas, we Catholics continue to struggle to apply the wisdom of our rich moral tradition to new difficulties like those which we face in modern medical care. We are clear and certain about the general principles which guide human behavior because the principles are grounded in what we know about human nature. We are, however, not so clear and certain about how basic principles apply to particular cases. Simply to state and restate general principles becomes an unhelpful form of moralism which is alien to the Catholic tradition. In contrast, the official magisterium and individual Catholic moralists have been willing to take the difficult step of applying general principles to particular situations: to say what the objective principle of justice requires when applied to the build-up of nuclear arms or the theory of deterrence; and to say what love and respect of persons require when patients are seriously ill and dying.

Declaration on Euthanasia

In 1980, the Sacred Congregation of the Doctrine of the Faith issued a Declaration on Euthanasia which updated the teachings of Pius XII on medical treatment of dying patients. "It is not euthanasia", the Declaration said, "to give a dying person sedatives and analgesics for the alleviation of pain when such a measure is judged necessary, even though they may deprive the patient of the use of reason, or shorten his life." Catholic teaching distinguishes between withholding treatment which may lead to death, and assisting in suicide. It also distinguishes between direct and indirect killing.

In 1985, a report prepared under the auspices of the Pontifical Academy of Science for Pope John Paul II was issued. It was drafted by an international group of doctors who met in Rome at the invitation of the Pontifical Academy and addressed organ transplant, new definitions of death, and artificial prolongation of vegetative functions. Again, specific guidelines were provided. "A person is dead when he has irreversibly lost all

capacity to integrate and coordinate the physical and mental functions of the body.” “If the patient is in a permanent, irreversible coma, as far as can be foreseen, treatment is not required.” “If treatment is of no benefit to the patient, it may be interrupted while continuing with the care of the patient.”

Catholic physicians who understand their tradition are the best medical ethicists for the many different cases they face in clinical practice. In order to apply Catholic principles and teachings, with as much fidelity as possible to their medical cases, Catholic doctors first look carefully at the particulars of the situation which they face. Not unlike good reporting, Catholic medical ethics begins by asking who, what, where, how, when, for what reasons, and with what consequences. Options and alternatives are considered, as well as any unique features of a particular case. Then, the objective standards, the magisterium teachings, and ethical principles are applied. It is the willingness to step from the general to the particular, from the more certain to the less certain, that characterizes Catholic medical ethics. Catholic medical ethics requires prudence, and prudence is enhanced by bringing to bear on new cases and problems the guidance and methodologies of the Catholic tradition.

The moral enterprise for Catholic physicians means searching for what is right, helpful, and respectful with the assistance of everyone in the Church who has authority, including the doctors themselves who are authorities in their professions. Moral judgments about specific cases, however, remain fallible conclusions about what is most respectful and least harmful to patients. Although love is the essence of our Catholic moral life, prudence, in the sense of good judgment, is its central virtue. Without good judgment about particular situations, even love does not protect against doing wrong and hurtful things. Practicing medical ethics in our Catholic tradition means being smart about looking at all the dimensions of a case and then smart about inventing helpful responses in light of ethical principles, and Catholic teachings when it is not possible to determine the objectively perfect or certain thing to do.
