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In The News

Catholic Physicians' Guilds

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In the News....

Test-tube babies and divorce

An important ruling clarifying moral and legal problems arising in a recent divorce case was featured with great emphasis in *The New World*, Chicago Catholic weekly. Superior Court Judge Gibson E. Gorman ruled that "Test-tube babies are illegitimate if the natural fathers were not the donors. Mothers guilty of such practices have committed adultery, even if the artificial insemination was performed with the consent of the husband," he decreed. The judge rendered the decision in a divorce suit in which a mother made the claim that her five-year-old son was born as a result of artificial insemination. She claimed that as a result of this, the child is the child of the mother alone and that the husband has no right or interest in the boy. In her divorce suit she accused her husband of "habitual drunkenness."

The husband's opposing petition contended that he is actually the father of the child. But it said that if the woman was artificially inseminated, then it was "without sanction of moral or natural law, and without regard for the future rights" of the child and constituted an act of adultery.

In his ruling, Judge Gorman made judgment on the following propositions which he had been asked to affirm:

—Artificial insemination is not contrary to public policy.

—Artificial insemination does not constitute adultery.

—A child born of artificial insemination is legitimate and the child of the mother only; the father or husband has no right to said child.

Judge Gorman decreed:

"1. *Heterologous* artificial insemination (when the donor is a third party) with or without the consent of the husband, is contrary to public policy and good morals, and constitutes adultery on the part of the mother. A child so conceived is not a child born in wedlock and is therefore illegitimate. As such, it is the child of the mother, and the father has no right or interest in said child.

2. *Homologous* artificial insemination (when the donor is the husband of the woman) is not contrary to public policy and good morals, and does not present any difficulty from the legal point of view."

The answering petition asserted: "The alleged artificial insemination is immoral because both natural and divine law establish the fact that a new life must be procreated only inside marriage. The voluntary surrender by the plaintiff to another person of her reproductive powers or faculties should be held by the court to be an act of adultery."

Attorney for the defendant was expected to file a complaint with

the American Medical Association accusing the physician of malpractice and unethical practice.

Judge Gorman, who is a Catholic, said the attitude of the Church on artificial insemination had no effect on his decision. He declared: "This was strictly a legal decision covering the particular issues at hand. It was not affected by moral principles of my own."

In the wake of the ruling on the illegitimacy of test-tube babies, Chicago doctors have urged the A.M.A. to fight the decision. Obstetricians and gynecologists there, however, said that so long as the decision holds, they will handle no further artificial insemination cases.

It was recalled that in 1949 His Holiness Pope Pius XII declared artificial insemination to be a gravely immoral violation of the marriage bond.

LINACRE QUARTERLY has published several articles on the subject.

New medical school

The establishment of New Jersey's first medical and dental school with opening set for September 1955 was announced in mid-December. The Clinical Building of the Jersey City Medical Center will house the new Seton Hall College of Medicine and Dentistry. Seton Hall, a Catholic university, has signed a 50-year lease for the building.

The state had been approached to take over a portion if not all of the hospital that is operated by the Jersey City Medical Center but the offer had been declined. In

signing the pact, Archbishop Boiland declared: "We are not entering with an illusion that this will be a profit making venture . . . it is a sacrifice for the greater common good." He declared that the school will be operated for the "best interest of all people of our state."

There are still agreements to be reached regarding the future operation of the hospital.

It is interesting to note that the first college of medicine and dentistry in the state will be added to the five other schools of this kind conducted by Catholic universities in other parts of the country.

Medical profession and specialization

"The medical profession is suffering from over-specialization," Dr. Daniel L. Sexton, vice-president of the Federation of Catholic Physicians' Guilds and newly installed president of the St. Louis Medical Society, declared in his inaugural address. "Today we are finding our profession overspecialized and suffering from lack of practitioners with broad training who can treat most of the prevailing ailments," Dr. Sexton stated.

"This past year more medical graduates are inquiring about rotating internships and are seeking training in those hospitals offering such services," he said, "And this is a healthy sign indicating the pendulum is swinging away from specialization." Dr. Sexton echoes much of the thought expressed by the medical advisory committee assisting our Catholic hospitals.