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World Medical Association Affirms Conscience Rights

I am always thrilled when it is possible to report victories in the field of bioethics, particularly when it concerns the conscience rights of health care professionals. The World Medical Association (WMA) at the end of October issued their newly revised International [Code of Medical Ethics](#). This document maintains respect for the rights of conscience of doctors. A concerted effort had been made by many groups over a three-year period to effectively deny the conscience rights of physicians by advising that requiring referrals for such procedures as euthanasia, abortion, etc., was ethically acceptable. In the end, a strong pro-life push by doctors and groups from around the world, including our friends at the Catholic Medical Association, [prevailed](#).

A point that I frequently make when speaking on the topic of the conscience rights of health care workers is that the nature of their activities makes it imperative to have greater protections and higher ethical standards than other professions. A moment's reflection makes it abundantly clear why it is more important to have palliative care or OB-GYN specialists of the highest moral character than say geologists or archeologists. One can be called to place one's life into the hands of doctors, and it is vital to be able to trust their medical advice. Pope Benedict XVI said this very well in *Spe Salvi* n. 39. "Health care is carried out in everyday practice in an interpersonal relationship characterized by the trust of a person who is experiencing suffering and sickness, who has recourse to the knowledge and conscience of a health care worker who encounters him in order to support and care for him." That is the ideal situation but sadly reality falls far short in many cases.

If we do not vigilantly safeguard the conscience protections of medical professionals, an ethical catastrophe is sure to ensue. Doctors, nurses, midwives, and others who have strong and well-formed consciences could be driven out of the healing professions and replaced with those willing to violate moral standards or who simply do not have consciences that are well formed in the natural law and Hippocratic traditions. The danger is that health care would turn into a kind of "vending machine" with no strong ethical component. A world without the possibility of conscientious objection to a range of "legalized evils," such as abortion or assisted suicide, would effectively bar faithful Catholics and many other persons of conscience from the practice of medicine.

It troubling how often the false "conscience compromise" of requiring referrals is proposed. This was what the opponents of full conscience rights wanted the WMA to put in their updated code of ethics. It generally goes like this. We will not force you to violate your conscience by performing a procedure you believe is immoral, but we will require you to refer patients to others in such a way as to ensure that the patient obtains it. This makes no ethical sense. Referring a patient for something one believes to be gravely wrong constitutes formal cooperation with the evil that will be done. This is never morally acceptable. An analogy highlights this point. Most people would see the problem with the following statement. "I will not falsify your tax return, but I will refer you to a person who will do that for you."

The NCBC has for many years proposed a solution to the thorny problem of referral. We advocate for [transfers of care](#). A patient with a radically different set of values should be free to go elsewhere. Hospitals and care givers cannot ethically hold patients against their will. Therefore, the right path is not to require referral but to release patients in this situation and transfer their medical records. A physician could even provide a general list of other providers or institutions based on geographic vicinity or area of specialty. The NCBC thinks it is important that “the list may not be developed based on the criterion of whether they are known or believed to offer the immoral procedure.” Providing neutral information is an acceptable compromise; requiring referrals for unethical procedures is not.

I find it heartening that the WMA has a consensus that recognizes the importance of defending conscience and refuses to give in to liberal critics of conscience protections. Globally, conscience rights are understood and respected by most countries. Sadly, there are exceptions. Some of the worst offenders are in Scandinavia, for instance, where health workers have been told that they must perform abortions or lose their jobs. It continues to baffle me how persons who have a progressive agenda of expanding and even creating new human rights accept the limiting or even cancelling of conscience rights. Persecuting those with conscientious objections has an ancient pedigree and only serves to highlight how conscience rights are among the most fundamental of human rights. Millions of people over the centuries have chosen to accept execution rather than give in to unjust demands that they violate their consciences. The Church celebrates the martyrs of the faith, who died rather than deny what they believed to be true, as among the greatest saints.

Conscience protections in the USA were part of a bi-partisan consensus for many years. Senator Frank Church was a liberal Democrat who authored the “Church Amendments” in the 1970s to protect the conscience rights of individuals and entities that object to performing or assisting in abortion or sterilization procedures. This passed Congress with hardly any dissenting votes. Sadly, in the 21st century, safeguarding conscience rights has almost become a “Republican issue” with many Democrats openly opposing ample conscience rights. It is definitely an important issue to consider when evaluating candidates for whom to vote in the rapidly approaching elections.