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EDITORIAL

“SOLVING ETHICAL CONUNDRUMS BY PRESSING DELETE”



DOCTORS IN IRELAND CHANGE ETHICAL CODE TO INCORPORATE NEW ABORTION LAWS

As recently as 2 years ago, Irish doctors had very clear guidance on the care due pregnant women and their unborn babies. Doctors would need only consult their “Guide to Professional conduct and Ethics for registered medical practitioners” (which in 2016 was already on its 8th edition.)^[1] Reading for example paragraph 48:1 of this ethical Magna Carta for moral guidance in medical matters, they would find the following sound (and presumably well deliberated) ethical guideline: “You have an ethical duty to make every reasonable effort to protect the life and health of pregnant women and their unborn babies.”

Sound ethical principles such as these give a rock-solid foundation to a moral and humane medical practice. They also guide legislation and give consistency to the laws of the land, protecting them from the whims of time. Our Lord himself commands us to build on rock - *“Everyone who listens to these words of mine and acts on them will be like a wise man who built his house on rock. The rain fell, the floods came, and the winds blew and buffeted the house. But it did not collapse; it had been set solidly on rock”* (Matthew 7:24-25).

What are we doctors to make of it, when instead of moral principles informing laws, the reverse happens - new laws dictate the moral principle? Now with the abortion act in Ireland, abortion has suddenly become legalized. Doctors with a heart and conscience are left in a conundrum. What to do when a new law clashes with and contradicts the existing moral code? Is it not a danger when law dictates ethics rather than ethics informing law? Anyway, enough of those type of questions. Popular opinion is the new moral compass. Anyone who contradicts it must be some kind of “-phobic”. Hype and sloganeering can easily usurp any code of professional guidance and ethics. But *“the rain fell, the floods came, and the winds blew and buffeted the house. And it collapsed and was completely ruined”* (Matthew 7:27). The view of the majority? Why don't more people stand up for what is right? Where is the voice of the Catholic doctor?

The new law contradicts the existing medical code. So what to do about the impasse? Simple - just delete the paragraphs! And this is what will happen - the paragraphs in the code will be deleted to force the ethical content of the medical code to be in line with the legislation. The Medical Council website announces it thus -

*“***Please note that from the commencement of the Health (Regulation of Termination of Pregnancy) Act 2018, paragraphs 48.1 to 48.4 of the Ethical Guide will be deleted, thus removing any conflict between the Ethical Guide and the Legislation.”*^[2] This is very confusing for all doctors, in Ireland or elsewhere, who have their patients' best interests at heart, and who are gravely concerned when morality no longer informs legal frameworks but the exact opposite happens - the law hijacks ethics and dictates medical conduct. The terrible examples of this in recent history should make us all more cautious.

Legislators alone cannot be allowed to decide what is the new morality for doctors. Catholic doctors should be emboldened to speak out more. They would do well to remember the exhortation of St Paul: “I charge you in the presence of God and of Christ Jesus, who will judge the living and the dead, and by his appearing and his kingly power: proclaim the word; be persistent whether it is convenient or inconvenient; convince, reprimand, encourage through all patience and teaching. For the time will come when people will not tolerate sound doctrine but, following their own desires and insatiable curiosity, will accumulate teachers and will stop listening to the truth and will be diverted to myths. But you, be self-possessed in all circumstances; put up with hardship; perform the work of an evangelist; fulfil your ministry” (2 Timothy 4:1-5).

In speaking out against abortion they should feel fully supported by the Catholic moral tradition, with Pope Francis himself being a vocal advocate against the wrongs of abortion: “I feel it urgent to state that, if the family is the sanctuary of life, the place where life is conceived and cared for, it is a horrendous contradiction when it becomes a place where life is rejected and destroyed. So great is the value of a human life, and so inalienable the right to life of an innocent child growing in the mother's womb, that no alleged right to one's own body can justify a decision to terminate that life, which is an end in itself and which can never be considered the “property” of another human being.”^[3]

We Catholic doctors need to ask for the grace of courage, not to be passive, but to respond. “Go up onto a high mountain, Zion, herald of glad tidings; Cry out at the top of your voice, Jerusalem, herald of good news! Fear not to cry out” (Isaiah 40:9). There is a call and urgent mission to speak out knowing that, as St Catherine of Siena warned, it is silence that makes the world rotten.

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[2] See <https://www.medicalcouncil.ie/News-and-Publications/Reports/Guide-to-Professional-Conduct-Ethics-8th-Edition.html>
[3] Pope Francis, *Amoris laetitia*, no. 83.