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A Pre-existing Medical Condition and Euthanasia.

I very much admire the National Catholic Bioethics Centre, the official voice of Catholic bioethical matters in the States. There are various publications issued from the Institute, including *The National Catholic Bioethics Quarterly* and *Ethics & Medics*, which is a commentary on health care and life sciences.

Normally, there are two topics discussed in each *Ethics and Medics* publication. In the June 2018 edition however, the whole publication is given over to “NCBC Guide to Completing the POLST Form.” The article is a critique of a fairly common advance directive of a particular type, known as POLST or Physician Orders for Life Sustaining Treatment, which freezes decision-making to what has been decided at the time of signing. The NCBC then provides its own POLST guidelines which are entirely within the teaching of the Catholic Church.



The contents of the article are important and timely, however there are statements there which bother me (see pg 3 of the article). These statements present widespread Catholic bioethical teaching and are fully in accord with magisterial guidelines. I am aware, then, that what follows runs counter to the position of highly regarded Catholic moral theologians as well as the moral judgement of thinking Catholic faithful.

The article deals well with ordinary and extraordinary means of preserving life (benefit, burden). Then, though, it insists that, “It is important to note that the determination of burden refers to the use of a particular medical intervention, not to the perceived quality

of the patient's continued life." (pg.3) It goes on to deal with the use of antibiotics and artificial nutrition/hydration, both in line with the statement above.

Now, it is easy to see how this position defends against both someone deciding that another's life "is not worth living" and also against suicide by omission.

However, all-encompassing statements can catch too many situations in their nets. For



example, a patient is in the last stages of Alzheimer's, is suffering intractable pain and also contracts an infection treatable by antibiotics. If left untreated, the infection will kill that patient some weeks earlier than an antibiotic "cure". In these circumstances, is the use of antibiotics still "ordinary means of preserving life"? Or take a very elderly person who stops eating, a not uncommon situation. If the patient cannot be persuaded to eat, even if helped, should a feeding tube be "forced" on

them by heavy persuasion or through obedience, if this will prolong their life by several weeks or a few months?

In sum, the non-use of antibiotics may not be employed as a means of euthanasia or physician assisted suicide. The non-use of artificial nutrition/hydration similarly may not be employed for the same reasons. But neither omission is immoral when the true good of the person is at stake. Otherwise, the moral position demanding action considers matters in isolation, not considering the total situation presented here and now.



Let me repeat, the NCBQ position is by far the more accepted position in Catholic bioethical circles. However, I am prepared to act on the position presented here.

Reference: "NCBC Guide to Completing the POLST Form, Ethics and Medics, June 2018 Volume 43, Number 6, Accessed at 10/3/2018

https://www.ncbcenter.org/files/5815/2639/3652/NCBC_EthicsMedics_June2018.pdf



A Person from Conception

In my very early days in Toronto, I was invited, for some reason or another, to a dinner with a couple of hundred city lawyers. The after-dinner speech was given by a leading and quite young lawyer who spoke about the abortion law in Ontario, how to deal with legal matters, with no reference to the moral status of the embryo or to morality generally. At the “any questions” part of the proceedings, I said that the speaker had made no reference to the ontological status of the human embryo. Dismissively, the lawyer replied, “Society cannot decide that.” I replied, “Well you can, X, because you’re killing them.” After a moment’s silence, the chairman said, “Any other questions?”

I report this here, not as an example of how NOT to gain friends and influence people, but because some people, theologians included, think that this young lawyer’s answer is that of the Church, that we can’t prove that the human embryo is a person with full personal rights.

What I think is at stake here is a misunderstanding of the Church’s teaching. The Church clearly states that the question of the status of the unborn from the moment of conception is not a matter that science can answer. This is a philosophical question. Then the Church, realizing that true and mistaken philosophy could combat each other endlessly, and in the mean-time children are killed in their millions, cuts through the argument and declares that, in face of endless wrangling, it is gravely immoral to kill what is probably a human person. This is far from an admission that philosophy cannot prove that the unborn is a person. What follows is a philosophical argument for the personal status of the unborn from the time of conception.

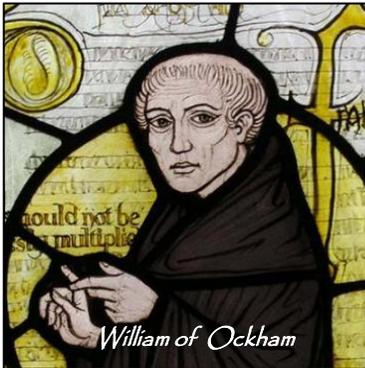


In 1985, Fr. John Gallagher, CSB, wrote an excellent booklet entitled “Is the Human Embryo a Person?” (Human Life Research Institute Reports No.4). I think that the arguments there are totally sound. Here is a summary of the main contents of the booklet:

First, we are our organisms. This means that we are not souls trapped in bodies (Plato, Descartes). The essential “I” is a body animated by a soul to present one human entity, the human person.

Second, since we are our organisms, when a new human person comes into being, a new organism must come into being.

Third, we live our lives according to the principle of economy. This is better known, I think, as Occam's Razor. This principle states that we reach a conclusion from the obvious facts presented, without bringing in unnecessary or fanciful possibilities.



The explanation requiring the fewest assumptions is most likely to be correct.

For example, on a windy day, I leave papers on my desk in my office on the third floor and my window is open, and I lock the door as I leave. I return and find some of my papers on the floor. I conclude, as everyone would, that the wind blew the papers off my desk. I don't consider the possibility of a monkey having escaped from a Toronto zoo, hopped on a train and entered through the window and scattered the papers. Sane people don't do that.

Fourth, there is evidence that a new organism comes into being at the time of conception, different from the mother, with its own DNA and composition. After nine months or so, there is an organism that is undeniably human, namely a human baby. There is no evidence at all that the original organism was substituted by another somewhere along the process, that the original organism ceased to be, and a new organism came into being.

According to the principle of economy, the organism present in conception is the same organism as the one that is obviously personal. We have, then, a person from the time of conception.

Fr. Gallagher concludes, "This conclusion is not arrived at with absolute certitude. In other words, it is possible that the human person begins to exist at some time later than fertilization. However, we find no evidence that this is so, and therefore hold to the more economical explanation."

Reference: Gallagher John. 1984. *Is the human embryo a person?* Toronto ON: Human Life Research Institute of Ottawa.

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