

Freedom of Religion & Freedom of Conscience

“A Physician’s Perspective”

Surprise! In this time in history we nonchalantly take for granted freedoms and “inalievable rights” which have been bequeathed to us by democratic thinkers in the United States and Western democracies.

James Madison: “Conscience is the most sacred of all property”

George Washington: “The establishment of civil and religious liberty was the motive that introduced me to the field of battle.”

Thomas Jefferson: To paraphrase – the principles of the constitution are a “sure guarantee” that a religious charity would be free from interference from civil authority.

Martin Luther King: To paraphrase – a just law is a human code that coincides with the moral law or law of God.

Inherent in our history has been the declared freedom of religion for citizens of all faiths.

The Affordable Care Act with its associated supplemental proclamation and executive “mandates” has now challenged and threatens more than 200 years of American legal guarantees: freedom of religion and freedom of conscience. Distinguished citizens of many countries, the U.S. Conference of Catholic Bishops, the Becket Fund for Religious Liberty and our Cardinal

Sponsors have all already spoken eloquently and courageously on this matter.

We are simple medical healers neither theologians, constitutional scholars or consecrated religious. We have, however, truly benefited from these freedoms now threatened and owe our professional integrity to these freedoms.

At Mary Manning Walsh Home, collectively, the medical staff has shared with our ecclesiastical sponsors 424 cumulative years of physician service. Through more than four decades serving the frail elderly, despite leadership changes and the revolutionary changes and advances in Physiology and Medicine, "The Ethical & Religious Directives for Health Care Institutions" have provided strong foundational support and moral guidance during numerous clinical encounters.

As physicians at St. Vincent's-CMC, MMW, members of Servitas or other Catholic physician organizations (IPA's), The Ethical & Religious Directives have remained an integral part of our foundational documents and professional behavior.

This adherence was freely given by us and in this wide volatile world of medical decision-making; the directives have remained "a wise counselor". For example, very recently they have guided our vision and strategy to collaborate with our respected loving colleagues at MMWH to guide a depressed, discouraged elder from passive suicide to an existing state of love, acceptance and enjoyment of daily life.

The solidification of codified guarantees of freedom of religion (distinct from freedom to worship) and its natural partner, freedom of conscience are critical for the preservation of our professional integrity. Freedom of Conscience for all healthcare providers guided by scientific acumen, watered by a developed

moral sensitivity will sustain us through undoubtedly the difficult and conflicting times ahead.

Without freedom to morally formulate clinical recommendations, the inherent doctor-patient relation may wither with further division and lack of trust. At MMW, we physicians have been blessed with patients of many backgrounds and faiths. A minority now in 2012 may no longer be orthodox Christian believers. Yet, we can proudly state that our sponsorship by the Archdiocese, the presence and advocacy of the Carmelite sisters and our own faith based principles provide genuine relief and comfort to those suffering. Freedom of Conscience and Freedom of Religion are twin partners freeing us as physicians to place the patient first, free of harsh secular or governmental whims. As we anticipate a growing population of elderly citizens of all faiths, the clinical encounters will grow more difficult and draining. Freedom to practice and guide our patients and their families influenced always by moral sensibilities will be determinative.

Consider for a moment, undemocratic and totalitarian societies: Repression is paramount and the free expression of religious belief and conscience is often harshly prohibited.

In nearly all such societies, medical practice and freedom of practice by physicians is also severely constrained by government mandates and "politically correct" ideology and central planning. Freedom of Conscience for physicians in undemocratic or socialist countries is fought against by governments to the detriment of the individual and medical progress.

(As physicians at MMWH, for the reasons elaborated we strongly endorse the beliefs filed in the multiple federal jurisdictions to allow and solidify freedom of religious liberty and freedom of conscience, overturning forthrightly any legislative or executive actions which overturn these constitutional guarantees.)

As we began with the positive expressions rooted in the American law by James Madison and other American historical figures, allow us to conclude with the admonitions and foreboding expressed by Pope Benedict XVI:

“Of particular concern are certain attempts being made to limit that most cherished of American freedoms, the freedom of religion. Many of you have pointed out that concerted efforts have been made to deny the right of conscientious objection on the part of Catholic individuals and institutions with regard to cooperation in intrinsically evil practices.”

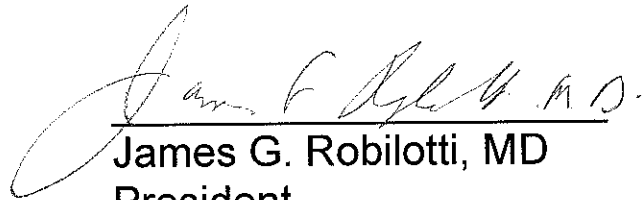
We are physicians trained in scientific medicine but all softened and sensitized by a moral sense bestowed upon us over the years at MMWH, grateful for the lessons taught by our patients.

Despite the uncertainties of the future and forthcoming judicial decisions and our own individuality we re-affirm our commitments to “The Ethical & Religious Directives and to foster a “culture of life” as we care for patients through their journey with us.

Respectfully submitted


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In collaboration with my
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