Extended Table of Contents

CHAPTERS:

ONE—ORIGIN AND DEVELOPMENT OF A CATHOLIC HOSPITAL CODE OF ETHICS, 1921–1971

 Efforts to Establish a New Code of Catholic Hospital Directives, 1946-1954, 4

The Extent of Father Kelly's Contribution to Moral-Medical Theology, 8

1.2 "Rumblings of Concerns,"-1965-1971 and Thereafter, 9

- 1) The Problem of Direct Sterilization by Tubal Ligation, 11
- 2) The Importance of Canonical and Civil Law Reviews of the Directives, 12
- Eventual Clarification of Sterilization and Material Cooperation, 13
- 1.3 Commentary (1977) and Statement (1980) of the American Hierarchy, 15
 Additions to the Hospital Directives in 1975, 16
- 1.4 Directives Presented as Applications of Accepted Principles, 17

TWO-THE PRINCIPLE OF HUMAN DIGNITY

- 2.1 "Communion With God" Through Baptism, 21 The Necessity of Baptism, 23 The Minister of Baptism, 24 Special Situations in Emergency Infant Baptisms, 25
- 2.2 Our Higher Spiritual Welfare—Priority of Spiritual Needs, 27 Sacramental Inter-Communion: Catholics and Eastern-Rite Christians, 28

Sacramental Inter-Communion: Catholics and "Our Separated Brethren," 29 2.3 The Priority of Personhood, 32

Attacking the Scourge of Infertility, 33

Moral Considerations, 35

- 1) Lawful Means of Fostering Human Fertility, 36
 - (a) The "Rhythm Method" and Anovulant Pills, 38
 - (b) Other Promising Approaches to Human Fertility, 40
 Pope Pius XII on the Subject of Artificial Insemination, 41
 The Tubal Ovum Transfer Procedure (TOT), 43
 The Gamete Intrafallopian Transfer Procedure (GIFT), 47
 The Sperm Intrafallopian Transfer Procedure (SIFT), 49
- 2) Lawful Means of Obtaining Human Sperm for Analysis, 51
- 3) Fertility Procedures Which Must be Regarded as Immoral, 55
 - (a) Artificial Insemination by the Husband (AIH), 55
 - (b) Artificial Insemination With Sperm from a Donor (AID), 55
 - (c) "In Vitro" Fertilization (IVF), 56
 - (d) Surrogate Embryo Transfer (SET), 58
- 4) The Morality of Surrogate Motherhood, 59
- 5) Possible and Pending Genetic Techniques, 61
- 2.4 Psychological and Social Needs, 62 The Role of Government in "Ready Access" to Medical Care, 63 The Role of Charity in the Mission of Healing, 64

THREE—THE PRINCIPLE OF THE RIGHT TO LIFE

- 3.1 Our Heavenly Father, The Lord of Life, 68
- 3.2 Allowing Life to Begin, 70
- 3.3 The Church's Concern for Couples With a Fertility Problem, 73 Sufficient Reasons for Regulating Fertility, 77
- 3.4 Contraceptive Procedures, Techniques, Devices, 79
 - 1) "Humanae Vitae" and the Morality of Contraception, 79
 - 2) The Sterilization "of the Faculty Itself," 85
 - 3) Directly-Contraceptive Techniques and Devices, 86
 - 4) Procedures that Induce Sterility-Indirect Sterilization, 90
- 3.5 Safeguarding Human Life, 93
 No Longer Any Reasonable Doubt About When Life Begins, 94
 Abortion, "Directly Intended," 96
 Abortion—"Before Viability," 98
 The Extent and Effects of Excommunication for Abortion, 99
- 3.6 Discrimination Against Human Life, 105 Prenatal Euthanasia, 105

Postnatal Euthanasia, 111 Adult Euthanasia, 118

FOUR-THE PRINCIPLE OF RELIGIOUS FREEDOM

- 4.1 Respecting Freedom in Ministering to the Spiritual Needs of Catholics, 121
 - 1) Few Restrictions in "Special Need" Situations, 125
 - 2) Even Less Restrictions in "Danger of Death" Situations, 126
- 4.2 Marital-Status Procedures Beyond Simple Convalidation, 129
- 4.3 Administration of the Sacraments of Penance and of the Eucharist, 131
 - 1) Administration of the Sacrament of the Eucharist, 132
 - 2) Precautions Required to Avoid Irreverence, 133
 - 3) Administration of the Eucharist as Viaticum, 136
- 4.4 Administration of the Sacrament of the Anointing of the Sick, 139
- 4.5 Ministering to the Spiritual Needs of the Non-Catholic Patients, 141
- 4.6 Respect for Personal Beliefs, 143
 - 1) The Extent of Mankind's Dominion Over the Body, 143
 - 2) Religious Freedom and the Refusal of Medical or Surgical Procedures, 145
 - Religious Freedom and "Allowing Nature to Take It's Course," 147
 - 4) Religious Freedom and Cremation, 149
 - 5) Policy Regarding Suicide Victims and "Manifest Sinners," 151

FIVE—THE PRINCIPLE OF INFORMED CONSENT

- 5.1 The Challenge of Self-determination, 155 Self-determination and "The Spiritual as Well as Bodily Welfare," 152
- 5.2 Informed Consent and Ordinary-Extraordinary Means, 159
 - 1) Medical vs Theological Terminology, 160
 - 2) The Importance of the "Overall" View, 161
 - 3) "Quality of Life" Considerations, 161
 - 4) Unfulfilled Moral or Religious Obligations, 162
 - 5) Useful vs Useless Means, 162

5.3 Informed Consent and Levels of Hospital Care, 164

- 1) The Level of Emergency Resuscitation Care, 164
- 2) The Level of Intensive Care and Life-Support, 167a) Informed Consent and Life-Sustaining Treatment, 169

- b) Care of Developmentally-Disadvantaged Newborns, 171
- 3) The Level of Supportive Nursing Care (Comfort Measures), 178 Various Categories of Patients in Imminent Danger of Death, 189
- 5.4 Consent-Either Implied or Reasonably Presumed, 193
- 5.5 Freedom from External Pressure, 196
- 5.6 Adequate Information, 198
- 5.7 Incompetent Patients, 201

SIX-THE PRINCIPLES OF INTEGRITY AND TOTALITY

- 6.1 The Principle of Integrity and the Whole Human Person, 206 Integrity and Preventive Medicine, 207 Integrity and the Behavioral Sciences, 210 Integrity and a Prime Social Problem—Diet Control, 213
- 6.2 Totality and Injurious Members of the Body, 215
 Pope Pius XII on the Principle of Totality, 217
 Practical Application of the Principle of Totality, 218
 Application to Uterus Weakened by Repeated Cesareans, 220
 1) Caution Required in Analyzing This Procedure, 223
 2) "Uterine Isolation" as a Substitute for Hysterectomy, 224
 Other Applications of the Principle of Totality, 225
- 6.3 Totality and Healthy Members of the Body, 228 The Problem of the Transsexual, 228 The Problem of Divergent Gender Identity, 231
 - 1) Determining the Sex of Rearing, 232
 - 2) The Spectre of Impotence in Cases of Ambiguous Genitalia, 233 Interpretation of Canons 1061,1, and 1084, 234 The Minimal Requirements for Sexual Potency, 236 Solving Practical Doubts Regarding Impotence, 238 Liceity of Certain Mechanical Devices for the Husband, 238 Unnecessary Surgery, 243

SEVEN—THE PRINCIPLE OF THE DOUBLE EFFECT

7.1 Explanation of the Principle of the Double Effect, 248
 The Five Conditions Involved in the Principle of the Double Effect, 249

An Evaluation of the Principle of the Double Effect, 253

7.2 The Problem of Proportionalism, 255 The Basic Tenents of the Theory of Proportionalism, 257 An Evaluation of Proportionalism, 260

- a) Terminology-The Focus on Ontic Good and Evil, 261
- b) The Effective Circumvention of Authority, 262
- c) The Tendency to be Motivated by "Utility," 263
- d) Tendency to Permissiveness in Moral Behavior, 264
- 7.3 Applying the Principle of the Double Effect, 266
 - Ectopic Gestation—"Out of Place" Pregnancies, 267
 Surgical Removal of the Fallopian Tube (Salpingectomy), 268
 The Rare Possibility of Transferring the Embryo by Salpingotomy, 271
 - 2) Placenta Praevia-Abnormal Implantation, 274
 - Abruptio Placentae—Detachment of Normal Implantation, 275
 - 4) Hyperemesis Gravidarum—Pernicious Vomiting, 277
 - 5) Eclampsia—Pregnancy-induced Hypertension, 279
 - 6) Erythroblastosis Fetalis-The Rh Factor, 280
 - 7) Hydatidiform Mole-A Trophoblastic Disease, 283
 - 8) The Anencephalic Fetus, 285
 - 9) Radiation Therapy, 286
 - 10) Hysterectomy in the Presence of Pregnancy, 288
 - 11) Induced Labor, 289
 - 12) Premature Rupture of the Amniotic Membranes, 293

EIGHT—THE PRINCIPLE OF THE COMMON GOOD

- 8.1 The Common Good: Ideals and Reality, 302
- 8.2 Building on Community of Concerns, 304 The Role of Ethics Committees, 305
 - 1) Ethics Committees: Purpose and Membership, 307
 - 2) Activities of an Ethics Committee, 309

Professional Medical and Spiritual Consultation, 310

Consultations Among Theologians, Physicians, and Other Scholars, 313

- 8.3 Promoting the Common Good, 315 Contributing to the Common Good, 316
 - The Transplantation of Human Organs (Homografts), 316 Human Transplants from a Living Person, 317 Human Transplants from Cadavers, 319
 - Experimentation With Patient's Consent, 321
 Moral Guidance in Human Experimentation, 323
 Clinical Research on the Unborn, 325

- Postmortem Examinations (Autopsies), 327
 Definition of Death Criteria, 328
 Evaluation of "Definition of Death" Criteria, 330
- 4) Victims of Rape, 333
 The Ethical Problem of Preventing Pregnancy, 334
 Other Aspects of the Rape Problem, 339
- 8.4 Practices and Procedures Contrary to the Common Good, 341 Ghost Surgery, 341 Euthanasia, 343

NINE—PRINCIPLE OF CONFIDENTIALITY

- 9.1 Using Others Through Deception, 349 The Validity of Mental Reservations, 350 Informing Patients of Their Condition, 351
- 9.2 The Right to Guard Secrets, 353
 Valid Exceptions to Keeping Professional Secrets, 355
 Marriage With an AIDS-infected Partner, 358
 The Reality of the Risks in an AIDS-related Marriage, 360
 Other Exceptional Reasons for Revealing an Entrusted Secret, 364
 Privacy and Confidentiality, 364
- 9.3 The "Theft" of Personal Secrets, 368 Pope Pius XII and Psychotherapeutic Practices, 369 Contemporary Psychiatric Treatment, 371

TEN—THE PRINCIPLE OF MATERIAL COOPERATION

- 10.1 Historical Background, October, 1967 to November, 1971, 374 Reactions to the Three-Theologian Revision, 377 Reactions to the Revised Directives, 378 Commentary of the Historical Background, 380
 1) Influence of the Route Chosen by the Canadian Hierarchy, 380
 2) Apprehension Over Logislation on Indiaial Intermentione, 202
 - 2) Apprehension Over Legislative or Judicial Interventions, 383
- 10.2 Traditional Doctrine on Material Cooperation, 384
 The Rejection of Three Arguments for Direct Sterilization, 384
 The Traditional Doctrine Regarding Cooperation in Evil, 387
 1) An Analysis of Mediate Material Cooperation, 388
 2) The Application of the Principle of the Double Effect, 390
- 10.3 Prudence in Application, 391
 1) The Institutional Aspects of "Prudence in Application," 392

Pressure on Catholic Hospitals to Allow Sterilizations, 393 Taking Positive Steps to Improve the Catholic Image, 397

- 2) Proportionate Reasons Applying to Catholics as Individuals, 398
- Applications to Joint Ventures, 402
 The Catholic Hospital and its Own Office Building, 403
 The Catholic Hospital and an Office Building Based
 on a Land-Lease, 404
 - A Joint-Venture Medical Office Building, 405
 - A Catholic Hospital as a Member of a Three-Hospital Consortium, 407
 - A Catholic Hospital in a Joint-Residency Program, 408 Partnership in Group Practice, 409

10.4 Precautions Against Scandal, 410 The Narrow Limits of Lawful Scandal Situations, 412 Dissipating the "Appearances of Evil" in Scandal Situations, 414

POSTSCRIPT: The Unifying Power of the Moral Virtue of "Pietas," 417

APPENDIX, Three Church Documents on Sterilization (1975, 1977, 1980), 420-426

INDEX, 427-459

- "QUICK REFERENCE" COMMENTARY On the Ethical and Religious Directives For Catholic Health Facilities, by Father Albert Moraczewski, O.P., Ph.D., 461-503
- APPENDIX II Instruction of the Congregation for the Doctrine of the Faith (Feb. 22, 1987) On Respect for Human Life in Its Origin and on the Dignity of Procreation, 505-537