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The Physician's Obligation: Society vs. Person

Herbert Ratner, M.D.

Doctor Ratner, the immediate past president of the National Federation of Catholic Physicians' Guilds, presented this paper at the Federation Internationale des Associations Medicales Catholiques XIV World Congress in Bombay, India on January 31, 1978.

Archbishop Hurley paid tribute to the vitality and richness of change. My paper pays homage to the vitality and richness of the permanent. As we say about the medical literature: not everything that is old lacks value and not everything that is new has value. Oliver Wendell Holmes expressed the same thought in a dedicatory address at a new medical school in 1878. He stated, "There is a dead literature and a live one. The dead is not all ancient, the live is not all modern." Needless to say, as a physician and as a student of the Book of Nature and the medical art that cooperates with the healing forces of nature, I worry about those who are swept away by the spirit of change — by the novel at the expense of the established. I am not unmindful here that the Book of Nature teaches us that the natures of things are characterized by their permanency. The *man* of 17th century Shakespeare's age, of 5th century B.C. Sophocles' age, of Old Testament's age are the same. This accounts for the perennial value of the great books. A misreading of nature, then, under the guise of progress is shortlived. To echo Etienne Gilson, medicine and medical ethics like philosophy have the perennial task of burying their own undertakers.

The thesis of my paper is simple. The primary obligation of the professional man, whether it be in the ministry, medicine or law, is to the individual, not society at the expense of the individual. That just as it is monstrous as an accommodation to society for the priest to promote sin and vice among his penitents, and the lawyer to promote perjury and injustice among his clients, it is equally monstrous for the physician to promote disease (as in *The Pill*) and death (as in abortion and euthanasia) among his patients.

This is why at medicine's birth as a learned profession serving the basic need of individual man for health and life, the Hippocratic Oath took an unalterable stand against killing when it proscribed both abortion and euthanasia. And if there were ever a time when euthanasia would have been appropriate it would have been in the 5th century

B.C. when the science and art of pain relief was in such a primitive state. But, as if inspired, Hippocrates saw clearly that it was dedication to life not death that gave medicine its essential character and ethic. He also probably realized that physicians kill off enough patients unintentionally without asking them to do it intentionally.

Technology, if not properly harnessed and directed, can corrode and dehumanize. In medicine, this particularly occurs when technology is taken over by physician-social engineers who have redirected their allegiance from the good of the individual patient to the alleged greater good of society and the state. We witness physicians in government declaring oral contraceptives safe when in fact they are dangerous and a threat to soma, psyche and life itself. We witness physicians taking unilateral liberties with the reproductive organs of adults and minors. We have witnessed India, despite its great democratic tradition, making sterilizations either compulsory or seductively coercive by tempting individuals to mutilate their bodies for a stipend. Here we can only express our praise and admiration for India's great example to the world: its replacement of a government which tampered with freedom and took first steps toward converting India into one huge animal colony. We are also grateful for Mother Teresa who reminds us that cure is derived from care and that love, not lethal potions, is the solace of the dying and the vehicle to the Heavenly City.

Social Darwinism which has been making inroads on the world since the 19th century is now, by manipulatively promoting abortion, euthanasia, sterilization and contraception, well on the road toward destroying the family and replacing *natural selection* by *fiat selection*. Because of this, it is imperative at this point in history, to reaffirm the Hippocratic Oath with its ordination to the dignity of the person and the individual patient, "bond or free," and to reaffirm the additional note of sanctity that the Creator bestowed upon man and woman when He created them in His image and likeness; as well as to recover and restore the full dynamism of the traditional concept of the learned professions, which makes medicine a truly liberal and liberated profession.

The essence of the learned profession is that it serves basic human needs which transcend the vagaries of society. This is perhaps best illustrated by the legal profession whose end is justice. That justice is a basic need of human beings can be seen in the very young child whose sensitivity to acts of injustice on the part of parents, siblings or playmates is overriding. This basic hunger for justice remains with a human being throughout life.

Justice itself derives from love, the cement of society, which directs man to seek both the good of himself and the good of the other. The habit of love is acquired within the family, the natural institution whose function is to nurture new members of society in preparation

for a constructive adult life in society. Without love man could not function as a social animal. Unlike other social animals whose directives toward their common social goal come through a set of pre-determined, automated instincts such as bees, man to fulfill himself as a human being and social animal must develop habits and a body of law which conform to his good and the good of society of which he is a member. To love one's neighbor means to be just to one's neighbor; laws exist to help us to be just.

In the affairs of men, law operates to attain justice for individuals. This is achieved with the help of the legal profession, whose members freely undertake the obligation to devote their lives to serve this basic need. To accomplish this, the profession must be organized in such a way that its common goal is shared by and imposed upon its members.

The requisites for this are twofold. Members must be learned in the law. Toward this end the profession conducts educational programs. Members are also obligated to dedicate themselves to the purpose of the profession. Accordingly, the learned profession must have a code of ethics that conforms to the profession's end. In law, the end is justice. When a lawyer violates his professional code by sabotaging this end, say, by advising perjury, the legal profession has the obligation to take disciplinary action against him and to disbar him if necessary. The real scandal of Watergate was that so many lawyers were involved in the cover-up.

A lawyer who sabotages law's end, justice, is a lawyer in name only. By transgressing the end of his profession, he discredits and dishonors it. He panders injustice and, in essence, is an outlaw, for he operates in disregard of the law. By foregoing the canons of ethics which bind him to justice, he becomes blind to justice. The growing lassitude of learned professions toward the professional laxness of their members is foreboding. It paves the way for a reduplication of what happened in Nazi Germany when under the pressure of the state, the German legal profession permitted itself to become an instrument of injustice.

What can be seen so clearly in the legal profession equally applies to its sister profession, medicine. Whereas man's natural hunger for justice results in the legal profession, man's natural striving for vitality results in the medical profession. Without adhering to its end — the promotion, perfection and protection of life and health to which the living are ordained; without a code of ethics and an oath that conform to this end and are determined by this end, and without an organization that protects medicine and its independence from social assaults and its integrity from the transgressions of its wayward members, the learned and liberal profession of medicine will no longer be the dedicated servant of the individual patient, but the dutiful instrument of the state.

Medicine, tragically, has undergone a progressive and dangerous erosion since the post-Nazi-holocaust reaffirmation of the Hippocratic

Oath and Helsinki Declaration on human experimentation. It is seen in the acceptance of killing as a new function of the medical profession, namely, the killing of the unborn child and the promotion of active euthanasia among the born. To advance or even tolerate killing in medicine, however, is just as monstrous as tolerating injustice in law. We also see medicine's decline in the medical scientist's ardor for converting human beings — particularly, helpless human beings such as prisoners, retarded children and those destined to be aborted — into guinea pigs under the false thesis that the good of society, of the non-existent patient of the future, justifies the sacrifice of the existent patient of the present: that the rights of abstract patients, i.e., society in the abstract, supersede the rights of actual patients.

The following commentary on the Hippocratic Oath's proscription of abortion and euthanasia forcefully expresses the stand members of a learned profession must take to defend transcendental human rights against the encroachment of state and society.

(The physician) naturally must abstain from assisting in suicide (or abortion) or even suggesting it. Otherwise he would be guilty of a crime, he no less than his patient, and in this moral and religious conviction the doctor can well find the courage to remain deaf to his patient's insistence, to his suffering, and even to the clamor of the world which disagrees almost unanimously with the stand taken by him. (Edelstein, L., *The Hippocratic Oath*. Johns Hopkins Press, 1943, p. 16)

It was the failure of the learned professions to hold firm to their traditions which paved the way for the Nazi society. Euthanasia was introduced into German medicine in 1920 long before the ascendancy of Hitler. It led to the demise of hundreds of thousands of institutionalized patients, mental and pediatric. It developed the habit of killing in the German medical profession — the leading national association of physicians at the time. Now, over fifty years later, we are once again on the same road, lined now, however, with updated billboard messages more persuasive to our age. Led by the United States, today we are lulled by the false face of liberalism masking an unrecognized fascist mentality which mistakenly attaches the attribute of tyranny to traditional oaths, oaths that in reality protect the professional person and society from the tyranny of the state.

Contemporary society is rapidly losing its understanding of the nature of a learned profession. As a consequence, and in proportion to the loss, we are experiencing an increasing dehumanization and brutalization of medicine. To reverse this barbaric and catastrophic trend we must revitalize the concept and obligations of the learned professions as serving basic needs of individuals as ordained to life, justice and salvation and must rediscover the fundamental role of the "oath" as the rudder that keeps the ship on its true course.

The most striking, the most forceful and the most poignant extrapolation of the position I have tried to enunciate — and it comes

with special import and impact at an international gathering of physicians meeting in India during the 30th commemoration of his death — is that of Mahatma Gandhi, who was inspired to transcend the pains of his people to state,

I am more concerned in preventing the brutalization of human nature than in the suffering of my own people.

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