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## AN EXPLANATION OF THE ACTION OF THE HOUSE OF DELEGATES\*

By THOMAS A. McGOLDRICK, M.D.

This is an address given before the Catholic Physicians' Guild of Brooklyn. No action was taken by the Guild. Dr. McGoldrick was Chairman of the Reference Committee whose action on the report of the Committee to Study Contraceptive Practices was adopted by the House of Delegates on June 8th, 1937.

Interest more than usual, and more than seemed warranted, has been given this year to the action of the A. M. A. at its Atlantic City Convention on the subject of contraceptives. Within twelve hours after the discussion of the subject, accounts, incomplete and inaccurate, were carried in the metropolitan daily newspapers accompanied by interviews with opponents and proponents of birth control. Many weeklies, including several of our Catholic publications, followed the example. None of the writers, it appears, had seen exact reports of the Association's work, but published opinions of their own and of prominent church dignitaries on admittedly assumed facts. Other Catholic editors displayed their characteristic intelligence and waited official reports before expressing their critically just and well founded conclusions. Statements made were so variant that an editorial in the *A. M. A. Journal* stated:<sup>1</sup> "The numerous representatives of the Press . . . did their utmost to present an accurate picture of the events that

occurred. Unfortunately, by modern methods of news gathering and publication, the story written on the spot may be subjected to editing in the publisher's office; moreover, headlines are invariably written far-distant from the scene of action and under the pressure of limitation on time. The reason for these animadversions is the furor that has been created relative to lack of understanding of just what the House of Delegates did, particularly on the subject of prevention of conception." Discussion at one Guild meeting prompted the request for these notes on just what the House of Delegates did approve and for some of the reasons given.

A Committee of Physicians appointed in 1935 to study contraceptive practices and related subjects made a partial report at the 1936 annual meeting, which was adopted by the House and which has excited no public comment. The remainder of the report was presented this year at the Atlantic City meeting. In accordance with the parliamentary procedure this report was referred to another committee, a different group, known as a Reference Committee. It is the report of this Reference Committee

\* These notes are presented by the writer as an individual physician and on request of one of the Guilds.

<sup>1</sup> *J. A. M. A.*, Vol. 108, No. 26, June 26, 1937.

that was submitted to the House and on which action was taken. From the original report, after study, were taken three recommendations. These recommendations, altered in some essentials with additions made and slightly modified, were presented to the House of Delegates, which approved them. The original report of the Contraceptive Committee, although still frequently quoted, was not approved by the House of Delegates. No action was taken on it as a report and it was not submitted to the House for action by the Reference Committee.

The first recommendation as adopted reads: "That the A. M. A. take such action as may be necessary to make clear to physicians their legal rights in relation to the use of contraceptives, emphasizing the fact that all considerations in this report on the subject of prevention of conception have their application only in conditions arising in the relation of physician and patient, and that this recommendation so modified be referred to the Bureau of Legal Medicine and Information."

The laws on medical practice and the rights and duties of physicians differ in many States, and there is great obscurity on many aspects of them. Interested groups have made interpretations and published them with usurped authority. Some such groups have sent to the A. M. A. communications of their own interpre-

tation as was done this very session in the "One Package Case." Doctors are entitled to know laws affecting their work and there is a qualified bureau to give them this information. It is interesting to learn, for example, what constitutes a patient. The woman who, for economic, or eugenic, or social, or pregnancy spacing reasons seeks advice for contraceptive purposes is not a patient under the law any more than a drug addict in need of fresh drugs, and consideration of such person is not within the duties of a physician nor the province of the American Medical Association. To doctors and such patients will the law be emphatically and clearly defined by this qualified Bureau.

Second Recommendation: "That the A. M. A. undertake the investigation of materials, devices, and methods recommended or employed for the prevention of conception with a view to determining their physiological, chemical, and biological properties and effects and that the results of such investigation be published for the benefit of the medical profession." This recommendation was adopted and referred to the Council on Pharmacy and Chemistry, and also to the Council on Physiotherapy. Is this a proper subject for the American Medical Association? How much harm is being done today by the widespread use of contraceptives? Do the drugs used with them now, or in the recent past, as germicides, cause di-

rect harm? Does the persistent long continued irritation of a mechanical foreign body in the vagina predispose to or aggravate malignant disease? Do these devices and methods by causing Chronic Hyperaemia, or in any other way, predispose to inflammatory or infectious disease of the generative organs? Does the unnatural method of coitus have an injurious effect on the nervous and vascular systems? Are contraceptives, as recently asserted by some birth controllers, prophylactic of all venereal diseases to those who do or wish to indulge in promiscuous relations? Should any correct knowledge on these subjects be a proper matter for physicians—for physicians only, and not for the manufacturers of these goods and their sponsors referred to as the public? It is to this public that the birth controllers wished all information and materials widely disseminated and sold.

Third Recommendation: "That the Council on Medical Education and Hospitals be requested to promote thorough instruction in our medical schools with respect to the various factors pertaining to fertility and sterility, due attention being paid to their positive, as well as to their negative, aspect."

Does medical science today know all about fertility and sterility? Was the work of Knaus, Ogino, and the publications of Latz of no value? Are these and similar works on some index for

Catholic physicians? Is there just one proper method of birth control? Should the medical student and doctor not know that there is no contraceptive or combination of contraceptives that is 100% effective? Should not the reasons why every Catholic physician opposes birth control be made known to all physicians? How frequently did late Professor A. J. C. Skene tell his students of the importunings for help of women who desired children but could not have them. Is it not a high function of a doctor to know the causes of their sterility and correctly treat them? Should it be necessary as has happened, that a professor in a Catholic university should be obliged to seek and obtain his information on these subjects from physicians neither Catholic nor Christian? Should not every physician, despite the assertions of the birth controllers, know that the present wide use of contraceptives has not reduced the number of criminal abortions, with their resulting mortalities and morbidities? Should not the Catholic physician know the etiology of pathological conditions that come to him for treatment, even though these conditions are the results of sin, of folly, or of ignorance. Should he be able to prescribe, advise and treat not only with moral authority, but supported in addition by the highest and best scientific knowledge? Is real scientific knowledge ever opposed to morals or is the apparent contradiction

only our ignorance? Does not the prohibition of what is contrary to Truth stimulate the search for more knowledge on the correct approach to problems? Only a while ago, craniotomy on a living child occupied a position similar to that of contraceptives and therapeutic abortions of today. Caesarean Section with its wonderful results proved the way and confirmed the stand of the Church that murder is never permitted. Are not many of the conditions for which birth control is advocated today—bony deformities, tubercular diseases and the like — better treated by other ways than the prevention of conception?

Fourth Recommendation: "The House of Delegates approved the recommendation of the Reference Committee that information and advice concerning the prevention of conception given in dispensaries, clinics, and similar establishments, should be given only in such dispensaries, clinics, and similar establishments *legally licensed* to treat the sick and under medical control." This it is hoped would and should close all these present birth control clinics. They are not conducted for sick people. They are not birth control clinics. They are places conducted for the prevention of conception. They are not conducted in accordance with the laws governing all other dispensaries and clinics for the treatment of the sick. They were intended originally to be conducted by non-medical people, and the

opening of the first clinic in Brooklyn was followed by a thirty-day jail sentence for a leader of the movement for violating the Medical Practice Act. Most of the doctors working in the present-day birth control clinics, are, sad to say, women. Knowing now that their enterprises are authoritatively disapproved by the American Medical Association and that the work done by them is forbidden under the ethics of that Association, these doctors should, at once, sever their connections with these birth control clinics or, if they are doctors in good standing in the profession, be prepared to submit themselves to the boards of censors of their county societies for suitable action. No doctor can conduct his work in violation of the spirit and the law of the American Medical Association and be considered a proper member of his County Society.

Birth control clinics have no licenses. They are under none of the legal controls placed on clinics for the treatment of the sick. Would it not, with this new authorization, be a good work on the part of the Guilds to secure the attention and action of regular State authorities on these places of work?

With every other member of our Guild is this writer thoroughly convinced of the truth and the value of the Church's doctrine on the question of contraceptives. Neither in practice nor in theory has a doctor justification or de-

fense for any immoral procedure. No one may with impunity violate the natural law and no doctor violating it may avoid its moral responsibilities.

The American Medical Association, however, is composed of physicians who, though not members of the Roman Catholic Church, are approaching these subjects with all the knowledge and means existing and with no other motive than the welfare of the people committed to their care. For twenty-five years has pressure been put upon them by the birth controllers with consis-

tent failure of the propagandists.

On the present action of the Association, let me quote from one Catholic paper:\*

"In the foregoing declaration of the A. M. A. we do not discern any open advocacy of wholesale birth prevention. . . . The news dispatch carried inference that the Association had declared itself in favor of birth control. Our reading of the recommendations adopted by the A. M. A. does not, however, lead us to such conclusions."

\* Tidings, Diocesan Paper, Los Angeles, June 3, 1937.

The *Statistical Abstract*, issued by the Irish Free State, shows that in 1934 the birth rate was 19.2 per thousand of population and that fourteen European countries, the United States, Australia and New Zealand, all had lower birth rates and that only eleven European countries had higher birth rates. As compared with the Irish Free State birth rate, of 19.2 per thousand, the *Statistical Abstract* reports a birth rate of 18.4 per thousand for Germany, 17.1 for the United States, 16.5 for New Zealand, 16.4 for Australia, 16.1 for France, and 15.3 for the United Kingdom.—[N. C. W. C. News Service.]

Regarding the declining birth rate, Dr. John L. Rice, Health Commissioner of New York City, said that at the beginning of the present century, the birth rate in the city was approximately 35 per thousand population. Since then it has declined markedly, so that during 1936 it was only 13.4.

"This, together with the practical cessation of overseas immigration, has already slowed the growth of the city's population. The time is not far off when the birth rate will be less than the death rate and when there will be no further increase in the population except through immigration from elsewhere," he said.—[*New York Times*.]

## MEETING OF FEDERATION OF CATHOLIC PHYSICIANS' GUILDS

The Federation of Catholic Physicians' Guilds met in annual session in Atlantic City on June 10th, during the Convention of the American Medical Association. This selection was made at the suggestion of the New Orleans Guild, which was represented at the meeting by Doctor P. B. Salatich.

Through the efforts of the Atlantic City Convention Bureau and the courtesy of the Crane Company, a spacious and well-equipped room in their National Exhibit Building, Boardwalk and Georgia Avenue, immediately adjoining the Convention Hall, was at our disposal.

The Executive Committee had cards posted on the Bulletin Boards of the hotels and a notice placed in the *Daily Convention Bulletin*.

Catholic physicians attending the Convention were welcomed to this gathering. These included representatives from Vermont, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Illinois, District of Columbia, Maryland, Louisiana, Rhode Island, Florida, Mississippi, Tennessee, Minnesota and Iowa.

The President, Dr. Joseph A. Dillon of New York, was in the Chair.

The occasion was opportune, for it had just been broadcast

through the Press that the American Medical Association, in Convention assembled, had approved of contraception.

The assembled delegates, whilst considering that the interpretation put upon the action of the American Medical Association with regard to universal approbation of contraception was untrue, and whilst waiting for the text of the committee reports, nevertheless felt that it was necessary to make some statement to the public in regard to birth control and contraception. Any approval of artificial methods of contraception by any groups does not mean that 100 per cent of physicians whether Catholic or not subscribe to that approval. The delegates affirmed that in the quest for health it should always be remembered that there are some things of greater importance, such as honor, family, country and the attainment of our supernatural destiny. For these things, even loss of health is to be suffered in those rare cases where child-bearing might be detrimental to the mother. Experience has shown that in the vast majority of cases women are healthier, both physically and mentally during the child-bearing period, if they bear children. We profess that the practice of artificial contraception for any reason is a perver-