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# The Directives: The Report-Revisited

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*A recent contribution to the continuing debate over the revised Hospital Directives is reviewed here by Dr. Paganelli. The reviewer practices medicine in Glens Falls, New York, and earned the 1971 Linacre Award for an earlier article in this journal.*

To bring the casual or occasional reader of *The Linacre Quarterly* up to date on the significant and vitally important discussion regarding "The Ethical and Religious Directives for Catholic Hospitals (the *Directives*)," a brief history follows.

In November, 1971, the United States Catholic Conference of Bishops formally approved a revision of the *Directives* which had stood unchanged since 1955. This approved revision was the work of a committee which included members of the Catholic Hospital Association (CHA), the National Federation of Catholic Physicians' Guilds (NFCPG), theologians and several other interested parties. The theologians on that committee — even at the time of its final recommendation to the USCC — took serious exception to the revision recommended by the full committee and, as I understand it, subsequently filed a separate recommendation. However, the *Directives*

recommended by the full committee, rather than that separately recommended by the theologians, were ultimately accepted by the Bishops in November, 1971.

The *Linacre Quarterly* of November, 1972, published the results of a special study commission established by the Catholic Theological Society of America (CTSA). This study is referred to simply as the "Report."

The Report was in response to the formal approval by the Bishops of the revised *Directives* and raised questions both regarding the principles and their application in the revised document. This Report invited and encouraged further discussion of the issues raised.

Finally, in the February, 1973, issue of *Hospital Progress*, the official journal of the CHA, Donald Keefe, S.J., (J.D., S.T.D.) undertook an extensive critique of the Report submitted by the special study committee of the CTSA.

The purpose of this article is to analyze and comment on Father Keefe's critique of the Report. It should be noted that Father Keefe is as critical of the position taken by the theologians and others who formed the CTSA committee as they are of the revision of the *Directives* officially promulgated by

Cardinal Kroll. Incidentally, the term "theologians" here does not mean that the position attributed to them is an official position of the CTSA, nor does it necessarily represent opinion of theologians other than those on the special study committee.

There are two parts to Father Keefe's critique, the first of which positions his theological thinking on the subject of ecclesiology (theological doctrine of the Church) in the camp of Rahner rather than that of Küng. From my background of a limited reading of both men, I would opine that he has fairly stated his own position as well as that of the two European theologians in setting up this polarization between them. Part I further elucidates the principles which underlie Father Keefe's detailed rebuttal found in Part II in which he responds to the separate and individual statements of the Report.

In Part I, Father Keefe wastes no time at all as one who has followed the discussion might have suspected or perhaps even hoped — in developing new insight in natural law theory, nor delays long on the problems of legitimate dissent, authority, or any of the other current specific nitty-gritties of moral theology. Rather, as indicated earlier, he takes up the argument on the basis of the problem of the Church's understanding of itself and its historical role and mission in the world. His viewpoint dovetails well with several of the Vatican II documents. The point he makes is that the Roman

Catholic Church has historically and consistently insisted that Christ has made Himself present for the redemption of men primarily in and through and within itself, i.e., the Roman Catholic Church. The most important and obvious manifestation of this primacy of locus of Christ in His Church is the Real Presence in the Eucharistic Sacrament which causes the Church to be, and to be historically.

Even now, as a result of Vatican II's clearer understanding of the meaning and role of the churches separated from the Roman Catholic Church, this understanding of its primary relationship with Christ which the Roman Catholic Church has historically and consistently enunciated remains essentially unchanged. Furthermore, this historical primacy is indissolubly linked with its historically consistent and publicly pronounced teachings in the field of sexual morality as well as in regard to moral problems in other areas of human activity.

Father Keefe further sharpens the focus of the discussion between the *Directives* and the Report by raising the issue of a sacramental vs. a secular society. More specifically within that issue, he holds that all of man's acts should (and from a Roman Catholic point of view must) testify to the fact that it is God Himself who has given the world to man with the proviso that man is responsible for it, as per the parable of the talents. Unless history is understood on this condition, it is misunderstood. It is this understanding therefore

that the Church has attempted historically to teach and to fulfill with its activity. Nor is it a conceptualization which can be taken on a part time or relative basis; rather it must be an absolute and complete commitment on the part of the Church seen and taken as a whole. From this point of view, it necessarily follows that the Church need not and indeed should not mute its teachings simply to comply with the quite secularist idea of "pluralism," which Father Keefe states is presupposed by the Report. On the other hand, the only notion of pluralism which a free society can support demands recognition of distinctions of belief be they religious, political or otherwise. Its ideal is not to mute these distinctions but to emphasize them. It is precisely by emphasizing its own distinction that the Church fulfills its historical mission.

Superimposed upon the aforementioned two premises, namely, the Roman Catholic Church's historical understanding of its mission and the relationship of God to His world, there must be also a Catholic understanding of human freedom via Christ's redemptive activity. This begins as well as terminates not only in an acceptance of the two premises but also crescendos to an acknowledgment that each of man's acts in freedom has a transcendental significance and therefore none of them may be relativized, especially not for a misapplication of the ideals of pluralism.

Thus, the intramural Roman Catholic discussion of the *Directives*

perhaps is better understood when viewed as the perennially described iceberg. The question of whether sterilization and abortion should be performed in a Roman Catholic hospital by non-Roman MD's and RN's on either non-Roman or Roman men and women is at best one-eighth of the problem. The more massive seven-eighths of the question is how does human and therefore Church freedom, born of Christ's redemptive activity and sustained by His continuing presence as the head of that living Church best make itself manifest in the daily activity (witness) of the Church and its members?

Rightly, Father Keefe suggests that if the special theological study committee on the one hand and the Bishops on the other cannot agree on this very fundamental point of witness, further dialogue between the two concerning details and their application is bound to be fruitless. I think in affirming that incompatible ecclesiologies are being applied by the two parties, Father Keefe cuts to the very heart of the matter. A shared understanding of the Church and its mission is a minimum basis for a productive discussion of the details of medical moral activity.

In conclusion I would add that it is my impression that a great deal of the moral confusion over the specifics currently bedeviling the laity (medical or otherwise) on issues from "the pill" to abortion stems from the problem which Father Keefe has laid open in his response to the Report. Q