The Catholic Organization for Life and Family (COLF) is happy to have this opportunity to briefly address the question of conscience rights as they relate to the practice of medicine in Ontario.

First among the rights recognized and guaranteed by the Canadian Charter of Rights and Freedoms are the rights to freedom of conscience and of religion (section 2a). These rights, inalienable and universal, derive from the unique dignity of the human person and constitute the bedrock on which all other human rights rest, the foundation of every truly free society. By all but the most obtuse of observers, the suppression of these most fundamental of rights is immediately recognized as the common thread, the unifying theme, of human history's darkest chapters.

Recently, it has been suggested by some that medical practitioners who decline to offer procedures or services which their consciences find repugnant —but which the medical establishment in general deems benign— should be compelled to conform to standard medical practice or be sanctioned. This, it is argued, is the only way to ensure equal access to services covered by Canada's National Health Care System. This suggestion is blind to the testimony of human history and fails to recognize that the right to conscientious objection is guaranteed by the Canadian Charter of Rights and Freedoms and upheld by the Universal Declaration of Human Rights (Article 18). This suggestion fails to recognize that the rights to freedom of conscience and religion trump any perceived "right" to particular medical services.

While it is true that all of us are at least occasionally confronted by real-life situations which make moral judgments difficult, reason suggests the necessity of seeking that which we perceive as right and good if we are to cultivate integrity and remain true to ourselves. The human person must always obey the certain judgment of his or her conscience.¹ Nevertheless, with the right to have one's conscience respected comes the responsibility to embrace formation of conscience as a life-

¹ *Catechism of the Catholic Church*, no. 1800
long task. Simply put, the well-formed and functioning conscience is the ground of all good judgment. Who among us would seriously suggest that doctors should be stripped of the capacity for good judgment?

In the Catholic view “. . . the freedom of conscience of all people, whatever their religion or philosophy of life” is to be defended; “no person [is to be] forced to act against conscience or be prevented from acting according to conscience”.² In a pluralistic society like that which defines Canada, deference to the rights of conscience and religion is absolutely essential to the maintenance of peace and social well-being. Even the perception of an infringement in this domain might result in serious consequences. Human experience clearly demonstrates that “the effective recognition of the right to freedom of conscience and religious freedom is one of the highest goods and one of the most serious duties of every people that truly wishes to ensure the good of the individual and of society.”³

To suggest in the context of medicine that any particular practitioner should be compelled to act in a way which contradicts his or her conscience, calls into question the conscience rights of all medical practitioners and, by logical extension, the role of the medical establishment in determining the moral acceptability of any given medical procedure.

In the most literal sense, questions pertaining to conscience are profoundly personal. The conscience is, after all “man’s most secret core, and his sanctuary”.⁴ It might even be said that “what characterizes man as man is not that he asks about the “can” but about the “should” and that he opens himself to the voice and demands of truth”.⁵ If conscience is not to be posited in the individual and if the individual conscience is not to be upheld as sacrosanct, it is difficult to see how a conscience-based consensus of the medical establishment could be protected – for instance, from unprincipled micromanagement by a government bureaucracy concerned only with cost efficiency (should such a situation arise). Given the aging of the Canadian population and the consequent strain on the health system, it is not out of the question that such a scenario could play out in the not-too-distant future (for instance, should euthanasia be legalized). For all these reasons, we ask the College of Physicians and Surgeons of Ontario to protect and promote the freedom of conscience of all its members.

July 18, 2014

² Dignitatis Humanae (On the Right of the Person and of Communities to Social and Civil Freedom in Matters Religious, Promulgated by His Holiness Pope Paul VI, 7 December 1965), no. 3.
³ Compendium of the Social Doctrine of the Catholic Church, no. 553.
⁴ Catechism of the Catholic Church, nos. 1784 and 1795.