

Protection of Conscience Project



www.consciencelaws.org

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Who is “imposing morality” in Barrie?

by Sean Murphy,
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Introduction

The following was sent to the Canadian Broadcasting Corporation in Winnipeg, Manitoba on 5 April, 2002, asking whether or not it would be accepted for broadcast in the same region where Dr. Goldman’s editorial was aired. The CBC did not reply. For more information about the case of Dr. Stephen Dawson, see the Project website.

In an editorial broadcast on CBC Radio on 7 March, 2002, Dr. Brian Goldman criticized Dr. Frederick Ross of Winnipeg, Manitoba, and Dr. Stephen Dawson of Barrie, Ontario. Dr. Ross had told his patients to stop smoking or find another doctor, while Dr. Dawson had refused to prescribe birth control pills or Viagra to single patients.

It does not seem that Winnipeg’s Dr. Ross believes that treating smokers is wrong, nor that it would be wrong to refer a smoker to another physician. His public statements do not preclude the possibility that he would treat smokers on an *ad hoc* basis (while standing in for an absent partner, for example).

In contrast, Dr. Dawson refuses to help single patients obtain birth control pills and Viagra under any circumstances, because he believes that by doing so he would be a party to immoral activity (i.e., extramarital sex). Dr. Goldman was more sympathetic to this position, but criticized Dawson because he would not refer patients to other physicians who would prescribe the drugs.

Dr. Goldman recognized that his colleagues were acting for different reasons, but in drawing his conclusions he failed to maintain this distinction or recognize its significance. It is one thing to refuse to do something because it is inconvenient, difficult, frustrating, or pointless; it is quite another to refuse to do something because it is wrong. Grasping this distinction is the key to understanding the difference between the case of Dr. Ross, which does not seem to involve conscientious objection, and that of Dr. Dawson, which plainly does.

What some characterize as Dr. Dawson’s inflexibility actually illustrates the normal human reaction to a request to do something wrong. For example, a fifty year-old man who wanted to have sex with a fourteen year-old girl might be refused the use a friend’s apartment for that purpose. Nor would it be surprising if the unco-operative friend also refused to refer the lecher to a more

‘flexible’ apartment owner.

We see the same principle at work in criminal law. It is an offence not only to commit a crime directly, but to counsel, aid or abet a crime committed by someone else. Again: many people who engage in ‘ethical investment’ do so because they do not want to be implicated, even indirectly, in business practices to which they object for reasons of conscience, even if the practices aren’t illegal.

Now, no one is suggesting that consensual extramarital sex between adults is morally equivalent to criminal activity. But when Dr. Dawson refused to provide birth control for single patients, he reacted exactly as an ‘ethical investor’ might react if asked to purchase shares in a company that exploits child labour. He reacted exactly as an honest man would act were he asked to help someone lie or cheat. In other words, he acted as if extramarital sex really is wrong, and that its wrongness is not merely a matter of opinion or taste. That, in truth, is what has upset many of his critics; he has disturbed their repose in their comfortable pews.

Of course, one may criticize a physician for causing needless distress to a patient by offering a poorly articulated or inappropriate explanation of his moral position. But that was not Dr. Goldman’s concern. Instead, he complained that Dr. Dawson had acted upon his own beliefs.

In fact, Dr. Goldman does exactly the same thing. He believes that he does nothing wrong by providing single patients with contraceptives and Viagra, and he acts upon that belief by writing prescriptions. Why should Dr. Goldman be allowed to act upon his beliefs by writing prescriptions, while Dr. Dawson is forbidden to act upon his by refusing to do so? Is it because “the true north strong and free” is afraid of religious believers?

A physician who refuses, for reasons of conscience, to do something he believes to be wrong - falsifying a diagnosis, amputating a healthy limb, or prescribing contraceptives - does not force a patient to conform to his moral code. He is not “imposing morality.” To see what “imposing morality” really means, watch this month when the Ontario College of Physicians and Surgeons tries to force Barrie’s Dr. Stephen Dawson to give up his Christian convictions, on pain of professional excommunication.