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CONSCIENTIOUS COMMITMENT

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International Covenant on Civil and Political Rights

Article 18(1):

Everyone shall have the right to freedom of thought, conscience and religion.

This right shall include freedom . . . to manifest his religion or belief in worship, observance, practice and teaching.

International Covenant on Civil and Political Rights

Article 18(3):

Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect . . . the fundamental rights and freedoms of others.

“Conscience” separate from “Religion”

Religion does not have a monopoly on conscience.

Religion can be assessed by criteria of conscience.

Conscientious Commitment is the reverse of conscientious objection.

Health care providers may feel conscientiously committed to provide patients with services their (religiously-affiliated) hospitals/clinics oppose, or to assist their patients to receive such services.

Conscientiously committed health care providers may then offer abortion services, advice, prescriptions or referrals contrary to facilities' (religious) directives.

Healthcare facilities such as public hospitals and clinics have no right to conscientious objection. As secular, public institutions, they cannot deny lawful medically indicated care to eligible citizens, or choose to treat some applicants for care but not others. They may be allowed, however, to refer eligible patients to other appropriate, accessible facilities for care that their staff members cannot provide or object to provide.

Equality before the law, and principles of non-discrimination, require symmetry of respect for conscience.

In the same way that health care facilities must accommodate conscientious objection, they must equally accommodate conscientious commitment, in both cases without censure or discrimination.