Abstract

According to current Spanish law, patients are guaranteed the right to make decisions on the medical treatment they receive. However, this exercise of autonomy in health care causes ethical conflicts which are hard to resolve. Health workers’ duty to assist patients and the concept of personal rights may lead health professionals to prescribe actions which are contrary to the patient's wishes. For example, in the case of Jehovah's Witnesses, the conscience of health professionals may prevent them from accepting the restrictions on treatments demanded by the patient's religious principles. The same right to moral autonomy which is guaranteed to the patient would also seem to guarantee the health professional's right to exercise conscientious objection. On the other hand, the right to medical assistance and to religious freedom will be observed only if both medical institutions and health professionals treat patients in a way which respects their beliefs. This text offers an ethical and legal analysis of the issue based on Spanish law, as well as a proposal on how these problems should be dealt with in everyday practice.

Keywords

Autonomy, conscientious objection, Jehovah’s witnesses.