

Review Essay

by Rev. Robert E. Hurd, SJ, MD

Motherhood, Embodied Love and Culture volume 4 of *About Bioethics*

by Nicholas Tonti-Filippini

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Motherhood, Embodied Love and Culture is the fourth volume in the *About Bioethics* series by Professor Nicholas Tonti-Filippini, who—until his recent passing—was the associate dean for teaching, learning, and research and the head of bioethics at the John Paul II Institute for Marriage and Family in Melbourne, Australia. Besides teaching the course “Educating in Sexuality, Marriage, and Family” at the Institute, Professor Tonti-Filippini also served as a distinguished member of the Health Ethics Committee of the Australian National Health and Medical Research Council. Many of the chapters in this valuable compilation refer to his expert testimony before a number of governmental oversight bodies in the Commonwealth of Australia. Several other chapters are adapted from articles he previously prepared on these subjects for ethics and medical journals, including *The National Catholic Bioethics Quarterly*.

For this volume in particular, which deals with so-called women’s issues, Tonti-Filippini acknowledges the invaluable collaboration he enjoyed over the years with the women in his life, especially his wife of twenty-nine years, Mary Walsh, who is herself a general practitioner and obstetrician, and with his mother, his grandmothers, sisters, and daughters. For example, one of his first forays into the realm of family ethics policy occurred when he and his wife were dissatisfied with the sex education

program at their children’s primary school. Eventually they and the teachers and families at the school were able to put together a value-centered sex education curriculum that was adopted by the entire Archdiocese of Melbourne. Over the years, Tonti-Filippini saw how his role as father of his family complemented and supported his wife’s role as mother to their four children. He admits, however, that even after almost thirty years of marriage, he finds women mysteriously unpredictable, and this unpredictability plays an essential role in his treatment of these essential topics of embodied love.

Tonti-Filippini invites his readers to jump from his introduction to chapter 24, titled “Mothers, Grandmothers and Others: Some Reflections,” where he continues to expand on the role of significant women in his life, beginning with his Irish-Australian grandmother, who married an Argentine-Italian opera singer and count. The immigrant family experienced considerable anti-Italian prejudice, and so the Tonti-Filippini family of today is sensitive to the sufferings of the Sudanese and other refugees who are currently arriving in Australia in large numbers. In his early days as a philosophy professor, Tonti-Filippini would write to his “Nonna” about the topics he was preparing for his lectures. On his mother’s side of the family, his grandmother was Welsh-Irish Catholic and his grandfather originally Anglican. Tonti-Filippini is proud to say that all the

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women in his life were the intellectual equals of their husbands, very well read and highly opinionated.

Tonti-Filippini himself was one of eleven children, one of whom died shortly after birth. His own mother was active in the Grail movement, and both his parents lived for a time in a covenant community near Melbourne. He became very close to his mother, although she is now suffering from dementia. From his father he developed a ruthless strategy for playing chess, one which almost cost him dearly when he mercilessly checkmated his prospective bride during their first game! While growing up, he became familiar through his family with many of the important personages in the Catholic Church of his day, including the Australian theologian and book publisher Frank Sheed, and with Dr. John Billings, the early pioneer in natural family planning. Tonti-Filippini's mother made sure that the twelve-year-old Nicholas read *Humanae vitae* when it was published in 1968 and Dr. Billings' pamphlet "Every Man a Lover" (1969). Tonti-Filippini still recommends Billings' work as a solid introduction to the theology of the body of Pope St. John Paul II.

Tonti-Filippini recounts his own adolescence, including his first encounters with homosexuality among his acquaintances in boarding school, with pornography, and with allegations of sexual abuse against the priests running his secondary school. He concludes this autobiographical section at the point where he joins the new bioethics center at St. Vincent's Hospital in Melbourne (which he already described with appreciation in previous volumes). All of these experiences, particularly with the women in his family, gave him a profound appreciation of gender differences and complementarity, affectivity, and the diverse ways of expressing love.

The other twenty-three chapters of the book cover a wide variety of topics in the field of sexual ethics, with the overarching leitmotif being the theology of the body as expounded primarily by John Paul II in his general audiences early in his pontificate, and its reassertion of the centrality of gender differences in society—especially in

the family—as the most direct reflection of the self-giving love of God for humanity. Although the title of the book begins with "Motherhood," Tonti-Filippini intends to include implications for fatherhood as well, as when he considers the situation of a man who finds that his sexual partner is pregnant.

Tonti-Filippini's major treatment of the theology of the body is found in chapter 2 of the book (titled "The Human Body"). As Tonti-Filippini says, "We are meant to imitate the God of love, and no more so than in the complete gift of self in the marital union" (16). He has not shied away from sharing the uniquely Christian perspectives on human relationships found in the Sermon on the Mount and Jesus's death and resurrection when testifying to governmental committees in Australia. In this he anticipates the boldness of Pope Francis's approach to spreading the joy of the Gospel, as in his 2014 catechesis "The Church, A New People": "In fact, the Beatitudes are the portrait of Jesus, his way of life; and they are the path to true happiness, which we too can travel with the grace that Jesus gives us" (Pope Francis, general audience, August 6, 2014, n. 2).

Tonti-Filippini has some serious issues with some of the popularized versions of the theology of the body, which have verged on the prurient, "lacking a foundation in Scripture and without philosophical rigour" (17). He provides, therefore, a twenty-two-page exposition of the scriptural and historical foundation of this theology, all the way from Genesis to *Gaudium et spes*.¹

Tonti-Filippini sees the theology of the body as a ready antidote for dualism and an optimal synthesis of the scriptural emphasis on human beings as being made to act in the *imago Dei* of the Trinity of loving Persons. Adam and Eve were created equal and unaffected by sin or possessiveness. For this reason above all, a marriage is a celebration of the renewal of God's fruitful grace in the world, as two people promise to support each other especially in the difficult times. According to Tonti-Filippini, "Marriage and parenthood call for every element of skill and reserve that each spouse possesses, including dealing with failure" (32). For him and his

wife, their role as parents continues even as their offspring are adults.

Chapter 3, “Prenatal Diagnosis and Reproductive Discrimination,” notes that, at least in Australia, in vitro fertilization is now requested more often for purposes of genetic selection or egg donation than for infertility. Tonti-Filippini supports the assertions of those with disabilities that policies that would decrease the passing on of their genetic traits to future generations are a form of discrimination (even when done by techniques such as preimplantation genetic diagnosis and not by abortion). Couples need to think carefully about whether they want to authorize “routine” antenatal testing, particularly since some of the testing has a risk of causing miscarriage and since few treatments would likely be available for any conditions detected.

Tonti-Filippini concludes chapter 3 with a very valuable treatment of the moral status of fetal life, particularly emphasizing it as a “human being with potential” (and interests) and not a “potential human being.” Concerning the argument that personhood is not present until twinning is no longer possible, he suggests that this is scarcely persuasive now that any of us could potentially be cloned from one of our adult cells.

Chapter 4, on perinatal palliative care and support, was originally an article published with his wife, physician Mary Walsh. The authors clarify a very helpful distinction between prenatal testing and antenatal testing. While the former relates to tests aimed toward providing optimal care to mother and fetus, the latter is used to identify life-limiting conditions in the child that may often be used to justify abortion. Many obstetric offices see antenatal testing as part of standard care and do not provide mothers and fathers with adequate information about the reliability of the tests and the conditions the tests are meant to reveal. For example, the tests are not sensitive enough to ensure that a baby is going to be perfectly healthy, and some carry an unacceptably high risk of miscarriage or other injury to mother and fetus. The authors cite studies showing that offering perinatal palliative care and support can reduce the abortion

rate in cases of severe fetal malformation by a third, from over 90 percent to 60 percent. The authors cite several cases of mothers who were spurned by their obstetricians when they refused to terminate their pregnancies. Tonti-Filippini gives guidelines from the Australian Bishops’ Conference on counseling couples who are faced with such decisions, which would help them clarify their values to avoid making decisions they will find difficult to live with afterward.

In chapter 5, on assisted reproductive technology, Tonti-Filippini begins by recounting the situation in Australia of couples who resort to in vitro fertilization, which gives them only about a 23 percent chance of taking home a baby. He reports that his wife, Mary Walsh, conducts a fertility assessment clinic where she helps couples improve their chances of having children naturally and counsels couples in whom infertility remains a problem. He next considers the moral status of the embryo, presenting an impressive array of citations from Scripture, the magisterium, and the philosophy and biology literatures, which conclude that human life begins with the fusion of ovum and sperm. Subsequent parts of this same chapter include sections on concerns about the “fragmentation of parenthood” inherent in the use of donor gametes, such that a child could have as many as four sets of parents, including the “technological parent(s)” responsible for the production of the embryo and its transfer to the gestating mother. In his consideration of surrogacy, Tonti-Filippini cites both *Donum vitae* (A.3), which asserts that a child has the right to be conceived, carried in the womb, brought into the world, and brought up by his own parents, and the United Nations Convention on the Rights of the Child, which asserts, to cite just one pertinent point, that a child has the right not to be separated from his or her parents against their will.

Chapter 6, “Embryo Rescue,” laments that millions of frozen embryos are being stored by couples who choose not to implant them after IVF. Tonti-Filippini carefully addresses several proposals for their “adoption” or “rescue,” such as their being made available to other infertile couples or even their being

gestated in a future artificial womb, but he finds these alternatives lacking in respect for the marriage covenantal expectations and in respect for the child to be born of its one, original mother.

Chapter 7, “A Woman-Centered Approach to Abortion,” focuses sensitively on the situation of a couple when the woman finds that she is pregnant and she and the father are unsure of their commitment to each other. Tonti-Filippini notes that this is not an uncommon situation, even with the use of overlapping forms of contraception. He highly recommends that “sex-education” courses make such an exercise in role-playing a part of every course! He notes that it would be very rare for such a relationship to last long after an abortion.

Chapter 8, on early induction and late-term termination of pregnancy, discusses third-term abortions in light of a 2008 law passed by the parliament in Victoria (Australia) striking down essentially any laws against an abortion that has been approved by two medical practitioners (who could easily be working at the same abortion facility). In the case of the late-term abortions, Tonti-Filippini sees these procedures more as “child destruction” than abortion, since by this time a fetus could survive if delivered and supported effectively. At least in Victoria, abortionists are often physicians early in their careers, attracted by the fees that abortion generates, or physicians late in their careers who have fallen into drug abuse or other career-ending situations.

In chapter 9, on ectopic pregnancy, Tonti-Filippini reviews the more common situations in which an ectopic pregnancy occurs, and discusses several common ways of addressing this, such as the use of methotrexate and surgical intervention. Most surgical approaches would be justified according to the principle of double effect. He envisions a time when such an early pregnancy could be “harvested” and implanted in the mother’s uterus. Tonti-Filippini does not approve of use of methotrexate, because it interferes with the replication of cells in both the fetus and the trophoblast.

Chapters 10 and 11, “Professional Conscience and Obstetrics and Gynecology” and “Amending the Abortion Law Reform Act 2008,” address the situation of physicians and nurses, particularly in Victoria after a law passed in 2008 that restricts the right of physicians and, particularly, nurses to refuse to carry out abortions. The law requires physicians to refer patients who desire an abortion to obstetricians who would not have any objection to doing so. Tonti-Filippini gives clear, balanced guidelines for practitioners who wish to express a conscientious objection to this law, including informing a patient early in the relationship of their objection and, similarly, informing an employer in a timely fashion so other coverage can be arranged. He explores the potential effects of being too quick to turn someone away (such as with a brochure in the waiting room), particularly since the Australian Bishops’ Conference has endorsed a counseling service that allows women some space and comfort to make choices they can live with. Chapter 11 finds support for amending the 2008 abortion law within Australia’s own National Statement on Ethical Conduct in Human Research, which protects those who conscientiously object to conducting research with aborted or miscarried fetuses or fetal tissue.

Chapter 12, on post-coital intervention, fleshes out an authentic Catholic, pro-life response to a rape victim or someone else requesting the so-called morning-after pill. The woman would need to be notified at the beginning of the counseling session that, since the clinic follows Catholic teachings against abortion, certain treatments would not be offered to her. The session could explore whether the woman was likely to be in a fertile period of her cycle, and also provide her with education about changes in cervical mucus and body temperature so that she could have more control of her fertility in the future. Low doses of estrogen that could delay ovulation could be administered, but not any of the progesterone-containing morning-after pills, which are believed to inhibit implantation and thus be abortifacient.

Chapter 13, “When Pregnancy Is a Maternal Danger: The Lysaught Opinion,” is an extended response to an article by M. Therese Lysaught, of Loyola University Chicago’s Institute of Pastoral Studies, about the tragic situation of an eleven-week-old fetus whose mother had life-threatening pulmonary hypertension. The Lysaught paper, titled “Moral Analysis of a Procedure at a Phoenix Hospital,” appeared in *Origins* in January 2011. In his response to it, Tonti-Filippini comments on several other articles written on the case as well, including several that appeared in this journal. Tonti-Filippini then expands his discussion to consider the situation of any pregnant woman and her fetus when both their lives are threatened. In these cases, sometimes known as vital conflicts, the principle of double effect might or might not come into play, and they are the occasion of arguments regarding craniotomies and leukemia during pregnancy. Tonti-Filippini reports that he has counseled several women in the latter situation, at least one of whom was able to deliver a healthy baby.

In discussing the original case, Lysaught cites Martin Rhonheimer to the effect that, since the fetus was already dying, even the principle of double effect did not need to be applied; a dilation and curettage procedure was medically indicated to remove the placenta, which was producing hormones that were threatening the life of the mother. Tonti-Filippini’s overall impression is that, in light of modern medical technological advances, it would not be correct to say that any fetus had a 100 percent chance of dying, so no direct killing of the fetus would be morally justified. Tonti-Filippini quotes several telling passages of *Veritatis splendor*, including n. 79, which asserts that “the primary and decisive element for moral judgment is the object of the human act, which establishes whether it is *capable of being ordered to the good and to the ultimate end, which is God.*” So acts that meet basic human needs, including preserving one’s life and not attacking the life of a fetus, even if it is dying, would need to be properly ordered toward God as well. In other words, an understanding of natural law based

solely on the meeting of basic *human* needs is inadequate, unless pride of place is given to relating such acts to God. Although the chapter makes for confusing reading for someone who has not read all the articles cited, it is a masterful use of sources, including works of St. Thomas Aquinas, and *Veritatis splendor*, and casuistic analysis of specific concerns in the moral and psychological aspects of an act.

Chapter 14, titled “Why Reject Contraception?,” begins by recognizing that there are some legitimate uses for hormonal medications for which infertility is an undesired side effect. In all other circumstances, the use of contraception blocks God’s creative activity. Tonti-Filippini also reports that there are at least three reliable methods of natural family planning, each of which is at least as reliable as most currently available contraceptive methods. As in several other treatments of such sensitive issues, Tonti-Filippini’s testimony is enriched greatly by his sharing of insights from his own marriage.

Chapter 15, “Prevention of Sexually Transmissible Infection: Was the Catholic Church Wrong?,” presents data, primarily from Uganda and Australia, on the effects of condom use (or lack of condom use) in the prevention of AIDS and other sexually transmissible infections. He notes that countries with a high proportion of Catholics and other Christians have a lower percentage of HIV-positive persons, and that countries such as Uganda have had considerable success in decreasing the spread of HIV and AIDS, mainly by grassroots campaigns emphasizing education in a wide range of sexual topics and then focusing on the ABCs, that is, abstinence (A), being faithful to one partner (B), and urging condom use (C) primarily for those with more than one sexual partner. Rates of HIV and other diseases such as chlamydia, genital herpes, and HPV (human papillomavirus) remain high in Australia in spite of widespread condom use, mainly because of the significant failure rate of condom use (which makes the transmission of infections even more likely than pregnancy, since the infections have no infertile period to decrease their effect) and because some of them, like

herpes and HPV, are not necessarily blocked by condom use at all.

Chapter 16, “The Oral Contraceptive Pill and Society: Fifty Years On,” discusses several areas in which society has been effected by the introduction and rising use of the contraceptive pill. Most of these effects parallel the more advanced age at which women currently marry, which leads to later problems with infertility as well as more indirect financial consequences of delayed family building. Tonti-Filippini faults the pharmaceutical industry for promoting these highly profitable drugs by comparing the side effects of their use to the multiple effects of pregnancy, whereas it would be more proper to compare the side effects of the contraceptive pills to the salutary awareness that accompanies the use of the natural family planning methods.

Chapter 17, “Gender Reassignment and Catholic Schools,” addresses two potentially common situations in Catholic schools, first, that of a teacher who chooses to present him- or herself as being of the opposite sex and, second, that of a student who is going to do the same. After detailing some of the conditions that might occasion gender reassignment, Tonti-Filippini cites several passages from the *Catechism of the Catholic Church* that rule out mutilating surgeries, and other passages that recognize gender as an inherent part of the human person. Surgeries involved in sexual reassignment would be mutilating if they destroyed sexual function, (but not if they are repairing a disorder of sexual development by which the person is already infertile as part of the pathology). Tonti-Filippini has serious difficulties with such a teacher continuing to teach at a Catholic school, because it would be difficult for the teacher to promote the Church’s teachings. As to the case of the student who has had a gender reassignment treatment or surgery during summer vacation, Tonti-Filippini prepares a letter that a principal might send to parents informing them of the situation. Tonti-Filippini does not have any qualms about the administration of hormone treatments to postpone puberty, as this is in line with the current trend of postponing such

treatments and surgery until the person can give their own consent.

In chapter 18, on homophobia, Tonti-Filippini discusses the issue in light of a proposal by the government of Victoria to criminalize behavior deemed likely to cause offense to members of the GLBTI (gay, lesbian, bisexual, transsexual, and intersex) community. He worries that even stating the traditional Christian ideas on marriage and heterosexual activity could be against the law. At the same time he cites the Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons (Congregation for the Doctrine of the Faith, 1986), which clearly deplors violence against homosexual persons and at the same time denies that homosexual activity has all the positive aspects of heterosexual marriage. He realizes that society at large does not make the distinction the Church makes between sinful activity (of which we are all guilty) and sinful inclinations.

Chapter 19, on same-sex attraction, discusses fundamental concepts of chastity and forms of love, at least three of which were exemplified by Jesus in his life. Persons with same-sex attraction can most definitely respond to Jesus’s call to give of themselves in love, but not in sexual intimacy.

Chapter 20, “Marriage Is More Than Romance,” discusses some of the implications of laws responding to assisted reproductive technology or adoption of children by same-sex couples, which have done away with such terms as “father,” replacing them with “spouse A” and “spouse B.” Tonti-Filippini goes so far as to suggest that Christian ministers consider forgoing involvement in civil marriages entirely.

Chapter 21, on masturbation and pornography, recalls again the ideal of chastity as the successful integration of sexuality within a person’s overall ability to love God and neighbor. Masturbation falsifies the unitive dimension of sexuality, while pornography desensitizes persons to the possibilities of the real relationships they are very fortunate to have.

Chapter 22, “The Catholic Church and Paedophilia,” relates the experience in

Melbourne to the experience in the United States and the rest of the world regarding the sexual abuse of children and adolescents by priests. The percentage of priests convicted of child sexual abuse in Australia was estimated at 4.7 percent, which is considerably higher than the incidence in the general population or in any other professional group. He attributes much of the past abuse to poor seminary formation and poor supervision of seminarians, and he recommends including more theology-of-the-body perspectives in seminary education, noting that reliance on non-scriptural theories of marriage and sexuality contributed to a distorted view of sexuality in seminarians and priests. He also notes how earlier authoritative sources, such as the early editions of the *Diagnostic and Statistical Manual of Mental Disorders* were much less specific about the difficulties that sexual abuse was likely to cause, whereas the current edition (*DSM-5*), in contrast, specifically sees sexual abuse as contributing to borderline personality disorder.

At the same time, Tonti-Filippini documents historical sources that exact severe canonical and civil penalties for child abuse, which seem to have been forgotten in the attempt to protect the reputation of the Church at large and the individual ministers. Tonti-Filippini recommends that ministers and all involved in church work be made mandatory reporters, which would eliminate situations in which, when families decline to notify the police or do not pursue cases to a definite conclusion, the accused are left in a state of limbo and their cases are left unresolved. Once a case is reported, it should be addressed by non-priests, or at least nonmembers of the accused's religious congregation, because of the instinct to think "there but for the grace of God go I." Many cases could be best concluded through a process similar to that of the Truth and Reconciliation Commission in South Africa. Better screening of seminary candidates as well as ongoing training in the theology of the body and other holistic approaches to sexuality should also be helpful in making the Church environment a safer place for children.

The twenty-third chapter, titled "Sex Education and the National Curriculum," gives Tonti-Filippini's reflections on sex education in Australia and other parts of the world. In Australia, all schools, including religious ones, have to follow a national plan. This plan situates education on sexuality in the health and physical education division. Tonti-Filippini hopes that the offerings of that department will be coordinated with other parts of the education program, including religious education and social studies. He and a research associate, Helen McConnell, reviewed multiple studies on the effectiveness of several forms of education about sexuality. They found that most studies focused only on prevention of pregnancy and sexually transmitted illnesses, whereas the authors would prefer much more emphasis on the delaying of first sexual activity as well. Tonti-Filippini insists on the central role of the family in sex education, preferring that educators help parents present sensitive topics rather than bypassing the parents. Once again, teaching on the theology of the body would go a long way toward instilling the values and virtues on which a complete education on human sexuality and relationships should be based.

The world of Catholic bioethics has been richly blessed over the years by Professor Tonti-Filippini's insightful writings on such a wide variety of pressing issues, and will continue to look to his books and articles for guidance as new situations arise. I hope that libraries in Catholic seminaries and universities will purchase this and the other volumes of the *About Bioethics* series so that the books will be available to all who are searching for an up-to-date, well-balanced, and thoughtful treatment of the many crucial bioethical issues we are facing today. After familiarizing themselves with Tonti-Filippini's overall perspective, particularly his insights into the theology of the body from his point of view as a husband and father, readers could move right to the chapters that are most relevant to them. Family physicians would find the chapter on perinatal palliative care and support particularly helpful when an expectant mother turns to them for advice on a poor perinatal diagnosis during early

pregnancy, or for advice on the pros and cons of antenatal testing. Tonti-Filippini's presentation of his experience in Australia serves to enrich readers worldwide and can entice all of us to reacquaint ourselves with the resources of the John Paul II Institute for Marriage and Family in Melbourne and associated institutes worldwide.

More volumes of the *About Bioethics* series were planned by Professor Tonti-Filippini. It would have been interesting to see how future volumes incorporated insights from the magisterium of Pope Francis and the 2014 and 2015 Synods on the Family. Hopefully, many of the members and other invited experts at the family-life meetings taking place around

the world will bring this outstanding volume with them and refer to it often in their deliberations and interventions.

¹ An earlier version of this essential material can be found on the website of the John Paul II Institute in Melbourne under the title "What Is the Theology of the Body?," at http://www.jp2institute.org/Portals/39/Documents/NTF_What_is_the_Theology_of_the_Body.pdf. Other papers available on the Institute's website (<http://www.jp2institute.org/Resources/Papers-by-Faculty>) will give a reader new to Tonti-Filippini's work an excellent introduction to his other areas of expertise, which include the just-war theory, self-defense, and opposition to torture, to name just three.

Books Received

The Anonymous Us Project 2012: A Story Collective on Third-Party Reproduction, ed. Alana S. Newman. Broadway Publications, 2013.

The Cancer Experience: The Doctor, the Patient, the Journey, Roy B. Sessions. Rowman and Littlefields, 2012.

The Catholicity of Reason, D. C. Schindler. William B. Eerdmans, 2013.

Christian and Moral Action, Kevin L. Flannery. Institute for the Psychological Sciences, 2012.

Complications: Abortion's Impact on Women, Angela Lanfranchi, Ian Gentles, and Elizabeth Ring-Cassidy. DeVeber Institute [Canada], 2013.

Conscience in Context: Historical and Existential Perspectives, Stuart P. Chalmers. Peter Lang, 2014.

Culture and Abortion, Edward Short. Gracewing [UK], 2013.

Defending Marriage: Twelve Arguments for Sanity, Anthony Esolen. Saint Benedict Press, 2014.

Embracing Christian Sex in a Pagan World, Joseph A. Sirba. Leaflet Missal Company, 2014.

The Ethics of Organ Transplantation, ed. Steven J. Jensen. Catholic University of America Press, 2011.

Flourishing: Health, Disease, and Bioethics in Theological Perspective, Neil Messer. William B. Eerdmans, 2013.

The Great Partnership: Science, Religion, and the Search for Meaning, Jonathan Sacks. Schocken Books, 2012.

Health Care as a Social Good: Religious Values and American Democracy, David M. Craig. Georgetown University Press, 2014.