ON THE SCANDAL WITHIN THE SCANDAL OF BIOETHICS

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In assessing the state of contemporary bioethics, many are now lamenting the secular state of a field that, by some accounts, emerged largely from the wellspring of Christian theology. The origin of bioethics, I believe, is more complicated than this scenario admits, but it is certainly true that overt theological argumentation, while permeating much of the discipline’s early discourse, is largely absent from today’s mainstream treatments. Labeled as “The Scandal of Bioethics,” this diminution of theological voice in bioethics is a cause for serious concern, and so, I applaud CBHD for focusing our attention on the issue during this summer’s national conference.

In this brief essay, I wish to extend the discussion begun by the conference’s excellent panel of speakers, and more specifically, I propose that we take a look inward. Tempting as it may be to attribute the Scandal to foes whose mission it is to rid the public square of Christian influence, a careful examination of the matter reveals complicity within the camp of those touting theological credentials. In particular, I am speaking of the willingness of some to set aside theological categories and content in favor of philosophical formulations that are incapable of safeguarding the distinctive morality of a truly Christian bioethics. This, I submit, is the scandal within the Scandal.

As evidence of this deeper scandal, I think it sufficient to consider two examples drawn from mainstream bioethics. First, there is the reigning paradigm in contemporary medical ethics commonly referred to as “principlism.” Co-developed and tenaciously defended by Yale-trained theologian James F. Childress, the principlist approach, in fact, requires no positive theological commitments. This is no accident as Childress and his coauthor, philosopher Tom L. Beauchamp have, in deference to pluralist concerns, sought to extract their principles from a putative common morality. For warrant, their appeal is not to theology but to the philosophers—Immanuel Kant, J. S. Mill, and W. D. Ross, in particular. Indeed, not knowing that one of the two chief proponents of principlism had received formal theological training, the reader of their signature work would never arrive at such a conclusion. I expect that Childress would receive such criticism with satisfaction given his apparent desire to deliver a bioethics for the masses, but honestly, I must confess great disappointment not only with the product—principlism, as Gilbert Meilaender has rightly observed, yields an exceedingly shallow bioethics—but, even more, with the process. Should not a theologian be reflecting theologically on bioethics? Sadly, the error has been compounded as many moral theologians have taken the principlist ball and run with it—reshaping it, perhaps, to accommodate particular preferences, but nonetheless adopting the paradigm and its flawed starting point for ethical discourse.

As a second example of the flight from theological warrant in bioethics, I offer the case of personhood theory. For almost two millennia, the Christian community was uniformly resolute in its condemnation of elective abortion, infanticide, and euthanasia, but not so in recent decades as some Christian scholars and leaders—evangelicals included—have accommodated their ethics to the proposition that some human beings are nonpersons and thus subject to being used and even destroyed in service to the purported good of those said to reside within the community of persons.

Some influential Christians, like the late W. A. Criswell, a former president of the Southern Baptist Convention, initially accepted the personhood distinction but then rejected it upon later reflection. Others, however, have been tenacious in their defense of the concept, including Lutheran ethicist-theologian Ted Peters, a staunch supporter of human embryonic stem cell research.

As with principlist bioethics, the personhood distinction constitutes a double, black eye for the Christian theological community—not only have some among our number latched on to such a dubious philosophical concept, but the very fountainhead of the idea is located within our camp. Sadly, it is to theology that secular ethicists, including Peter Singer, point when discussing the origins of personhood ethics. As Singer states,

It is possible to give “human being” a precise meaning. We can use it as equivalent to “member of the species Homo sapiens” . . .

There is another use of the term “human,” one proposed by Joseph Fletcher, a Protestant theologian and a prolific writer on ethical issues. . . . This is the sense of the term that we have in mind when we praise someone by saying that she is “a real human being.” . . .

These two senses of “human being” overlap but do not coincide.
Christian ethicist Gilbert Meilaender writing in 1993 notes,

The language of personhood has been central to much of the last quarter century’s developments in bioethics. It was there at the outset when, in 1972, in the second volume of the Hastings Center Report, Joseph Fletcher published his “Indicators of Humanhood: A Tentative Profile of Man.”

Those educated in the history of moral theology might object to my invocation of Fletcher and his personhood (humanhood) distinction in this discussion of the Scandal on the grounds that Fletcher had made a very public break with Christianity five years prior to the publication of the article to which Meilaender refers. In response, I would argue that while Meilaender is correct in his identification of Fletcher as the entry point for personhood theory into bioethical discourse, Fletcher had, in fact, hammered out the personhood distinction decades earlier in his 1954 book Morals and Medicine. This book was Fletcher’s first major contribution to the literature of medical ethics, written ten years into what would be a twenty-four year tenure as professor of pastoral theology and Christian ethics at the Episcopal Theological School. In this seminal work, Fletcher declared: “To be a person, to have moral being, is to have the capacity for intelligent causal action. It means to be free of physiology! It means to have self- or self-awareness.”

On the other end of life’s spectrum, Fletcher contended for the right of a patient to receive physician assistance in committing suicide, believing such to be required by a presumably supreme duty to respect the moral agency of persons.

In principlism and personhood theory, the two great movements of contemporary bioethics, we have, as the saying goes, “met the enemy, and he is us”—specifically, theologians reticent to make space, much less allow a controlling influence, for theology in ethics. The Scandal of Bioethics, I submit, is simply the scandal of what theology has become in the present age for many of its presumed caretakers—a burden to be shed, a hindrance to the effort to discern and articulate moral truth.

The reluctance of theologians to theologize may seem puzzling, but it is understandable when viewed in light of the deeper crisis in contemporary theology—namely, the crisis of authority. For much of the Church’s history, Christians have recognized Scripture as the inspired and infallible Word of God, and thus the chief resource for theological reflection, constituting both its primary source and regulative principle. Aquinas argued that our theological formulations must not “betray the sense of Scripture” and after him, and in more forceful language, Luther spoke of a conscience “captive to the Word of God.” Sadly, we encounter in mainstream theology today a much different situation. Propelled by the corrosive judgments of higher biblical criticism,
and abet the effort! If Christian bioethics is to be heard—and that, I take it, is the general desire of those most concerned with the diminution of theological input—it must, first and foremost, be Christian, and that, as I have argued above, entails a firm connection to the primary deposit of divinely revealed moral truth.

1 Tom L. Beauchamp, and James F. Childress, Principles of Biomedical Ethics, 6th ed. (New York: Oxford University Press, 2008).

2 Whereas Kant, Mill, and Ross receive extensive consideration from Beauchamp and Childress, moral theologians garner little attention. Between them, Augustine and Aquinas receive mention only three times, all of which are buried in chapter endnotes.


4 From the outset, principlism has been criticized for its seeming coronation of individual autonomy as the decisive criterion for medico-ethical decision-making. Of Beauchamp and Childress’ other three principles—beneficence, nonmaleficence, and justice—the latter has received significant attention. See, for example, Karen Lebacqz, “Beyond Respect for Persons and Beneficence: Justice in Research,” IRB: Ethics and Human Research 2, no. 7 (1980).


6 “Abortion Decision: Death Blow?” Christianity Today, February 16, 1973. In the immediate wake of Roe v. Wade, Criswell proclaimed, “I have always felt that it was only after a child was born and had life separate from its mother that it became an individual person, and it has always, therefore, seemed to me that what is best for the mother and for the future should be allowed.” Criswell reversed course and became a staunch opponent of abortion.


11 Ibid., 218.

12 Ibid., 150, 205.

13 In 1968, one year after his public apostasy, Fletcher took personhood ethics a step further in arguing for the moral permissibility (and even duty) of killing infants with severe mental retardation. Such infants, he argued were not truly human. “To be a human,” he declared, “is to be self-aware, consciously related to others, capable of rationality in a measure at least sufficient to support some initiative. When these things are absent, or cannot ever come to be, there is neither a potential nor an actual person. To be a person is a lot more than just to be alive. . . . The fact that a biological organism functions biologically does not mean that it is a human being.” Bernard Bord and Joseph Fletcher, “The Right to Die,” The Atlantic Monthly 221, no. 4 (1968), 62-64.

14 Fletcher, Morals and Medicine, 201; emphasis mine.

15 Ibid., xix; emphasis mine.

16 Thomas Aquinas, Summa Theologica, trans. Fathers of the English Dominican Province (New York: Benzinger Brothers, 1947), 1a.29.3


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