

**Acadia Institute Project on Bioethics in American Society**  
**James F. Childress, PhD, March 23, 1999**

1 March 23, 1999. Interview with James F. Childress, PhD, Kyle Professor of Religious Studies  
2 and Professor of Medical Education, University of Virginia. The interview is being conducted by  
3 Dr. Renée C. Fox and Dr. Judith P. Swazey at Professor Childress' office.  
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5

6 Fox: I guess we will do this semi-biographically and semi-thematically but maybe we  
7 can get into some of the issues by beginning with the biographical. It would be  
8 nice to have a little bit about your personal history and family background,  
9 because it probably is relevant to what brought you to this field and some of your  
10 angle of vision.

11  
12 Childress: I grew up in North Carolina, outside of Mt. Airy, which is the model for Andy  
13 Griffith's Mayberry. I went to Guilford College in Greensboro, a Quaker school,  
14 and Quakerism is my background and conviction. I went from there to New  
15 Haven, Connecticut to study at Yale Divinity School.

16  
17 Fox: In college, what did you major in?

18  
19 Childress: I majored in religion and history. My late wife and I were working as youth  
20 ministers in the local Friends Meeting. We worked there 12 months a year and  
21 took courses in summer school, so I ended up with 2 majors and lots of minors.  
22 But I had an interest at that point in going into academic life rather than traditional

23 ministry...

24

25 Fox: Coming from a Quaker background, if you had gone into the ministry, what would  
26 that have consisted of.

27

28 Childress: North Carolina Quakerism is very similar to many other southern Protestant  
29 churches. They had paid ministers and it was only at Guilford College that I  
30 became more exposed to the other kinds of Quakerism with the silent meetings  
31 and so forth. The meeting my late wife and I worked at while at Guilford was  
32 programmed but had an unprogrammed component. I was interested in going into  
33 academic life if I felt I could make it. Coming from a high school with only 18 in  
34 the graduating class, and going to a small, liberal arts college, it wasn't clear that I  
35 would be able to really do what I wanted to do so I left open the option...

36

37 Fox: What kind of education did your mother and father have?

38

39 Childress: My mother taught first grade at a local school for her whole career. My father,  
40 who did not have a high school education -- I think he stopped around 9th grade --  
41 worked in a variety of positions, as a salesman much of the time.

42

43 Fox: Your mother is a school teacher so there was some...

44 Childress: Right; she had academic connections and a strong interest in education, but both  
45 were very supportive of whatever I wanted to do. At Yale, I continued to develop  
46 an interest that I felt in college, an interest in Christian ethics or more broadly,  
47 religious ethics, because I was particularly interested in how one might combine  
48 the more theoretical and the practical. So in divinity school I started working very  
49 closely in Christian ethics, particularly with James Gustafson and David Little.

50

51 Fox: You were not trained in philosophy?

52

53 Childress: No, I did a fair amount in philosophy as an undergraduate.

54

55 Fox: Did you go to Yale because you wanted to study with particular people, or what  
56 did Yale represent to you?

57

58 Childress: At that point I was well aware of certain names but the choice of the divinity  
59 school probably had as much to do with the beauty of the institution and the  
60 weather when I visited as anything else. I was looking at Union and Harvard and  
61 Yale. One of the persons I wanted to work with, H. Richard Niebuhr,  
62 unfortunately died in June before I started in September 1962.

63

64 Fox: So in addition to James Gustafson the other major figure was...

65 Childress: ...David Little. There were four who worked in the area of ethics: James  
66 Gustafson, David Little, William Lee Miller, and Liston Pope. Also in  
67 philosophical ethics, I studied with William Christian. We also took courses with  
68 a variety of other people in the divinity school as well as the rest of the university.  
69 So I audited a course in jurisprudence in the Yale Law School, for example.

70

71 Fox: What is the distinction between philosophical ethics and Christian ethics?

72

73 Childress: In philosophical ethics we read figures such as Aristotle, Plato, Kant, and W.D.  
74 Ross. Christian ethics dealt mainly with the way in which the Christians had  
75 approached moral problems and how major theological figures had developed  
76 their convictions in relation to those moral problems.

77

78 Fox: Who would be some of the major writers you would have studied under Christian  
79 ethics as compared with philosophical ethics?

80

81 Childress: We took a pretty broad approach -- the major writers from the New Testament,  
82 the early Christian thinkers, Augustine, Thomas, Luther, Calvin, the Radical  
83 Reformers and then some others along the way, such as Wesley, and a number of  
84 the 20th century thinkers like Barth.

85

86 Fox: Who among your classmates, studying at the same time, is part of current group of  
87 bioethicists?

88

89 Childress: One of the most important is Stan Hauerwas. We were in divinity school and  
90 graduate school together for 6 years, and had a number of seminars together. With  
91 his intellectual vitality, one never ceased to learn from that interaction. So he was  
92 one of the persons I was closest to. LeRoy Walters overlapped, and I was very  
93 close to him. At that time, LeRoy and I were both interested in questions  
94 surrounding a just war. He wrote specifically on that in his dissertation. I was  
95 writing on civil disobedience and political obligation. And there were others  
96 around working on various issues in theological ethics or social ethics who were  
97 part of an ongoing conversation; James Laney, for example. It was a very rich  
98 group.

99

100 Fox: So you had a lot of discussions...

101

102 Childress: It was as important as any other part of the educational process.

103

104 Fox: LeRoy Walters is not a Quaker, is he?

105

106 Childress: He came from a Mennonite background.

107 Fox: That explains his choosing civil disobedience as his focus.

108

109 Childress: Well, it was a focus on war for him and for me too with my Quaker background.

110 That was one of the topics, and of course it was the era too. I was writing my

111 dissertation in 1967-68. I finished in 1968.

112

113 Fox: As part of our research, we're trying to figure out the social circles involved in

114 bioethics... The James Gustafson circle, so to speak, seems to us to be one of

115 special importance. Can you talk to us about Jim and his relationship with his

116 students. Al Jonsen, for example. Was he there at the same time as you?

117

118 Childress: Al Jonsen was the first Roman Catholic to get a PhD in religious studies at Yale

119 and he was there at the same time.

120

121 Fox: Jim Gustafson, either personally or because of the coincidence of the persons who

122 happened to coalesce around him is a sociometric star in thinking about early

123 origins of training relevant to eventual entry into bioethics.

124

125 Childress: That's quite right. Jim Gustafson was the best teacher I've ever encountered in

126 relation to graduate students because of his ability to lead graduate students very

127 carefully and sensitively through the major texts, identifying with them critical

128 issues, helping them to think through the issues, but allowing them the freedom to  
129 go in various directions. So if one looks at Gustafson's students, you don't find a  
130 pattern. There's Hauerwas, Gene Outka, Jock Reeder, Lisa Cahill, Al Jonsen and  
131 Jim Laney and so on it goes. There's no set pattern. That for me is a model of the  
132 great teacher who is not interested in a master-disciple relationship but rather in  
133 empowering and enabling students to go their own directions by attending to  
134 major texts, figures, and traditions. I try to emulate that as much as I can. We were  
135 interested in a variety of issues. Many of the ones in social ethics had to do with  
136 those that were prominent at the time; we talked about them in terms of Christian  
137 ethics. I tend to use the language of religious ethics more now because of my own  
138 institutional context and the way I conceive myself and the work I do. But, in this  
139 group at Yale at the time, we were beginning to read philosophical texts in a  
140 different way than our predecessors. Christian ethics in Protestant seminaries and  
141 divinity schools still worked out of a kind of social gospel and Reinhold Niebuhr's  
142 model of engagement with society without much attention to contemporary  
143 analytical philosophical reflection. We were moving into that in a fairly serious  
144 way, and our mentors, Gustafson and Little in particular, were reading those  
145 materials. William Christian played an important role for several of us as well in  
146 looking at texts of 20th century philosophical discussion, and our examinations  
147 included one on philosophical ethics as well as one on Christian ethics.

148

149 Fox: Was social ethics a usual kind of thing to have such specific training in graduate  
150 school?

151

152 Childress: In Protestant contexts it had been part of the social gospel and involved work in  
153 sociology. David Little, who arrived in my second year of divinity school, had  
154 worked with Talcott Parsons and Robert Bellah at Harvard. Much of Gustafson's  
155 early work focused on social science. His Treasure in Earthen Vessels was an  
156 effort to think about the church in relation to social sciences. The project he told  
157 me once he most regretted not working up as a publication included figures like  
158 Weber and others in the sociology of religion, which he was doing when H.  
159 Richard Niebuhr died. So when Gustafson moved into theological ethics,  
160 following Niebuhr's death, David Little came in to provide the sociological  
161 context and Liston Pope was still there even though he was an administrator. He  
162 had slipped a lot by the time we got to know him, but that was still the kind of  
163 orientation that was present. I should add -- and we can come back to it because  
164 this is such an important part of my work -- that when I came to the University of  
165 Virginia, I taught sociology of religion in the sociology department at the graduate  
166 level as well as a course at the undergraduate level in religious studies on religion  
167 and society. Then when David Little came to UVA, since what I knew about this I  
168 learned from him, I obviously got him take that over and I moved into different  
169 areas, but that still remains an important part of the material I consider....

170 Fox: I think it's not only interesting, but I think it's very significant that there is a  
171 convergence in training between persons who were basically getting training in  
172 philosophy and religious thought and people who were getting trained in social  
173 science at that particular time. It also shows how diversely effective the different  
174 people coming through Yale at that time were. Fundamentally, that imprint is  
175 clear on you but not very clear on Al Jonsen and it's not very clear on Stanley  
176 Hauerwas.

177  
178 Childress: I think one difference would be that I was there 6 years, as Stan was, doing  
179 divinity school and getting a PhD. Al was there doing a PhD, which gave his work  
180 a little different focus.

181  
182 Fox: That is important. So the others got what? The ones who didn't stay for the PhD.

183  
184 Childress: The ones who got the PhD but didn't have what was in the BD background, the  
185 three years of training in the divinity school. At that time, everything was offered  
186 together there at Yale; very little was offered downtown. There was little  
187 separation between divinity school and religious studies. Basically studying in  
188 divinity school which is more practically oriented than the PhD program, one will  
189 be taking a variety of courses that may end up giving one the broader kind of  
190 perspective. So I think I had, probably from the very beginning, a stronger interest

191 in social ethics than some of my colleagues. I guess I tended to think about my  
192 interest in the practical in relation to the theoretical -- it's probably captured best  
193 under the heading of social ethics. We happened to have an emphasis on the  
194 sociological at Yale but that's not necessarily the case in thinking about social  
195 ethics. It's really, from the standpoint of Protestant thought, more the extension of  
196 those theological convictions such as neighbor love and the like into the social  
197 arena. And then in Protestantism, one adopted as much social science as  
198 necessary, but of course, in the early part of the century, social ethics and social  
199 science were pretty close together.

200

201 Fox: In the debates that have ensued in later years, including in the festschrift that you  
202 put together for James Gustafson, there seems to be a certain amount of difference  
203 over how you define how Christian Christian should be in speaking of religious  
204 ethics. I guess Stanley Hauerwas takes the most extreme position. Al Jonsen  
205 dissembles, I think. He seems, to me, to be more orthodox than he would like to  
206 appear. And then you come out looking more like Jim Gustafson than either of the  
207 foregoing.

208

209 Childress: In most of the work I do I tend not to think from a specifically religious  
210 perspective. Rather, I think this part is probably similar to Gustafson, I'm  
211 interested in thinking about and analyzing how different thinkers have understood

212 how they relate their theological convictions to their moral judgements; so much  
213 of what I do is academic in that sense. Rarely do I work out of a specifically  
214 religious position. In the book that Park Ridge Center put together, in its series on  
215 people in theology or religious studies who have contributed to bioethics, one of  
216 my former graduate students, Courtney Campbell, who is himself a Mormon, tried  
217 to construct my theological position. I think he got things pretty much right. But  
218 he had to be creative at points because I haven't been explicit about a lot of that  
219 and tend not to think as much in a constructive theological-ethical way as Stanley  
220 Hauerwas would.

221

222 Fox: But I assume you know where you stand and even if it isn't...

223

224 Childress: I do, but much of my interest over time has evolved in the direction of trying to  
225 think through in a policy context how one argues from various premises,  
226 including ones that could be accepted in a liberal, democratic society. How does  
227 one develop and justify a position in that context?

228

229 Fox: Where did you teach Courtney Campbell?

230

231 Childress: Here, in religious studies. I'm actually proud of the diversity of the students we  
232 put out in religious ethics here.

233 Fox: Name some others in addition to Courtney Campbell.

234

235 Childress: Courtney would be the best known of the people writing in bioethics, but Andy  
236 Lustig, who is at the Texas Medical Center, Jessica Pierce at the University of  
237 Nebraska Medical Center, Margaret Mohrmann at UVA, Mary Faith Marshall at  
238 Medical College of South Carolina, Mark Hanson at the Hastings Center, Jim  
239 Tubbs at the University of Detroit Mercy College, and, in combination of business  
240 ethics and medical ethics, Andy Wicks at the University of Washington. We  
241 produced our first PhD in '86, so we're talking about 13 years. As a result, only  
242 those who have been very productive like Courtney would be well known to  
243 people working in the field.

244

245 Fox: How did the ongoing saga of Principles of Biomedical Ethics start, and the  
246 collaboration under which that ever-renewed and renewable book has developed?

247

248 Childress: When I went to the Kennedy Institute of Ethics at Georgetown in '75, there had  
249 already been at least one iteration of what became the Intensive Bioethics Course.  
250 In the first one, Arthur Dyck and some others were involved. I was not part of that  
251 course, which was offered in mid-year before I got there.

252

253 Fox: Why did you go to Kennedy rather than Hastings, for example?

254 Childress: I'll fill in the picture. I started teaching at UVA in '68. I decided to come here  
255 rather than two Quaker schools among the three offers I had. I interviewed the first  
256 month the department existed, in September 1967. There had been a chair in  
257 religion here since the early part of the century, virtually guaranteeing longevity  
258 since I think there are only two holders of the chair. Once the second holder  
259 retired, the university decided, since the Supreme Court had clarified the  
260 distinction between teaching religion and teaching about religion, it could go  
261 ahead and set up a formal department, fully under the university. Actually the  
262 earlier chair was partially controlled by the donors; they helped select the chair  
263 holder. It was a Disciples of Christ chair. UVA had this chaired professor plus a  
264 teacher of eastern religions, so those were the two faculty. The founding chair of  
265 the department convinced me that this was going to be an exciting place. There  
266 were two faculty in the department the first year and four of us the second year  
267 when I came. We built a department that now has 25 full-time faculty, a huge PhD  
268 program, etc. I mention all that because that's part of the excitement we were able  
269 to generate. I was able to do virtually what I wanted to. Because I had outside  
270 offers, we were able to bring in a second person in ethics. David Little was that  
271 second person. So ethics was an important part of what we were doing. I became  
272 chair of the department much too early, in 1972. It was a small department and I'd  
273 been here almost since the beginning. I had two of my former teachers from Yale  
274 on the faculty which made it somewhat difficult for me, a young person not able

275 really to delegate responsibility. I was feeling pretty overworked, and  
276 overwhelmed, even though I spent a sabbatical year at Harvard Law School, in  
277 '72-73, working on war-peace questions, church-state, etc. By the time, the  
278 Kennedy Institute invited me to be considered for a new Protestant chair; there  
279 was already a Catholic chair with Richard McCormick, S.J.. I said, "well I'll at  
280 least talk to them." I wasn't particularly interested because I love UVA and was  
281 part of an exciting, growing department. There were five people being considered,  
282 but I had, I think, a pretty good interview, probably because I wasn't particularly  
283 interested, and I was offered the position. My late wife found Charlottesville sort  
284 of confining, was much more interested in an urban area, and found Washington  
285 exciting. I found the fact that the chair at the Kennedy Institute had no  
286 responsibilities exciting since I was feeling overwhelmed at UVA. But being the  
287 chair of the department here was an opportunity. So I said, "well even though it's  
288 a permanent lifetime appointment, let's do it, whatever we do in the future." I  
289 hesitated because I thought bioethics was a passing fad and I didn't want to be too  
290 closely associated with it.

291  
292 Fox: Elaborate that a little bit. What did you think bioethics was at that time and why  
293 did you think it was a fad?

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295 Childress: First of all, even though I use the term "bioethics" today and use it now more often

296 than I want to -- you notice the title of our book is not bioethics -- I've always  
297 resisted the term "bioethics", because it seems to me to suggest something  
298 independent as a discipline and I've never thought of it that way. However, I find  
299 myself using it more and more just for shorthand purposes. It's easier to say  
300 bioethics than to say biomedical ethics. But part of what I told the committee was  
301 exactly this -- bioethics was, I thought, wrongly conceived. It should be  
302 biomedical ethics parallel to business ethics and so forth.

303

304 Fox: You were not suggesting that the questions that had surfaced were going to go  
305 away that quickly but simply that an independent enterprise...

306

307 Childress: Not just an independent enterprise but even that focus of interest. That is, the  
308 broader question is social and political ethics. I had, by that point, written only  
309 two or three things in biomedical ethics. I think one reason the search committee  
310 was interested in me was because one of the things I had written, which grew out  
311 of the experience that led me into bioethics, was getting a fair amount of attention.

312

313 Fox: Which was that?

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315 Childress: That was "Who Shall Live When Not All Can Live?"

316

317 Swazey: Instant classic.

318

319 Childress: With much surprise, it happened to hit at the right time. But it was the occasion  
320 for me to get involved in bioethics. I was in my second year of teaching and  
321 carrying a fairly heavy load, but my chair -- I mention this because of the  
322 accidental quality of the way decisions get made -- my chair had gone to  
323 undergraduate school at Yale with Mason Willrich, the person in the law school  
324 who was heading the Center for the Study of Science and Technology in Society.  
325 That center, in the spring of 1970, was running a seminar on artificial and  
326 transplanted organs. Many of the law faculty and medical faculty, Harry Abrams,  
327 Walter Wadlington, Fred Westervelt, etc, and about the same number of students  
328 from those two schools were involved in the seminar, but they needed a few  
329 students and a faculty member from the humanities. My chair was called by  
330 Mason Willrich, who asked "could you identify someone?" He identified me and  
331 basically told me go over and do it even though I was too busy to do it. The  
332 faculty were asked to do something in that seminar and I chose to present a  
333 version of what became "Who Shall Live When Not All Can Live?" in part  
334 because I had been invited by the another faculty member of the law school, Hardy  
335 Dillard, who later was on the World Court at the Hague, to take part in his  
336 jurisprudence class one day on the kidney allocation problem. So that just was  
337 natural for me to do. I was able to draw on Paul Ramsey's work, but not The

338 Patient As Person, which hadn't appeared then. That point is important because  
339 people ask about this and I've heard from others that Paul was a little upset over  
340 the years about my paper, which was in many ways more accessible than what he  
341 wrote in The Patient As Person, which I've already mentioned is a wonderful  
342 book. I didn't know he was working on that topic at the time because his book  
343 and my article came out at about the same time, and I wasn't at Yale when he  
344 delivered the lectures because I had already come to UVA. But I was working on  
345 his materials. That is to say, if you go back and look at Nine Modern Moralists  
346 and his discussion of Cahn and so forth, Ramsey was about the only resource I  
347 could use as a matter of fact, along with a few things that had been written by Sam  
348 Gorovitz and others. And so my paper and my participation in that seminar led me  
349 into bioethics or deepened and extended my interest in issues in bioethics because  
350 I liked the fascinating discussions of the interactions of law and medicine.

351  
352 Fox: Is this a set of issues that you would have come to in some other way through your  
353 Quakerism?

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355 Childress: Issues of justice obviously would be very important but not necessarily focused on  
356 microallocation in health care, and so that's why I think the context makes some  
357 difference. I did write something on abortion in response to a Ron Green piece in  
358 Journal of Religious Ethics, and I did something on the Quaker discussion about

359 abortion and so forth. But that's really all I'd done in bioethics, and the Kennedy  
360 Institute considered me as a viable candidate, I think, not only because of the main  
361 article I'd written but also because I had participated in that seminar and  
362 collaborated with Harry Abrams to write a little piece on suicide. There was a  
363 discussion going on and I was interacting with medical and legal people about  
364 these topics. So I think that was something the search committee considered  
365 useful. Even though I hadn't done a lot, not many people had at that point. So that  
366 led to the decision to go to the Kennedy Institute, but then I hesitated, as I  
367 mentioned, because I was concerned about being too closely identified with this  
368 area. I don't, even now, consider myself to be a bioethicist, and I even get a little  
369 upset when prospective graduate students come in and view me as a bioethicist. I  
370 don't teach bioethics very much at the University of Virginia, and I'll come back  
371 to that later; rather, I'm interested in a variety of methodological, theoretical and  
372 substantive issues, many of which happen to come up in this context.

373  
374 Fox: Do you have a problem with bioethics intellectually in that dimension, in that it's  
375 wrenched out of any kind of larger framework of reflection?

376  
377 Childress: In one sense, but let me be very clear about it. I see biomedical ethics as one arena  
378 of human reflection. But my interest really is in these larger questions of ethics  
379 that happen at this particular point often to get located in the context of the

380 biological sciences, medicine and health care. Even while I was at Georgetown, I  
381 was continuing work on issues of war and peace that remain a very important part  
382 of what I like to think about in terms of ethical issues and questions.

383

384 Fox: And Kennedy didn't object?

385

386 Childress: A great thing about going there was that there were no responsibilities. Andre  
387 Hellegers was very shrewd, one of the shrewdest persons I've ever met as a matter  
388 of fact. He figured the best way to get people -- and he didn't mind getting them  
389 very young and helping them blossom -- was to give them a lot of freedom. I could  
390 teach anywhere I wanted to, whatever I wanted to. When I say anywhere, that  
391 means anywhere in the university, so I co-taught with Pat King a couple of times. I  
392 taught a couple of courses in theology, and I taught at Princeton when Paul  
393 Ramsey was on leave one semester, as well as at the University of Chicago  
394 Divinity School for a quarter, commuting from Washington to do that.

395

396 Fox: Was Jim Gustafson at Chicago?

397

398 Childress: He was already there, and the school was considering a replacement for Gibson  
399 Winter who had gone to Princeton Theological Seminary. I was very tempted by  
400 the University of Chicago offer and that was actually what led me to come back to

401 the University of Virginia. This offer came from the University of Chicago just  
402 after my second year at the Kennedy Institute, and I actually came very close to  
403 accepting, so close that I told Georgetown I would be accepting the offer. And  
404 then my late wife and I talked about it one more time and she raised the questions  
405 that led me to say no, in part because our twin sons were then 13 and we thought it  
406 would be difficult to rear them in Hyde Park. Yet if one didn't live in Hyde Park,  
407 one missed a lot of the intellectual life of the University of Chicago. So I had to  
408 balance that, and we decided no. But that led me to think about what kind of  
409 institution, in the long run, I would like to be at. Then UVA asked if I'd be  
410 willing to come back and I jumped at the opportunity because that was the kind of  
411 institution I felt I would like to be at in the long run. But turning down the  
412 University of Chicago's offer was actually a hard decision. I felt somewhat  
413 depressed for awhile after I said no and then agreed to teach there the next fall. In  
414 the process, I decided I'd made the right decision.

415

416 Swazey: What made you decide not to stay at Georgetown?

417

418 Childress: What kind of institutional context would I like to be in over time - a research  
419 institute in an urban university? The big question is not why I came back to UVA  
420 but why I left UVA the first time. That was the big decision given what I've said  
421 about my affection for the place, in part as part of my growth and development in

422 the program. Coming back was a fairly easy decision although not one I think my  
423 late wife was excited about though she developed her own career here after the  
424 boys went to college in a way that was quite fruitful.

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426 Fox: So now we come back to how the beginnings of the collaboration under which  
427 Principles of Biomedical Ethics was born.

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429 Childress: I mentioned the Kennedy Institute Intensive Bioethics Course. At the time it was  
430 called the Total Immersion Course, but maybe that raised too many theological  
431 questions! I'd known Tom Beauchamp at Yale Divinity School. We overlapped at  
432 least one year; I'm not sure exactly how many years he was there before he went  
433 on to John Hopkins. So I became reacquainted with him at Georgetown and when  
434 the Institute decided to revise the Intensive Bioethics Course, he and I were  
435 invited to do the theoretical part. We did, and ended up developing it in directions  
436 that made a kind of debate format fruitful. I recall one session that Eunice  
437 Kennedy Shriver attended, in which Tom and I debated a rule utilitarian approach  
438 vs. a rule deontological approach in ethics. As we continued to think about what  
439 was available and what might be needed in the field, I know that one of my  
440 conceptions all along had been that we needed to provide a kind of theoretical  
441 structure. We were just talking about the different areas in the way most  
442 anthologies were set up -- abortion, euthanasia, and so forth -- and that was not the

443 best way to go about it. Although I will say that Howard Brody's book, even  
444 though I disagree with the act utilitarian and systems approach that he presented,  
445 was actually a pretty good version of what one might do in a different way. I think  
446 that was actually a quite remarkable book. It came out at a point in the mid-70s  
447 when there was very little available beyond the anthologies, Ramsey's Patient As  
448 Person, and Joe Fletcher's earlier Morals and Medicine. So there was not a lot  
449 available that offered a systematic view of the field of bioethics.

450  
451 Fox: In terms of the intellectual similarities and dissimilarities between you and Tom  
452 Beauchamp, what did he bring to the table? You had both been at the same  
453 divinity school, but philosophically, religiously, intellectually, and in other  
454 respects, how was he like and unlike you?

455  
456 Childress: I think we shared a passion for looking as carefully as possible at the kinds of  
457 arguments that could be offered for and against a position, particularly the ethical  
458 theories that were involved. This was what may even be considered the  
459 heyday of ethical theory following the publication of Rawls's work. Talking about  
460 ethical theory, I would even include moral, social and political philosophy in a  
461 pretty broad way. That at least served as a kind of model for ethical reflection. So I  
462 felt that a collaborative effort would be much, much better than any kind of  
463 individual work, and that it would also be important -- I think Beauchamp also did

464 -- to have a physician involved. Seymour Perlin, a psychiatrist at the Kennedy  
465 Institute, was originally going to be the physician co-author of -- I'm not sure what  
466 we were calling it at that point -- what became Principles of Biomedical Ethics.  
467 Perlin is the one who put us in contact with Jeff House, because he had edited an  
468 Oxford handbook on the study of suicide in the mid-70s. Seymour was on board  
469 but then ended up being unable to continue for various personal and professional  
470 reasons.

471

472 Fox: Why did you think you needed a physician?

473

474 Childress: Well, my conception of biomedical ethics is that it is necessarily interdisciplinary  
475 and interprofessional and that the philosopher or theologian contributes  
476 something, which is familiarity with the traditions of ethical reflection whether  
477 philosophical or religious, and, if not skills, at least familiarity with patterns of  
478 moral reasoning. Those are the major contributions philosophical ethicists or  
479 theological ethicists can make to the discourse. But we need a variety of other  
480 perspectives too, and so I thought Principles of Biomedical Ethics would be much,  
481 much better with that kind of involvement. Seymour was involved in the Intensive  
482 Bioethics Courses, and at the Institute we also were involved in discussions with a  
483 lot of other colleagues. Leon Kass was there for one of the years I was there, and  
484 of course Richard McCormick was there for an extended period. Various visitors,

485 like Seymour Siegel, played a role in our ongoing discussions, and Tris Engelhardt  
486 overlapped for part of the time. So it was a very lively place. But my lack of close  
487 affiliation with various departments and with an ongoing educational enterprise  
488 made it less attractive for me than some other setting for the long run. So the  
489 course became the context in which Tom and I tried out these ideas as we were  
490 developing them. The course and the book are closely related. I have been  
491 involved in the course from 1975 on and the book first appeared in 1979, so those  
492 two things we were working on in close conjunction with each other. And we  
493 have continued to do so, as I still teach in the Intensive Bioethics Course every  
494 year.

495  
496 Fox: I've always looked for parables that show that teaching and research in scholarly  
497 work are not necessarily in conflict.

498  
499 Childress: That was true in this case. And our continued revision of the book obviously  
500 relates to that context as well. Now, Tom and I are less central in the course. Back  
501 then we did all the theory part, and when I say less central, the Institute actually  
502 changed the format, with good reason. I like the revised structure very, very  
503 much, though the text is still used as part of it. During this period, obviously, the  
504 National Commission was proceeding and Tom was a member of the staff part of  
505 the time. So some of the debate that will come out here at the Belmont Revisited

506 conference in April (1999) will actually concern the relation of some of these  
507 matters. I contributed a paper to the National Commission looking at the relation  
508 between moral and nonmoral components.

509

510 Fox: Do you still have that paper?

511

512 Childress: I published a version of in JRE in '78, or something like that, on the identification  
513 of moral principles. It was not a very good paper. It was a workmanlike effort to  
514 get at the philosophical discussion. But nevertheless that was part of what I was  
515 involved with at the time.

516

517 Fox: It seems to me that the beginning of the rather simplified version of what you were  
518 working at in this text and your whole larger perspective began with the Belmont  
519 Report. Was your book out when the Belmont Report was issued?

520

521 Childress: No. There were two publications of Belmont before Principles was published. The  
522 Federal register Belmont was in April 1979, and that's why we're doing the  
523 Belmont Revisited conference this April. Principles appeared shortly thereafter, I  
524 think. But Belmont had an earlier publication in a sort of pamphlet version. I think  
525 the date on that may be '78.

526

527 Fox: I'm actually editorializing. I really should be asking you how you felt about the  
528 way your conceptual framework was utilized by the Belmont Report?

529

530 Childress: It is a much more complicated relationship than that. With Tom on the  
531 Commission staff and our being aware of all the conversations that took place, and  
532 Tom playing a role in writing the Belmont Report, our own views overlap. I can't  
533 go back and say who was there first with which conception. Belmont is actually a  
534 very nice little report for what it set out to do, it is clear, etc. It does a fine job. But  
535 obviously if one pulls principles out in a particular way so that they're  
536 freestanding, then that is a problem. In the way we developed the text, we connect  
537 those principles with different theories, particularly in the early editions, with rule  
538 utilitarianism and rule deontology, and see different ways of getting to these  
539 principles. Even though those conceptions don't disappear, if one looks at our  
540 later editions, certainly the third and fourth, we stressed ferreting these principles  
541 out of common morality. Our process is one of examining, analyzing, scrutinizing  
542 common morality in order to identify these principles there. So the emphasis is a  
543 little different, more historicist in nature in editions three and four, in contrast to  
544 the first edition, which was still under the influence of a strong conception of  
545 theory.

546

547 Fox: Now elaborate for us what you mean by common morality.

548 Childress: One can't simply look at the way people make judgements in our social  
549 institutions and practices, in law and so forth and say, "aha, there's a set of moral  
550 principles at work." On the other hand, one can, by analyzing and studying those  
551 carefully, make an argument that one can make the most sense of what is going on  
552 here if one identifies these as principles, recognizing that there are variations in  
553 how they are justified, how they are interpreted and how they are weighted. So  
554 we're not simply descriptive in thinking about common morality but  
555 argumentative in that we're making an argument about the best way to interpret...

556  
557 Fox: In your examination and re-examination of different moral approaches and  
558 arguments and so forth, is it always possible that you're going to discover another  
559 principle that you haven't seen before?

560  
561 Childress: It's possible, and actually, I think one of the interesting arguments that will come  
562 out in the Belmont conference is whether there should be a principle of  
563 community. Within the Belmont framework, should there be a fourth principle of  
564 community? That was one of the first points raised at the first NBAC meeting by  
565 Ezekiel Emanuel, and he's a contributing paper on this particular topic.

566  
567 Fox: Let me ask you, especially as somebody from a Quaker background, how is it that  
568 principle wasn't salient?

569

570 Childress: I think the elements of community are included in the other principles. I guess I  
571 would argue that we don't need another principle, a fifth in our framework or a  
572 fourth in the Belmont framework, but that what we need is a more communitarian  
573 interpretation of all the principles. Critics are quite right, one can look at  
574 Principles of Biomedical Ethics, and argue that overall the lens was more  
575 individualist. So I would see community much more as a matter of which lens one  
576 is using in thinking about principles than yet another principle. I think there are  
577 communitarian versions of beneficence, of nonmaleficence, and certainly of  
578 respect for autonomy. If one takes the principle of respect for personal autonomy,  
579 a lot depends on the self you're talking about.

580

581 Fox: That would make a lot more sense, because saying that in certain cultures there's  
582 no conception of the individual is not quite right. The communitarian context  
583 within which the conception of self is developed would make a lot more sense  
584 than adding another holy principle.

585

586 Childress: You're right. Some of this will be part of the debate at the conference, especially  
587 given interest in community participation and so forth, which I see as also a justice  
588 element.

589

590 Fox: Did the way in which the Belmont Report and then the larger bioethical  
591 community eventually pick up your principles distort your intentions in any way?

592  
593 Childress: The idea that we were there first and Belmont adopted the method does not  
594 recognize there was a more complex relationship than that.

595  
596 Fox: On the other hand, without your being unduly modest, I think what has happened  
597 since the Belmont Report is that your book became *the* text, with a capital T, in  
598 the field and therefore whatever the field did to it didn't come from their  
599 continuing to refer to the Belmont Report.

600  
601 Childress: I think it's sort of complicated in that regard, and this is one reason we've set up  
602 this conference called Belmont Revisited. But after the conference considers the  
603 very beginnings, the critical interest is more about traditions of interpretation and  
604 criticism. How does Belmont get institutionalized? It seems to me that if one is  
605 thinking about bioethics generally, Principles of Biomedical Ethics probably  
606 served in that context to institutionalize something like Belmont. Although  
607 distinctive, they were close enough that people get them confused, so I see it as a  
608 much more ongoing process. For instance, I very much look forward to some of  
609 the papers at the conference, particularly on different commissions. Alex Capron,  
610 as the executive director of the President's Commission, is presenting one paper,

611 and one of the questions he's asking is "were there surrogates?" Even if they  
612 weren't using the language of Belmont, were there surrogates at work in terms of  
613 principles or values? I think one can argue that in the reports of the President's  
614 Commission, there were surrogates at work. If you look at that commission's  
615 discussion of death and dying or informed consent, one can find a constellation  
616 that would be very, very similar to Belmont.

617  
618 Fox: I think that most of the people on the President's Commission, given their  
619 backgrounds, probably did not have much of a relationship to the Belmont Report  
620 or your text. But that was the overlay of the Commission and there were many  
621 problems, for example, about getting a more communitarian perspective into our  
622 work that were particularly problematic for somebody like me as a social scientist  
623 and not really problematic for most of the other people.

624  
625 Swazey: Suppose Belmont hadn't been written, suppose it never existed and you and Tom  
626 still wrote and published Principles, which, as Renée said, has been viewed as the  
627 predominant text in bioethics. How have you reacted to the ways it's been used or  
628 applied in bioethical discourse and analysis?

629  
630 Childress: Obviously we don't disagree with critics who say one problem is that in actual use  
631 our principles tend to get oversimplified in a reductionist way. Calling the four

632 principles “the mantra” is certainly not inappropriate in terms of the way in which  
633 they are sometimes used. So it’s a source of some embarrassment when it occurs.  
634 And we hope that what we’ve written is a bit more subtle and nuanced than that.  
635 So that would be one of the problems: the mechanical use of the principles and  
636 thinking that if you can repeat those or use those then you’re a bioethicist. That’s a  
637 matter of concern. But that kind of reductionism occurs pretty much in whatever  
638 framework is in widespread use; there’s going to be that kind of simplification and  
639 reductionism, whether it’s the virtue framework or something else. I think that  
640 we’re obviously partly responsible for some of those things. What has been useful  
641 for me in the whole field of bioethics, or biomedical ethics, in the last several  
642 years is the ferment about methods. At least since the late 80s, early 90s it has  
643 been a very interesting time with all the works that have come out from various  
644 perspectives. Parenthetically, even though Principles of Biomedical Ethics was the  
645 first bioethics book that Oxford published, I can’t even read all that Oxford now  
646 publishes on bioethics. It’s just overwhelming. But a lot of it is very good stuff,  
647 coming from a variety of philosophical, and, especially more recently, religious  
648 perspectives, and contributing to what, I think is, a much richer view of what the  
649 field is all about. So even though Tom and I try, in the fourth edition, to address a  
650 variety of critical alternative perspectives, we’ve learned a lot from those  
651 perspectives. So it’s not a matter of the rejection of principles. I like to say what  
652 one of my former teachers said, that they’re more right in what they affirm than

653 what they deny, in that if you look at the range of different positions, many of  
654 them are capturing something important about the way to interpret the moral life.

655

656 Fox: But hasn't it swung a bit in the other direction? I think there is great value in this  
657 more pluralistic set of approaches. Yet, just as one could list the biomedical  
658 developments on which bioethics has focused, you can now list the range of  
659 alternatives ways of looking at things, and they've almost taken on a kind of  
660 mechanical quality in and of themselves. So you have virtue ethics and casuistry  
661 and feministic ethics, and blah, blah, blah. Given your original and continuing  
662 motivation, in writing Principles of Biomedical Ethics, which is to provide, non-  
663 dogmatically, a conceptual framework for reflection within which we could all  
664 think better about these issues, it's a peculiar kind of pendulum swing. I'm not  
665 sure what this adds up to. Are you supposed to pick your choice? Are you  
666 supposed to sort of nibble a bit from each one of these? Am I being...?

667

668 Childress: No, I think that's a difficult question. Last week, for example, I met with a group  
669 here for a program on developing hospital ethics programs that John Fletcher now  
670 heads and operates under the Center for Biomedical Ethics. I came to the  
671 conclusion, after talking about the principle-based approaches, casuistical  
672 approaches, virtue-based approaches, and care or relationship approaches, that  
673 they are more right in what they affirm than in what they deny, and that each

674 actually does capture an important part of the moral life and moral action. The  
675 difficulty is to determine just what that part is and how important it is, but at least  
676 in those four, I certainly would not want to deny that each captures something  
677 valuable. And for pedagogical purposes in teaching this sort of thing, I always  
678 find it useful to start with the principle-based approach, not because I think it is  
679 the only right one, but because participants are likely to at least have some idea  
680 about what it is, so I can set it up and then show what these others capture.

681

682 Fox: Does the care-relationship approach includes feminist approach and the narrative  
683 ethics approach?

684

685 Childress: In so far as I treat it -- and obviously for purposes of a lecture, one has to  
686 oversimplify it -- yes. I pick up, for instance, what Gilligan says about care being  
687 narrative, contextual. But if I'm teaching a course on methods, I'll do a section on  
688 narrative ethics and we'll read Nussbaum and others and set it up more broadly.

689

690 Fox: It's enormously relevant to whether bioethics, or whatever one wants to call it,  
691 will ever become what we would conventionally call a discipline or field, because  
692 without some kind of unifying framework of reflection, no matter how  
693 institutionalized it gets in other respects, such as centers and a professional  
694 organization, it can't be a field in the usual sense.

695 Childress: Right. I happen to think it shouldn't be... I'm pretty radical in another way too:  
696 one can make a strong case that religious studies is not a field. If you look at the  
697 different methods that are employed, etc, what ties this all together is an interest in  
698 religion. But we have philosophical approaches, we have theological ones, we  
699 have anthropological ones, sociological ones, etc, etc. We look at particular  
700 traditions, we look at general religious dimensions. In some ways, I can think  
701 about the arena of biomedical ethics in a similar way, given my view that it's  
702 necessarily interdisciplinary and interprofessional.

703  
704 Fox: But you wouldn't argue that ethics shouldn't be field or that theology shouldn't be  
705 a field, or would you?

706  
707 Childress: Even there, one can assume there is philosophical ethics and theological ethics,  
708 and I would want to hold up the possibility of their coming together. We often  
709 talk in terms of fields and the like but those are often based on the necessities and  
710 exigencies of institutional life. We need a department of religious studies in order  
711 to make sure this dimension is actually dealt with, because if it's spread out in  
712 particular departments, it may not be. So one can make a case for bringing these  
713 faculty together, even though they may not share all that much other than an  
714 interest in religion. On the undergraduate level, I have resisted movement towards  
715 a major in bioethics here. We've let a few students do one through the

716 interdisciplinary majors program. But to have a set major is to encourage people, I  
717 think, the wrong way. If they're interested in doing work in bioethics, then they  
718 need to have some disciplinary perspective, whatever it is.

719 We have a masters in bioethics here that grew out of John Fletcher's  
720 masters in clinical ethics program, but we'd like people in that program, if  
721 possible, to actually be enrolled in law or medicine or nursing or something like  
722 that.

723

724 Swazey: As a joint degree?

725

726 Childress: It can be done that way and that's what we'd most like to have in this revised  
727 form. Now we'll just have to see how all that works. Among the people who are  
728 applying for next year, one is just finishing medical school, another one is in  
729 nursing school, and another is in law.

730

731 Swazey: Is this program just starting?

732

733 Childress: This revised one just started this year. So some of the students are in the old  
734 pattern and some in the new. Now, people who want to do a PhD in bioethics here  
735 have to do it as part of religious studies or philosophy, so they have to do the full  
736 disciplinary work in those studies.

737 Fox: If you were to look at the trajectory of the soon to be five editions of Principles,  
738 what phase movements has that original text gone through?

739

740 Childress: Revised by expansion, first of all! I would say there has been a drift that fits also  
741 with broader philosophical movements, and theological ones too, given the role of  
742 post-modern thought in theology. There has been much more of a drift in a  
743 historicist direction. One could charge the early work with at least still thinking  
744 within a framework of theory, that's more ahistorical, etc, so you get your  
745 theoretical basis, whether it's rule utilitarianism or rule deontology, work that out  
746 and then you move to the other. It's theoretical, then moving to the practical. And  
747 our charts, even some of our later charts, still seem to suggest that. I think the big  
748 shift is what I earlier called a more historicist direction that we comment on in one  
749 footnote. You can position our work over and against criticisms and see how it fits  
750 in an intellectual context. Obviously we get very negative criticisms from the  
751 people who invented the term "principlism": the Dartmouth group of Bernie Gert,  
752 Dan Clouser, etc. But they are what we call strong theorists, in that they really do  
753 believe you can present a model of rationality and develop a theory that will  
754 enable you to adjudicate moral conflicts. And certainly over and against that, Tom  
755 and I are much more in bed with the narrativists and so forth than we are with that  
756 approach. When you position us relative to the casuists, in some ways we are a lot  
757 closer to the casuists, at least on the Jonsen and Toulmin side of things, than they

758 realize, and Jonsen I think would appreciate this more than Toulmin, because  
759 when they argue against the tyranny of principles, they have in mind only absolute  
760 principles -- absolute, eternal, and invariable, etc, etc, which we're opposed to  
761 also. That's what prima facie principles are all about. So when you start pressing  
762 down, prima facie principles and the maxims maybe aren't all that different. In my  
763 first work on "Who Shall Live When Not All Can Live" even though I appealed to  
764 principles of justice, equal opportunity and the like, the role of analogical  
765 reasoning was paramount there because I asked what were relevant precedent  
766 cases, like the lifeboat cases, and thought about those analogies with these new  
767 possibilities of allocation. So I see our approaches as in many ways sharing a lot,  
768 but I think what the casuists did was really help open the door to greater attention  
769 to particularity, and that's been very valuable.

770  
771 Fox: They opened a Pandora's box by doing that, because of the problem with  
772 particularity....

773  
774 Childress: That's right. Consider the Jonsen, Siegler, Winslade volume on clinical ethics,  
775 which at least Winslade would not consider a casuist work; given Jonsen's role it  
776 is often viewed that way. If you think about their boxes, in some ways, casuistry  
777 understood that way actually undercuts the role for narrative and so forth much  
778 more than principles do because the principles understood as prima facie binding

779 open up the interaction between the general and the particular in a different way  
780 than that sort of “put it in the box.”

781 I think we’ve always had a major role for virtues, which have always been  
782 in the last chapter on ideals and virtues, in every edition of Principles. We believe  
783 they are obviously indispensable in the moral life. Without discernment,  
784 conscientiousness, courage, without all these qualities, even efforts to think in  
785 terms of principles would end up being self-defeating because people would not  
786 think them through well or carry them out. So that’s been an important part of  
787 what we’ve always done, but we have never gone so far as to make the virtues  
788 primary. They may be primary in the moral life, but we’re not simply thinking  
789 about the moral life but rather the kinds of issues that people face. When they have  
790 to think about those problems in bioethics, principles often, but not always, play  
791 an important role.

792  
793 Fox: Is the 5th edition going to take a leap in any respect, different from this general  
794 evolution that you’ve described.

795  
796 Childress: We are still working on some of the methodological questions. I’ll mention one  
797 thing about the caring relationship. You can connect the care side of things with  
798 the virtue orientation, or you can connect it with a more communitarian model.  
799 Those are some of the sorts of changes we’re thinking about now. And actually we

800 talk about those changes as part of the Belmont conference. I think some of those  
801 changes will be more subtle; that is, a person looking at them might not spot, “aha,  
802 there’s a difference there.” We haven’t added a principle of community but in  
803 terms of the interpretation and use of the principles, I think the changes will be  
804 important.

805

806 Fox: Does it make sense to you from a conceptual point of view to ever tackle the issue  
807 about the cultural specificity of the societal context within which principles has  
808 been developed?

809

810 Childress: When we’re talking about common morality, we’re not necessarily thinking about  
811 it in universal terms and so we leave that open. I don’t think we have resolved  
812 whether to take that on or not.

813

814 Fox: Your colleagues make it very clear that your book is being used in many different  
815 societal contexts, making it seem almost morally urgent that some time or other  
816 you take this issue on...

817

818 Childress: I don’t disagree with that. Maybe the problem is I’m not sure how to do it!

819

820 Fox: It might be relevant not to the text itself but for some essay that you will

821 eventually try to do, to take on a collaboration with a social scientist because it  
822 really involved tackling both disciplinary perspectives, because this set of issues  
823 has been one of the stand offs in bioethics. I don't think these things are  
824 irreconcilable. I don't say that they are easily integrated but I think the degree to  
825 which there are two positions, two sets of people digging their heels into the  
826 ground over the idea that the minute you start to take social-cultural differences  
827 into account, you're lost in the quagmire of cultural relativism, is just not right.  
828 The idea that you have about how you would weave a communitarian perspective  
829 into the principles rather than making another principle begins, I think, to help  
830 with that.

831 But I was going to ask you what one does about the fact that most of us are  
832 not well enough trained in philosophical thought to be able to use what you offer  
833 us in a way that is satisfactory? This business about being able to be a bioethicist  
834 relying heavily on Principles of Biomedical Ethics and not having any training to  
835 speak of in philosophy or religious thought seems to me to be a real problem.  
836 People who talk about principlism have never really dealt with that. Judy and I,  
837 for example, who I hope are a little bit more sophisticated than simply chanting  
838 the principles, are not sure how much we ought to sort of stop what we're doing  
839 and go read philosophy, because of the deep appreciation we have in terms of the  
840 history of the ideas that you don't just come in and start doing bioethics or writing  
841 about bioethics from a shallow, intellectual background.

842 Childress: If you think as I do about biomedical ethics as necessarily interdisciplinary and  
843 interprofessional, with contributions coming from several areas, I'm not as  
844 troubled by a lack of philosophical sophistication or that sort of thing at various  
845 points as I am with each one of us recognizing the limitations of what we can  
846 bring to the discussion, which will be true for the philosopher or theologian as  
847 well as for anyone else.

848  
849 Swazey: Thinking of you coming in from religious studies and social ethics and Tom  
850 coming from philosophy, were there any sort of areas of expertise, language,  
851 approaches, tensions you had to work out in your collaboration on Principles?

852  
853 Childress: In the first edition we were in an ongoing conversation about the matter, and  
854 obviously there were areas we couldn't reach agreement on -- we sometimes  
855 compromised, sometimes neglected those areas, and sometimes left the tension  
856 within the text. Early on, for example, we just left rule utilitarianism and rule  
857 deontology within the text as two different ways for reaching these principles.  
858 Tom is a very good collaborator and if you look at his CV, he does a lot of  
859 collaborative work. So he's a person who understands that in doing collaborative  
860 work, there are certain kinds of compromises one makes. That's not to say we  
861 don't have our disputes, but this is the way we go about revising the book. Each  
862 one will take primary responsibility for either certain chapters or portions of

863 chapters, and then does a draft, and the other person then has the responsibility of  
864 re-doing it, in some cases throwing away the draft the other provided and trying to  
865 do it very differently. But most often what we're trying to do is just revise it until  
866 we get it to our mutual satisfaction. So it's really a process that's very close to the  
867 way I think about bioethics. It's justification to others, and in this case  
868 justification to each other to try to convince the other of the validity of this  
869 particular way of formulating issues, arguing for positions, and the like. Now, the  
870 selection of particular areas to work on does vary from edition to edition, in part  
871 because one of us might say, "this really needs a fresh re-working, why don't you  
872 do it." Or one of us really wants to do a section because of the work he's done  
873 recently.

874  
875 Swazey: I guess I was thinking less of particular topics than the fact that you both came  
876 from very different disciplinary orientations.

877  
878 Childress: But both of us are familiar with the other. Tom spent time in divinity school, and  
879 then obviously went in a more philosophical direction. Given what we were doing  
880 at Yale in Christian ethics and more broadly religious ethics pertaining to  
881 philosophical perspectives, I had exposure to philosophy. And once you say  
882 you're going to write a book oriented toward people in the society as a whole,  
883 medical and health care professionals, policy makers, and the like, trying to sketch

884 a conceptual framework for bioethics rules out certain kinds of things for this  
885 purpose.

886

887 Fox: The issue that we brought up yesterday and that came up at Park Ridge over the  
888 book A Matter of Principles about the ignoring of continental European  
889 philosophical traditions, does that trouble you in any way? Except for deciding to  
890 stay within an Anglo-American orbit of reflection, what is the justification for just  
891 disregarding those traditions? I've never been able to understand intellectually  
892 how one could consciously or not consciously decide to disregard all  
893 contemporaneous. Western philosophical thought other than this particular cross  
894 section of it, if one is trying to craft a framework of reflection on ethical issues as  
895 they occur in the West.

896

897 Childress: Well, continental philosophy is not a single thing either.

898

899 Fox: No, I'm using that because it obviously cuts out German and French, particularly  
900 French, thought, including some of the thinkers who in a peculiar kind of way are  
901 more familiar to social scientists than they seem to be to philosophers.

902

903 Childress: I think that's not unfair, but even in Western philosophical tradition, a lot gets left  
904 out. Plato doesn't play much of a role and Aristotle more so, so there are

905 selections along the way. But if one takes this as a normative enterprise, then a  
906 lot's going to depend on what you think about phenomenology, as to whether it's a  
907 normative enterprise or not. Let's take one example of philosophical reflections  
908 that are looking more at power relations and the like out of, say, Foucault. So a lot  
909 depends on what you're focusing on here. But if one is taking this as a normative  
910 enterprise with particular attention to a conceptual framework, then actually I'm  
911 not too troubled by the omission. There are things obviously we could not only  
912 deepen and learn significantly from such approaches, but that's also true of  
913 various Anglo-American analytic approaches as well.

914

915 Fox: What about German theologians? Why would it be comfortable to simply respect  
916 but not consider them part of this normative enterprise?

917

918 Childress: But see, we've already essentially ruled out theology by virtue of the way we set  
919 up the enterprise. If you're going to do a conceptual framework for professionals  
920 and policy makers, so they can approach these areas perhaps with a greater insight  
921 and clarity, then we were already ruling out certain things.

922

923 Fox: So Principles of Biomedical Ethics is addressed to practitioners and policy makers  
924 who need to engage in normatively oriented philosophical reflection in the context  
925 of the decision making responsibilities that they have. Is that explicit in the book?

926 Childress: That's the conceptualization from the beginning. Obviously it has evolved. One  
927 could charge that in the 4th edition we're looking over our shoulders more at  
928 critics and other philosophers. Consider the way we set up chapter 2, for example,  
929 or try to develop the methodological part. One thing that will be different about  
930 the next edition, and I think I argued for this in the 4th edition, but not strongly  
931 enough, is that chapters 1 and 2 should be at the end of the book, and what we'll  
932 want to do for our purposes is sketch enough of our method and theory at the  
933 outset to provide the way in. Those who want to deal with the broader  
934 philosophical questions about method and theory can come to those at the end. I  
935 don't use, in an undergraduate course, chapters 1 and 2, other than chapter 2  
936 selectively.

937  
938 Swazey: Jim, you said, "we effectively ruled out theological ethics by the way we set up the  
939 enterprise." Are you talking about bioethics more generally, not just Principles of  
940 Biomedical Ethics?

941  
942 Childress: No, I'm talking about the book.

943  
944 Swazey: Ok. As a follow-up question, does that also reflect the way bioethics developed or  
945 was it less thought out than that?

946

947 Childress: If one looks at the very early years, late 60s into the early 70s, a lot of the people  
948 who were involved were coming from a Protestant or Catholic or Jewish  
949 standpoint, and it's pretty natural to think in terms of the way in which those  
950 religious convictions and practices have some bearing on the problems that people  
951 face. Philosophy at the time was still, with the exception of Rawls, and a few  
952 others, in a metaethical daze, and attending very little to those kinds of problems. I  
953 think of the emergence of the Philosophy and Public Affairs journal; the first issue  
954 came out in '72 or '71, and the lead essay in that issue, or one of the main essays,  
955 was Judith Jarvis Thompson's classic piece on abortion. I think that journal  
956 signaled a certain shift that was occurring. Rawls' publication in '71 of A Theory  
957 of Justice also was a signal of the kinds of changes in philosophy that were in part  
958 back of what we were doing in the late 70s in our work. Religion played a role for  
959 a lot of people like Dan Callahan, but maybe as much in terms of motivation for  
960 getting into the area as for the way in which he worked out the position. I still find  
961 myself very interested in how religious traditions approach these matters and the  
962 kinds of arguments that are made within those traditions, as part of the overall  
963 involvement in religious studies and religious ethics, but also in biomedical ethics.  
964 I guess I just think there are several layers and levels, and so if I'm helping a  
965 Quaker community think through these matters, I'm going to work in terms of  
966 premises of that community. If I'm going to think in terms of how to help in a  
967 pluralistic institution, a secular based one, I'm going to be working with another

968 set of premises. Of course there will always be questions about “within that  
969 institution, what is the role for religious conscience?” Those issues of  
970 conscientious objection and the like will come up, and from the standpoint of the  
971 religious community there will be issues of how is this going to relate to people  
972 outside the tradition. So I teach courses on Religion, Morality and Public Policy.  
973 How does one think about religion in debates about bioethical public policy in  
974 liberal democratic theory? Dworkin, Rawls, et al. How does one think about the  
975 role of religion within a conception of public reasoning?

976 It was natural, on the Commission, for us to include a full chapter on  
977 religion in the cloning report. It represents a conviction I share that religious  
978 communities and convictions can and do play a role in public policy deliberations.  
979 But how they are brought in is always a complicated matter.

980  
981 Fox: In your explicit decision about ruling out theology in framing Principles of  
982 Biomedical Ethics, I was wondering whether there was no way to translate certain  
983 kinds of religious insights into some kind of moral form, so to speak. Turning it  
984 the other way around, we’ve heard people say that something like Paul Ramsey’s  
985 Patient as Person is a book that has no religious content in it whatsoever, or has  
986 very little. I don’t understand that because although it may not have explication  
987 that is formally theological in nature, it seems to me it is resonant with insights  
988 that certainly are profoundly influenced by a religious outlook rather than a strictly

989 philosophical outlook. I've never known how to sort this kind of thing out.

990

991 Childress: Except it's not always necessary when one is building a conceptual framework  
992 that one go back. The genesis is not always that important. One could argue that  
993 much of philosophical discourse, at least of certain kinds, is deeply influenced by  
994 religious traditions, but that genetic argument is not one I'm particularly interested  
995 in pursuing. One could also find major similarities between various philosophical  
996 and religious works. And there are some fruitful reasons for exploring that. On the  
997 Ramsey matter, for instance, a number of us actually urged Paul to go back and  
998 rewrite his first book, Basic Christian Ethics, which he never did. But if one looks  
999 at the preface to Patient As Person, that's where you get some brief comments  
1000 about covenant and so forth. This is worked out within the book, largely drawing  
1001 on traditional categories like ordinary, extraordinary, etc. There are theological  
1002 components; for instance, the argument about using a lottery builds on God's  
1003 indiscriminate care. It's one that I find quite persuasive as well. On the other  
1004 hand, there are other grounds for making that kind of claim. And if you take as I  
1005 do the model of public justification, justification to others, the kinds of things that  
1006 you appeal to in part are shaped in part by the audience you're addressing.

1007

1008 Fox: I like the concept of public justification being to people in other disciplines who  
1009 are participating in the conversation, as well as obviously the public domain in the

1010 sense of the polity, policy and so forth.

1011

1012 Childress: I would include the whole range of those, and I see principles as playing one kind  
1013 of role in that justification.

1014

1015 Fox: There may be an inevitable simplification if you're going to do something other  
1016 than just think, if you are going to translate what you're working on into action. If  
1017 you're going to do something other than just think, then you have to translate this  
1018 into action. Where is there space then for dilemmas and for issues, questions for  
1019 which there are no satisfactory, easy fixes? One of the ways the principles have  
1020 been used, I think, is not just because people are reciting them like a litany, or that  
1021 it reduces the complexity of the question. It simply is there is no room in the way  
1022 people have used those for being irresolute, for recognizing that one is up against  
1023 something that is humanly we're not going to be that easily able to fix. I suppose it  
1024 would not make Principles of Biomedical Ethics very useful if people simply said  
1025 this is beyond human ken or we're not going to be able to do more than  
1026 contemplate how complex and poignant this is. But does that aspect of it concern  
1027 you, because you seem to be a person who is always in tune with that dimension  
1028 of reality?

1029

1030 Childress: I'm not sure that comes through as well as it might in the book. I think it's

1031 implicit, but I'm not sure it comes through. There are different ways one could do  
1032 that. Obviously one could do it in terms of what are the appropriate attitudinal  
1033 responses when one faces that sort of thing. I think we have a little of that, but not  
1034 enough.

1035

1036 Fox: Doesn't trying to frame these reflections in as logical and rational a way as  
1037 possible drive out the fact that there are so many non-rational elements in the way  
1038 in which life unfolds and the way in which we approach it? Where is the place for  
1039 non-rational elements in ethical life other than to call them irrational other than  
1040 simply to say they don't fit into a rational framework?

1041

1042 Childress: I think if you take the model, as I do, of public justification, one doesn't need to  
1043 rule out those things. One needs to identify them. I see it as a complex process.  
1044 With principles, one tries to develop the point about rationality being a component  
1045 but by no means all of most of our moral decisions. Principles come into play  
1046 more when we face uncertainty and when we face conflicts that appear to be  
1047 difficult to resolve. Then we abstract from the concrete and start talking about  
1048 principles.

1049

1050 Fox: Another subject we wanted to briefly discuss is a motif that seems to come  
1051 through in your publication from time to time: your contemplation or your

1052 involvement in questions that have to do with risk. Where did this come from, and  
1053 where does it fit into the larger framework you've been discussing?

1054

1055 Childress: I think the first place it appears in my writings is in the context of the article on  
1056 Non-violence, trust and risk-taking, and that piece was written when I was a  
1057 liberal arts fellow at the Harvard Law School. I was interested in issues of  
1058 vulnerability to risk, being raised in the context of Charles Fried's work, for  
1059 example, and interested in the way people in the pacifist tradition often talk about  
1060 a willingness to take risk, being vulnerable, and so forth; so those things  
1061 converged at that particular point in writing that piece. I delivered that lecture at  
1062 different places, including Notre Dame, and then it was published in JRE. The  
1063 way I ended up in also working on it in bioethics was that Stan Hauerwas, one of  
1064 the associate editors of the first edition of the Encyclopedia of Bioethics, had  
1065 heard me deliver the lecture at Notre Dame and also saw it in JRE, as he was  
1066 moving toward a pacifist position himself. When the topic of risk came up for the  
1067 Encyclopedia, as I understand it, he said, "well, Childress has been working on  
1068 risk," and I was asked to write that piece. So it's something I am interested in but  
1069 my initial interest grew out of another context.

1070

1071 Swazey: Could you talk to us a little bit about your perspectives on the role that biomedical  
1072 ethics, or bioethics, has played in public policy?

1073 Childress: One of the reasons I'm interested in this particular area is a broad reason, the other  
1074 is an accidental one. The broad one is, given my earlier conception of social  
1075 ethics, and if you take Reinhold Niebuhr as a kind of model, a Protestant who  
1076 functions in the policy arena, particularly in his case in foreign policy, that was for  
1077 many of us a model of how to be relevant to social policy. And then accidentally,  
1078 in the seminar on artificial and transplanted organs, even though there were  
1079 clinicians involved, we mostly were raising the question from an institutional or  
1080 broad public policy standpoint. Then when opportunities came along for practical  
1081 involvement, I really didn't spend much time in the clinical setting. After I went to  
1082 Georgetown in '75, one of the first opportunities was to participate in a discussion  
1083 at NIH about compensation for research-related injuries, and although actually it  
1084 was a good report, it's something that has never been implemented.

1085  
1086 Fox: That's interesting, because then you really didn't get a hold of the kind of bedside  
1087 relationship to biomedical ethics.

1088  
1089 Childress: Even at Georgetown I did virtually nothing in the clinical setting, almost all in the  
1090 policy setting. My continuing interest in organ transplantation goes back to that  
1091 very first seminar at UVA. Then when I was appointed to the Task Force on Organ  
1092 Transplantation it was my first big opportunity in policy arena and I really, really  
1093 enjoyed and greatly appreciated it. There were a few of us who had training in

1094 bioethics, but this particular commission was obviously much, much broader than  
1095 that. It was not considered a bioethics commission, but rather one that was to deal  
1096 with policies regarding organ transplantation and distribution. It was a very rich  
1097 experience for me, trying to think through what would be appropriate policies. In  
1098 part because I don't feel that I have the answers to all these problems, I find the  
1099 process very, very important. I see that common effort well worth pursuing and  
1100 I'm quite comfortable with it and don't mind participating in the give and take and  
1101 trying to help formulate and shape issues. As I think you both noted in Spare Parts,  
1102 some of the language that comes out in this report obviously reflects religious  
1103 traditions' conceptions of sharing and so forth, and I contributed part of that  
1104 language, such as stewardship of organs. I see the ongoing discussion as a way in  
1105 which people from a variety of perspectives will influence mine as much as mine  
1106 will influence theirs as we try to reach some common ground. So I just find that,  
1107 as I do on NBAC, a comfortable way to proceed. I have my convictions in certain  
1108 areas where I will not compromise, though much of the time it's really an effort to  
1109 decide "what would be best, all things considered." And "all things considered"  
1110 will be a range of factors, some of them ethical in nature, some of them political,  
1111 some technical and scientific and the like. I guess one of the things that also has  
1112 intrigued me about this whole policy area, which I find fascinating rather than a  
1113 matter for grave concern, is the way these factors are mixed together.

1114

1115 Fox: You are profoundly interested in how to approach these difficult questions in a  
1116 way that can be effective in what you call a liberal democratic, pluralistic society.  
1117 Obviously part of your intellectual and ethical mission is to be able to craft an  
1118 analysis that will work for all the people to whom it's addressed. But is it as  
1119 simple as saying there's no problem? That basically you can say what you have to  
1120 say, whether you're talking in the policy arena or, for example, to an audience that  
1121 is more religiously oriented? What kind of process do *you* have to undergo in  
1122 order to achieve what you want to achieve in the way you frame your questions  
1123 and responses to questions when you are working as a policy oriented person?

1124  
1125 Swazey: Does it have to do with your different types of public justification?

1126  
1127 Childress: It does to a great extent. If I were in a Jewish community or a Catholic community,  
1128 for instance, with a much heavier tradition of law and so forth, I would look very  
1129 different. The process of justification within those communities would be very  
1130 different. In a Quaker community, trying to work out a particular position is  
1131 obviously going to depend on a different set of premises and without a tradition of  
1132 reflection that would be long and deep and set out in the legal categories of  
1133 Judaism or Catholicism. So there would be some important differences in the way  
1134 I would have to work. A lot of what I do in relation to religious tradition is more a  
1135 matter of understanding; a lot of what I do in writing and teaching is a matter of

1136 understanding. I get tremendous delight out of seeing the patterns of reasoning.  
1137 This will surprise you: reading John Calvin's Institutes can bring tears to my eyes  
1138 with its remarkable structure, and it is just for me wonderful to work through even  
1139 though I find the content appalling on so many points. There's an aesthetic  
1140 experience at work for me here and a lot of what I do in teaching and in some of  
1141 my writing is an effort to understand what's involved. In the public policy  
1142 context, I'm willing to accept a certain kind of role and that is, at least the way I  
1143 understand it, to try to develop in the context of a shared discourse what would be  
1144 appropriate, given the kind of questions being raised. And the kinds of questions  
1145 being raised by the policy makers for these policy advisory groups I'm involved  
1146 with obviously shape what is done. This was perhaps never truer than for the  
1147 human fetal tissue transplantation research panel, where the questions given us  
1148 shaped the answers in such fundamental ways. There is an appropriate place for  
1149 challenging these questions, for offering alternatives. There's also an appropriate  
1150 place for trying to address these questions, in this case, the question of federal  
1151 funding, which is obviously a very different kind of question than, say, the one we  
1152 faced in cloning, which was not the funding question since that had already been  
1153 addressed by the Clinton administration, but rather whether there should be an  
1154 effort to seek prohibitive legislation. And if that's your question, where do you  
1155 start from in a liberal democratic society? Do you start from certain presumptions  
1156 in favor of liberty of reproductive choices, given the fact that we have done so

1157 little in regulating this area, which is so sad. And second, what about a  
1158 presumption in favor of liberty of scientific research? Those are presumptions.  
1159 They're rebuttable but what kinds of arguments would be necessary to rebut them?  
1160 I see that as an argument in social ethics, now set up in a context of debate about  
1161 public policy in a liberal, pluralistic, democratic society. So I'm quite comfortable  
1162 in trying to think through that. It doesn't mean that I wouldn't think it would be  
1163 necessary to resign from a public body or to file a sharp dissent, etc. But what one  
1164 is deciding at some of these points is that one can no longer play the role that has  
1165 been set for this public body of trying to address the questions.

1166

1167 Fox: What do you do on a commission dealing with the cloning about Leon Kass'  
1168 "dimension of dread" which doesn't fit the philosophical framework, or the policy  
1169 framework, and it is a real...

1170

1171 Childress: This is one I put on the risk side. It comes up in two different ways. One would be  
1172 ethical acceptability or unacceptability, and the other would be political feasibility.  
1173 If you have a matter of repugnance, dread and the like, it relates to both of those.  
1174 Indeed I was involved in helping to invite people from both the religious  
1175 traditions and the philosophical ones, and Leon was obviously one person we had  
1176 to have come and testify. His perspective was very important as part of the  
1177 process of our deliberations.

1178 Fox: So you brought it into the process.

1179

1180 Childress: Oh yes. Leon was one, Gilbert Meilaender was another. These and others who  
1181 spoke to us offered important perspectives.

1182

1183 Fox: So in that commission role, then, even though you may not be the person who is  
1184 the chief spokesman, you make sure that dimension gets into the deliberations.

1185

1186 Childress: Right. There were others who were as strong as I was about that. Tom Murray was  
1187 one; you wouldn't be surprised he felt it was important to bring in people who  
1188 could articulate religious perspectives. It is fair to say on topics like cloning that  
1189 theologians have actually thought about some of those issues more than  
1190 philosophers. There is a long tradition of religious reflection about these matters.

1191

1192 Fox: Then you get down to the question of whether there is any place for really  
1193 seriously taking those insights into consideration when you're doing public policy  
1194 in a secularized context of a modern, democratic, pluralistic society.

1195

1196 Childress: That's another reason I'm offering this course on religion, morality and public  
1197 policy. It actually grew out of my experience with the debate about cloning on the  
1198 Commission, because I'm convinced there is a role. But how does one articulate

1199 that role consistent with premises of a liberal democratic society with separation  
1200 of church and state? I think that actually one can, depending on how broad or  
1201 narrow your conception of public reason is. Now if you go back to what I take to  
1202 be a model of public justification, part of that justification obviously does involve  
1203 appealing to shared premises, but part of it also means stimulating the  
1204 imagination. Public imagination is an important part of public reason, and the  
1205 problem with many conceptions of public reason being offered in social and  
1206 political philosophy is that they're assuming that you have a set of premises and  
1207 just reason deductively to a conclusion. But that's not my model of public  
1208 reasoning and justification, it's broader than that. Then a lot of things can enter in.  
1209 One example I like is when a member of the Commission talked about how moved  
1210 she was by Gilbert Meilaender's discussion of the Nicene creed in relation to the  
1211 distinction between children as gift and children as a product. Her imagination  
1212 was stimulated by thinking about cloning in that regard. That seems to me to be an  
1213 important part of the public process. I would distinguish between process and  
1214 outcome, and part of the process includes shaping the way in which one perceives  
1215 these problems and then responds to them even in the public policy context.

1216

1217 Fox: If you had been on the President's Commission, you probably would have done a  
1218 better job than anybody else when to their great surprise the Commissioners, who  
1219 were of different persuasion and perspectives, discovered that they had

1220 inexplicable feelings about the withdrawing food and water and they didn't know  
1221 where to go with it. They didn't expect to be carried there. But then it takes skill  
1222 to know what to do with that.

1223

1224 Childress: That's right and I don't think there are any secondary or tertiary rules for how you  
1225 work at such an issue. If one takes the public justification model, it seems to me  
1226 that in the final analysis, your conclusions as a public body cannot rest on  
1227 religious premises. But as with the discussion we had on cloning, going beyond  
1228 the rational, deductive model of reasoning, some people may have come to see  
1229 certain things differently as a result of the process. I guess I find that at least one  
1230 of the important reasons for why this discourse needs to occur on several different  
1231 levels.

1232 Fox: You have a conception of how this can, not just religion, but also the role of  
1233 social sciences as well as religion, can broaden or alter the way you think about a  
1234 topic. I guess one of the problems I really have with bioethics is that the field has  
1235 trouble being contemplative about those disciplinary issues. I don't know where it  
1236 would carry one. It isn't a question of wanting to see sociology be more influential  
1237 in the outcome, but the inability or the unwillingness, what seems to be the  
1238 motivated inability, just as with these religious variables, to include them in the  
1239 thought process is what my issue is. That's also what I think when I think about  
1240 how your Principles of Biomedical Ethics has been, from my point of view

1241 deformed in its use, because that's not what's intended by the conceptual  
1242 framework.

1243

1244 Swazey: The questions we've asked about thinking socially and thinking religiously are  
1245 quite parallel.

1246

1247 Childress: This reminds me of a wonderful piece. Max Milliken's old piece on the relation of  
1248 thought and action, or something like that, in which he argues that it is a mistake  
1249 to construe the social science contribution to public policy to be simply answering  
1250 the question. In the process, it will in effect reshape the question. That seems to  
1251 me to be a better way of thinking about it. It's a nice little piece and I may go back  
1252 and look at it again. I keep thinking about it at times and I don't go back and look  
1253 at it.

1254

1255 Fox: Eliminating this social dimension from the reflection process, is what the problem  
1256 is; it's not a competition about who's the chief cook at this point.

1257

1258 Childress: No, that's right. The same point could be made about literature, too. Martha  
1259 Nussbaum's book on public imagination, for instance, does that sort of thing by  
1260 showing how one could use Charles Dickens to think about public policy. That  
1261 doesn't mean that there aren't other things, or that in the way one would finally

1262 formulate the policy response, you wouldn't necessarily appeal to Dickens, but  
1263 one would have learned something in the process.

1264

1265 Fox: At the same time, you have to be a scholar of Dickens; you can't just be someone  
1266 who happened to read Dickens.

1267

1268 Childress: That's right, although the shaping of the imagination can occur through the  
1269 reading without being a scholar.

1270

1271 Swazey: Jim, have you found a difference in the dynamics and process of working on  
1272 bodies that are designated as policy advisory bodies and those that are labeled  
1273 bioethics commissions? Is there a difference in how they think and work and  
1274 possibly what effects they have? As you said, for instance, your organ  
1275 transplantation task force wasn't an ethics body.

1276

1277 Childress: The composition of these types of bodies is pretty similar. You have 2 or 3 people  
1278 who have a bioethics background. I think on the organ transplantation one it was  
1279 John Robertson and myself. And Jeff Prottas has a strong public policy  
1280 background but strong ethical sensibility as well. One of the bioethics  
1281 commissions I was on obviously did nothing, it died pretty quickly. So I'll just  
1282 concentrate on NBAC. The National Bioethics Advisory Commission is still

1283 largely policy oriented in that we're to report to the Office of Science and  
1284 Technology Policy in the White House and to address problems that come out of  
1285 the federal agencies. Our mandate is to look at genetics, including gene patenting,  
1286 and research involving human subjects, and to select topics other than those  
1287 according to a complex set of criteria, including whether they're being addressed  
1288 anywhere else.

1289

1290 Swazey: Or when they are thrust on you.

1291

1292 Childress: That's right. By this summer, we'll have four reports out. Two of them are specific  
1293 responses to Administration requests, cloning and now human embryonic stem  
1294 cell research. Two others grew out of the two mandates we have -- the stored  
1295 tissue sample report in the genetics area, and research involving decisionally  
1296 impaired human subjects.

1297 Harold Shapiro organized us into 2 NBAC subcommittees. Tom Murray  
1298 was chairing the genetics one and I was chairing the human subjects one, and we  
1299 met in subcommittee sessions and brought things back to the large body. After a  
1300 while we dropped that subcommittee structure, in part because the cloning  
1301 experience showed us that it's better to work as a group, and in part because it's  
1302 inefficient. If you discuss something in subcommittee then you have to bring that  
1303 back to the larger group and it's inefficient in time. It's also hard sometimes to get

1304 the larger group, which hasn't been through the experience that you have, to the  
1305 point a subcommittee reached.

1306           Very early on we decided that research involving the decisionally impaired  
1307 was an area that had not been addressed since the National Commission. It was  
1308 also an area that seemed to be ripe, not because there were so many problems out  
1309 there, although there were some problem cases, but ripe if one looks at the  
1310 literature, articles by a variety of people, pointing out the gaps and possible ways  
1311 to address them. It may turn out that the biggest impact -- and this is the process-  
1312 product distinction again -- was the process, not the product, because a lot else  
1313 was going on at the same time, including the Boston Globe articles, and the  
1314 Maryland Task Force. Furthermore, the National Institute of Mental Health had  
1315 representatives at our meetings each time. Even before our report appeared in its  
1316 final form, Dr. Hyman of the National Institute of Mental Health had announced  
1317 what I thought were pretty strong measures, and it's not as though our report  
1318 appeared and they then responded to it. There was a process of reflection over a  
1319 long period, much longer than it should have been because of the preparation of  
1320 the cloning report. I think that this is not inconsistent with my model of public  
1321 justification, which involves conversation in this society, and I'm quite  
1322 comfortable with that. Our process may have played some role in the larger public  
1323 process in thinking about what we're going to be doing in this area. I'm also  
1324 comfortable with that.

- 1325 Swazey: I think it probably did, because there were certainly continuing acknowledgments  
1326 in the press, for example, that NBAC was working on this topic.  
1327
- 1328 Fox: I've never been able to figure out, historically, at the beginning of what seemed to  
1329 be the early days of bioethics, when for example, Kennedy and Mondale and  
1330 Rogers got interested in these issues, how did that happen? How, all of a sudden,  
1331 they became aware of the Tuskegee syphilis study?  
1332
- 1333 Swazey: Part of it was the fact that Tuskegee hit the press after all those years. But it was  
1334 genetics, transplantation, human experimentation that grabbed Kennedy and  
1335 Mondale.  
1336
- 1337 Fox: It was, but also it was a mighty peculiar set of issues to be considered legitimate  
1338 for Congress to be dealing with.  
1339
- 1340 Swazey: I think the thing about Tuskegee, as opposed to Sloan-Kettering or even  
1341 Willowbrook, was that it was a federally sponsored study that the government had  
1342 allowed to go on.  
1343
- 1344 Fox: But the legitimacy and the degree to which it could confer political prestige on the  
1345 people who got involved, I think, is interesting. If you were asked to predict at that

1346 time whether this would add to the political capital of the people in the Congress  
1347 who got interested in these issues, you probably would have said they're going to  
1348 have to justify why it is they're getting into things like this, that isn't what  
1349 Congress people are supposed to be doing. It instantly became something you got  
1350 brownie points for.

1351

1352 Childress: I don't profess to understand either, but it is a fascinating part of what occurred  
1353 and here the relation between the culture and the polity is a complicated point.

1354

1355 Fox: Even the President's Commission was interesting from that point of view, because  
1356 Carter went out and Reagan came in and Reagan had the right to close down the  
1357 Commission, but he just decided that this was a thing the President should have, it  
1358 was a positive thing. I think President Carter had not very much foresight because  
1359 too many Commissioners rotated off at the end of his term, so it gave President  
1360 Reagan an opportunity to name his own people and they were obviously much  
1361 more conservative politically. But it didn't make very much difference. That's  
1362 what you would hope would happen in the Court system.

1363

1364 Childress: That's not inconsistent with the public justification model because, in that setting,  
1365 they can't simply articulate their own personal beliefs. They have to think in terms  
1366 of what fits with, in part, what's embedded in the constitution and what's part of

1367 the political context.

1368 One should not always assume that the presence of religion will be a good  
1369 thing. In considering the role of religion in public policy, we have to be as critical  
1370 of religion as any other perspective brought into the picture. Just because there's a  
1371 religious perspective does not mean we have to give it particular deference.

1372

1373 Swazey: There's been a proliferation of conferences by bioethics centers this past year on  
1374 religion and bioethics, and I'm not sure quite why it's happening now.

1375

1376 Childress: That's a good question and I'm not sure either.

1377

1378 Fox: More generically in medicine and medical schools too, there's more of an  
1379 openness and legitimacy to the idea of talking about the relationship between  
1380 religion, spirituality, medicine, and alternative medicine. It seems to be part of a  
1381 larger something or other, though I don't know what this movement is.

1382

1383 Childress: We've had here, for a number of years, a religion and medicine elective which I  
1384 direct using colleagues from religious studies. Now Marcia Childress and  
1385 Margaret Mohrman have a grant from Templeton to develop a spirituality and  
1386 medicine program. I have a different focus obviously. My focus has been on  
1387 religious traditions.

1388

1389 Swazey: If you look at the origins of the Society for Health and Human Values and the  
1390 Ministers in Medical education, religion and medical education, much like  
1391 religion and bioethics, has been visible and less visible but it's never been gone.

1392

1393 Childress: I think that's right.

1394

1395 Swazey: Do you have any final thoughts you'd like to share Jim?

1396

1397 Childress: I've enjoyed this very much.

1398

1399 Fox: In terms of turning the tables completely, we'd like your advice and your  
1400 suggestions and your critical comments about what you think we ought to be sure  
1401 we are pursuing as we try to better understand bioethics. Do you think we're either  
1402 missing some things that we ought to be paying attention to or do you think, from  
1403 having listened to us yesterday, we are we too fixated, in a not open-minded  
1404 enough way, on certain kinds of themes and issues?

1405

1406 Childress: Let me think about that. That was a wonderful session yesterday and the response  
1407 was very, very positive. And in the first seminar you did yesterday, which was an  
1408 hour and a half, no one had to get up and leave, as I recall. That's very unusual. It

1409                    was a good session.

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1412    END OF INTERVIEW