Debate Continues
On Role of Ethics
In Public Policy

By Terry Pinkard

There has been much discussion during the last few years on the role of ethics in public policy. While just about everyone agrees that ethics should play some role, there is no real agreement about what that role should be. Discussions about the matter usually end up with statements to the effect that ethics should play a role in the formation of public policy, but it should not be decisive. Usually factors such as "consequences" and "feasibility" are cited as the reasons for this. But why should this be the case? In every day life we believe that when ethics clashes with expediency or self-interest, ethics should win out. Why is this not so in public policy?

Since John Rawls’ Kantian theory of justice provided much of the original impetus for such discussions, it might be helpful to look at his more recent reflections on the goal of a philosophical theory of justice. After all, it was Rawls’ powerful invocation of the Kantian tradition in philosophy that led many people to think that the role of ethics in public policy perhaps depended on which of the great philosophical ethical theories were true.

Rawls now contends that his theory should be taken as a political theory of justice, with “political” being used here in a special sense. A political conception of justice is addressed to a particular society for particular purposes; it is not addressed to all societies at all times. A political conception of justice seeks to identify the fundamental elements that all sides in a pluralist society could accept so that a compromise may be reached on the remaining conflicts of opinion.

For these reasons, Rawls argues that a political conception of justice cannot be based on what he calls a comprehensive moral conception (such as Kant’s moral philosophy). A comprehensive moral conception includes within itself a unified treatment of what is of value in life, what are the proper ideals of character, what are all our rights and duties, and so on. Kant’s theory is such a moral conception because Kant sought to construct a doctrine of political justice from the basic elements of autonomous self-legislation that he used to justify all other moral conceptions; political philosophy was only one part of his comprehensive philosophy.

In the context of a contemporary pluralist society, it is clear that no comprehensive conception can serve as the basis for political agreement. There is simply too much diversity about conceptions of the good and other matters of value to allow any one doctrine to provide the basis for political decisions. If political philosophy is to play its role as a piece of practical philosophy in such a context, it must be structured to help achieve a consensus. The Rawlsian conception of political philosophy seeks to bring out and elucidate in a coherent fashion the ideas that are latent within that philosophy. Rawls’ concern is with whether our form of democratic liberalism is simply a modus vivendi for rational, self-interested individuals to manage their affairs with an acceptable minimum of social strife; or whether it contains some coherent set of moral ideals that are widely enough held to form a lasting basis of agreement.

Consider, for example, the United States’ Constitution. There has been much debate over whether the Constitution embodies a set of moral ideals or is only the expression of a way in which rational, self-interested individuals can live together with a minimum of civil strife and a payoff in material benefit. Rawls’ interpretation of liberal practice and tradition holds that there are broadly based moral and political ideals to be found within the Constitution. First, basic to the practice of a liberal democratic society is the conception of society as a fair system of cooperation between free and equal persons. These persons do not necessarily share many common conceptions of what fully constitutes a good human life, nor do they necessarily share any particular philosophical or religious basis for their beliefs. Second, basic to liberal democratic tradition and practice is a specific conception of the person that Rawls identifies, broadly speaking, as “Kantian.”

The conception of the person is latent in the traditions and practices of liberal democratic culture, and the conception of the person being used here is political. In this context, you do not have to be a Kantian to have a Kantian conception of the person. A Utilitarian, a Christian conservative, a Jewish rabbi, a leftish deconstructionist professor of comparative literature might as citizens of a pluralist liberal democratic culture all share this conception without holding in common any more determinate conceptions of the person. Even if they all justify this Kantian conception on different grounds, if there is enough of a consensus to see it as expressing the moral ideal of a citizen, then the Kantian conception of the person is the moral ideal of the person-citizen within the traditions and practices of the culture.

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It may be that the ideal of social cooperation based on fair terms and the ideal of the person is false in some deep philosophical sense. The point of Rawls' argument, however, is that truth is irrelevant to a political theory of justice for a pluralist society. The political conception brings to expression ideas that are broadly held by people for a variety of reasons. In this sense it is like a theorem that is derivable from various premises. But it remains firmly agnostic on the great philosophical issues of truth and objectivity and though it may be compatible with many comprehensive moral or metaphysical conceptions, it is dependent on none of these.

Rawls' argument suggests that in public policy we should search for "political conceptions" rather than searching for truth with philosophy as our guide. This should not be surprising since democracy, after all, is not a search for truth but a balancing of interests.

Books

Recent Acquisitions

(New additions to the collection of the National Reference Center for Bioethics Literature.)


Blank, Robert H. RATIONING MEDICINE. New York: Columbia University Press, 1988. 290 p. Organ transplantation, treatment of seriously ill newborns, reproductive technology and fetal health are used as examples to point out the problems associated with rationing health-care resources.


Griese, Orville N. CATHOLIC IDENTITY IN HEALTH CARE: PRINCIPLES AND PRACTICE. Braintree, MA: The Pope John Center, 1987. 537 p. (The Shriver Collection of Christian Ethics.) The bioethical concepts of right to life, informed consent, and confidentiality are presented along with the principles of religious freedom, human dignity, integrity and the common good to illustrate the use of the document "Ethical and Religious Directives for Catholic Health Facilities."


Iosco, Robert C. AIDS: LAW, ETHICS AND PUBLIC POLICY. Washington, DC: Kennedy Institute of Ethics, 1987. 12 p. (Scope Note 8.) Prepared by a staff member of the National Reference Center, Scope Note 8 includes six sections of annotated citations listing the articles, books and court decisions discussing the ethical aspects of AIDS.

Jacobs, Louis. JEWISH VALUES. Hartford, CN: Hartmore House, c1960. 160 p. (Kampelman Collection of Jewish Ethics.) The importance of applying Jewish moral values as described in the Torah is advocated in chapters dealing with subjects such as truth, peace and compassion.

Nordenfelt, Lennart. ON THE NATURE OF HEALTH: AN ACTION-THEORETIC APPROACH. Boston: D. Reidel, 1987. 204 p. Part of a Swedish project on health, disease and cause of death, this work views health as a person's "ability to achieve his goals" or his ability to be minimally happy.


By Marlene Johnson
Curriculum Based On Ethical Values
Tested in an Experimental School Program

Ten years after developing its values-based “Community of Caring” curriculum for use in programs providing care for pregnant adolescents, the Joseph P. Kennedy Jr. Foundation has adapted the Community of Caring concept for use in U.S. secondary schools. Although public schools have traditionally resisted teaching ethical values because of a variety of community pressures, now with the crises of drugs, adolescent pregnancy, drop-outs and violence forming a part of every school’s experience, some of the opposition is fading.

With a grant from the National Office of Adolescent Pregnancy Programs, the Kennedy Foundation has developed a pilot Community of Caring school program that is already in place in five public school systems—New Haven, Richmond, Kansas City, Houston, and Sacramento. Focusing on the acquisition of self-esteem and the avoidance of destructive choices, especially in the area of sexual activity, schools using the program enlist teachers, students, staff members, and community leaders in an effort to give teen-agers the knowledge and self-confidence to make responsible decisions.

To qualify as a Community of Caring school a commitment is made to use the Kennedy Foundation’s Growing Up Caring curriculum, which emphasizes five central ethical values: trust, respect, responsibility, caring, and family. In addition, subject area guides in English, social studies, home economics, coaching and school nursing provide classroom teachers with information on how to bring ethical discourse into their course work. Representatives from every segment of the school and community are given an intensive two-day course in values education, and this is followed by periodic one-day seminars throughout the year.

Although it is too early to assess the program definitively, initial data are encouraging. For example, the Jackie Robinson Middle School in New Haven reports that after one full school year teen pregnancies are down substantially from the previous year. Drop-outs in 1987-88 were zero compared to 24 the previous year. Vandalism and violence have diminished and school morale is high.

In Sacramento students conducted a school-wide survey of a number of critical student behaviors such as sexual activity and abuse of drugs and alcohol and published the results as a baseline to measure improvement. Kansas City has started a parent-teacher-student organization to take the place of the old PTA. And each of the 12 schools involved in the Community of Caring program has either conducted a day-long Teen Forum, or is planning to do so.

Commenting on the Community of Caring school concept, Michael Timpane, president of Teacher’s College, Columbia University, said: “It’s the only way our schools will be saved. If the school can’t create a caring, supportive learning environment, what it has to teach won’t mean much.” Timpane has enthusiastically endorsed the concept of values education arguing that the failure of teachers to take an ethical position on the serious problems confronting adolescents has contributed to a moral vacuum in the lives of their students.

“Who’s values are being taught?”, is the issue on which many proposed programs of values education have foun­dered. Are they the personal, idiosyncratic values of individual teachers; the received values of a religious sect; or so-called “community values,” the ethos of the particular place where the school is located? The Community of Caring program has insisted that certain values anchored in our heritage and our culture, and derived from the enduring values of the past, may be considered universal: truth-telling, responsibility, caring, respect, trust, sharing—these are not peculiar to a particular place or time. The Community of Caring encourages educators to “let your values show.”

As the introduction to the program’s text, “Growing Up Caring,” suggests to teachers and parents, “The curriculum does not ask you to sound more certain than you are, but it does suggest that when you get down to basics, most adolescents will agree on certain primary values: sex with love is better than sex without love; raising a child in a loving family is better than raising one alone; finishing school and getting a job are better than dropping out and drifting off. These are not dogmas or abstract principles. They are true to the common values of the past, may be considered universal: truth-telling, responsibility, caring, respect, trust, sharing—these are not peculiar to a particular place or time. The Community of Caring encourages educators to “let your values show.”

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Evans and McCullough
Depart From the K.I.

Abigail Rian Evans and Laurence McCullough are leaving the Kennedy Institute of Ethics this summer to take on new challenges, Dr. Evans here in Washington and Dr. McCullough in his beloved state of Texas where he will be joining institute alumni William F. May and H. Tristram Engelhardt Jr.

As of Aug. 1, Dr. Evans, director of new programs and senior staff associates for the institute, will be devoting full time to her duties at the National Capital Presbytery Health Ministries, where she has worked part-time since 1984. She directs an ecumenical project with more than 150 volunteers from churches in the metropolitan area. Her ministry concentrates on the provision of integrated health care to adolescents in stress.

Dr. McCullough, a senior research scholar at the Kennedy Institute with an appointment in the Department of Family and Community Medicine, will be professor of medicine and community medicine in the Center for Ethics, Medicine and Public Issues, Baylor College of Medicine, Houston. He will begin his new duties on July 1.
Values Curriculum
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life experience of adults and adolescents alike, regardless of sex, race or religion."

In the Community of Caring school, values are not imposed from on high. The concept calls for "teaching, sharing, living, and modeling" values. When every channel of communication from the media to the neighborhood is aimed at seducing the young to irresponsible sexuality, irresponsible consumerism, irresponsible sensory gratification, the school can be a place—along with the home—where character is strengthened and values are examined and taught.

Through the Community of Caring school program, five school systems are now providing opportunities for values education with many more seeking to join the movement. The Glencoe Publishing Co., the textbook division of MacMillan, is planning to publish the entire Community of Caring curriculum as a text for secondary school students. It will be titled "Growing Up Caring."

As Eunice Kennedy Shriver, founder of the program has said: "The Community of Caring believes that the long-term solution to teen-age pregnancy, drug abuse and other negative behaviors is for us to care for each other and in turn to make it possible for all children to care for themselves and for others. Only through this process will we begin to slow—even stop their descent into hopelessness and confusion."

Roundup

- Edmund D. Pellegrino, M.D., director of the Kennedy Institute, has been named a scholar in residence by the Rockefeller Foundation. He will spend the month of September at the Villa Serbelloni in Bellagio, Italy.
- Warren T. Reich, a senior research scholar at the institute, spoke to an international conference in Milan on June 5. His talk was titled "Who Cares? Elements of an Ethic of Caring for Human Life and Health."
- Hans-Martin Sass of the Kennedy Institute ran the second Extended German Bioethics Course for 24 German scholars and professionals for 14 days in June.
- An International Congress on Ethics Justice and Commerce in Transplantation: A Global View, will be held in Ottawa from Oct. 2-6. The co-sponsors are Health and Welfare Canada and the Transplantation Society.