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COVENANT-CENTERED ETHICS

THE THEOLOGICAL CONTEXT OF PAUL RAMSEY'S MEDICAL ETHICS¹

In the still-emerging field of medical ethics Paul Ramsey's voice has surely been heard. With the publication of *The Patient as Person* in 1970, Ramsey established himself as his generation's most influential American Protestant writer on medical ethics. Unfortunately, however, Ramsey's conclusions are often better known than the rationale behind them. In order to recognize the rich theological perspective that lies behind Ramsey's opinions, I will present a brief synopsis of the general theological perspective that nourishes his understanding of the issues.

Ramsey's moral theory is controlled and informed by prior faith commitments: it is covenant-centered. Its basis is the assumption that God has made a covenant with people and that therefore people have an obligation to be faithful to that covenant. This assumption has two components. The first is God's establishment of a bond with humankind. So far as I know, Ramsey has never tried to *prove* that this bond exists—although he would not admit that belief in its existence is irrational. The second ingredient we might call a principle of replication. As God has committed himself to us, so ought we to commit ourselves to each other. The God-human relationship establishes a standard or norm for person-to-person relationships. While tracing the origins and development of Ramsey's ideas is not my main concern, it seems fair to observe that this fundamental starting point has much in common with the thought of such neo-orthodox theologians as Anders Nygren, Karl Barth, and H. Richard Niebuhr.

Ramsey developed these foundational ideas most thoroughly in *Basic Christian Ethics* (1950), in which he argued that fidelity to the action of God requires congruent fidelity between persons. Therefore "Christian ethics is a deontological ethics" and "neighbor love is not good, it is obligatory" (1950, pp. 115-116). Right relations, faithful relations between persons are all important.

The Christian understanding of righteousness is . . . radically non-teleological. It means ready obedience to the *present* reign of God, the alignment of the human will with the divine will that men should live together in covenant-love no matter what the morrow brings, even if it brings nothing (1967, p. 108).

It is characteristic that Ramsey explains the requirements of covenant-love in terms of need. "The biblical notion of justice," he wrote, "may be summed up in the principle: To each according to the measure of his real need, not because of anything human reason can discern inherent in the needy, but because his need alone is the measure of God's righteousness towards him" (1950, p. 14). He presented this as the core of the Old Testament teaching, but he found the basic idea continued in the New Testament. Early Christians regarded Jesus as the center of the covenant; he embodied and taught the importance of love (1950, pp. 14-24). The love commandment is the basic rule or principle of Christian ethics. "Everything is lawful, *absolutely everything* is permitted which love permits, everything without a single exception." And "*absolutely everything* is commanded which love requires, absolutely everything without the slightest exception or softening" (1950, p. 89).

Ramsey's view of the relationship between eschatology, or beliefs about ultimate destiny, and ethics in the teachings of Jesus has given his stress on neighbor need a characteristic twist. His factual claim is that Jesus' teaching was apocalyptic in that Jesus expected the world to be radically transformed--and soon. For Ramsey, that means that it was directed to the one-to-one situation, the relationship between only two individuals. Jesus was primarily concerned with the proper form of that relationship.

Ramsey's argument is ingenious. Jesus, he claimed, expected an immediate transformation of the world by God. This transformation would establish a historical reign of absolute justice. Thus, when Jesus commanded his followers to love, he did not expect love "to be able to deal with every form of evil" and assigned to it a "limited but positively creative function" (1950, pp. 37-39). Jesus' eschatology limited the sphere of his ethical concern. Does this limitation invalidate the ethic in an age that does not share the literal hopes of the teacher? No, because we can mentally strip away concern for the future as Jesus' beliefs forced him to do. For us the eschatological situation, the morally decisive fact is the relation with one particular other person. Jesus' commandment to love provides us with a norm for that one relationship. It shows us how we ought to be related to each and every one of the many other persons with whom we come in contact.

Thus, the "apocalyptic" element, which appeared to be a liability in the teaching of Jesus, turns out to be its strongest asset. Of course we live in a world of many personal relationships, but social conditions and problems change and a generally relevant, policy-oriented ethic becomes dated. To achieve eternal relevance, "We need to see clearly how we should be obliged to behave toward one neighbor . . . if there were no other claims on us at all" (1950, p. 44). Very briefly:

Christian ethics may claim to be relevant in criticism of every situation precisely because its standard. . . is not accommodated to man's continuing life in normal historical relationships; and this in turn is true in point of origin precisely because of Jesus' apocalyptic view of God (1950, p. 44; cf. p. 42).

There is real continuity between the Christian and Jesus. Jesus demanded total concern for the needs of each and any particular neighbor. Christians can abstract themselves from the actual plurality of relationships in which they live and use this "eschatological" standard to measure each and every one of them. The love

commandment provides a heuristic norm that impinges directly on each and every possible or actual human relationship.

Ramsey (1962) subsequently modified his view of New Testament eschatology, but his ethical analyses are best seen as rooted in the intellectual maneuver I have just described. One effect has been to allow Ramsey to put the manifold and complicated text of the New Testament behind him. For him the New Testament ethic *is* the demand of faithful love between neighbors. Practically speaking that's the good news; the bad news is that Ramsey's distillation of the New Testament ethic to the command to serve the needs of a neighbor creates a new set of problems.

The first problems cluster around the question, "Which neighbor?" From the very first, Ramsey produced two types of answer to this question. Sometimes he adopted what can only be described as a positivistic answer: The neighbor to be served is the one you find yourself related to and are able to serve. Thus, for instance, Christian love means an entirely "neighbor-regarding concern for others which begins with the first man it sees" (1950, p. 95). On the other hand, Ramsey sometimes used a "degrees of need" test in which one is most obliged to the neediest individual. Thus, he argued for a "redemptive" definition of justice "with special bias in favor of the helpless who can contribute nothing at all and are in fact 'due' nothing" (1950, p. 14). On the whole, I think it is fair to say that Ramsey means to begin with the first criterion and then apply the second. That is, the field of responsibilities is primarily restricted by de facto relationships and then, within this field, one is biased toward the most needy.

The problem becomes more acute when we realize that people face not only alternative but *competing* claims. That is, we not only face a world in which the needs of any two individuals are so great as to demand more than we can give, but beyond that, their needs may conflict. Jesus did not feel he had to adjudicate conflicting claims, but Christians must take responsibility for such judgments (1967, p. 33). Of course the problem becomes especially difficult in medicine, when life and death are at stake.

The clearest example of Ramsey's discussion of this issue in the medical sphere concerns the allocation of scarce medical resources. He notices that there will never be enough time, pharmacology, technology or donated tissue to meet all human need. Some can be saved, but not all. What does Christianity require in this situation? Ramsey rejects any sort of value-laden choices among individuals. Rather, he argues, the only legitimate basis for choice among patients is random selection, or its closest social equivalent, a first come, first served system. The obvious inequalities among persons are irrelevant "in determining who lives and who dies" (1970, p. 255). And they are irrelevant because all lives are of equal worth in the sight of God. In a lottery first come, first served system, human beings "stand aside as far as possible from the choice of who shall live and who shall die" (1970, p. 256). Ramsey has more to say on this issue. For instance, he is critical of policies that reward or encourage sensational treatments for a few as opposed to mundane help for many (1970, p. 268).

But the interesting theoretical point is the extent to which his understanding of the Christian ethic controls the kind of issue he finds it appropriate to try to adjudicate. Far from providing a criterion for deciding who should receive care, Christian love says, in effect, this issue is outside my scope. Triage, choosing those most needed [by society], is plausible only in a small community whose *survival* is clearly dependent on given individuals (1970, pp. 258-275).

Another way to look at the issue of resource allocation is to see it as an issue of *what* is needed; several kinds of needs could have priority. Is it more important to find a cure for cancer, develop an artificial heart, or work on cures for arthritis? What is the relative importance of preventive and therapeutic medicine? Indeed, what is the relative importance of health care, education and defense?

Ramsey is unwilling on principle to pronounce on these kinds of questions. He opts for social discussion of the issue, rather than pontification by the moralist (1970, p. 275). This deference has two roots. One is Ramsey's view that the question of *what* is needed is a secondary issue. "When right relation to neighbor has been established, then and then only does Christian love need to become as enlightened as possible about what is truly good for the neighbor" (1950, p. 116; cf. p. 142). But what is secondary is not unimportant.

The second feature of Ramsey's thought lying behind this deference is his view that a moralist's own perceptions of what is valuable or shoddy must not be canonized. He resists writing in ways that suggest that he is himself an unusually discerning or sensitive perceiver of what is good or bad in the world. To enter into those kinds of judgments would seem to him presumptuous. The moralist, he has said, is an expert on duties or "canons of loyalty," not on material descriptions of what people need. His postulates about need, as we will see, really boil down to needs for consensual community and for protection.

Beginning with *Nine Modern Moralists*, Ramsey found himself falling back on what Edmund Cahn called the "prismatic case," to the notion that we have a "sense of injustice" (1962, Chapters 8,9). This method amounts to a case rather than a metaphysical method of discovering human need. Ramsey's most characteristic (and persuasive) way of proving a point is through selection and analysis of some particularly significant case history. He argues that love "begins with persons and then devolves or discerns the rules." The Christian, Ramsey maintains, "starts with people and not rules, . . . with the multiple claims and needs of his neighbors (1967, p. 111).²

Principles are products of the *relationship* between lover and neighbor. Once need has been discerned in the "prismatic case," love or agape adds an ingredient of fidelity, loyalty or constancy. If a neighbor needs X, then agape unequivocally requires that a Christian provide it for him.

In this context we can see the senses in which Ramsey is, and is not, a "situationist." Insofar as situationism means a willingness to reformulate, he has no quarrel with it. New problems and cases should force the Christian "to specify as aptly as possible the meaning of faithfulness to other men required by the particular covenants or causes between us" (Ramsey, 1968, p. 125). The root problem of situationism is not unwillingness to generalize but inability to see that absolute

commitment to neighbor *means* exceptionless (i.e., constant) commitment to his need. On Ramsey's terms, to surrender constant commitment to neighbor's need would be to surrender the Christian ethic. Of course we must reformulate, but our added experience will "only disclose deeper meanings as to how faithfulness within relations should shape our behavior" (1968, p. 127).

Any understanding of the theological vision that shapes Ramsey's thought would be incomplete without the mention of one more theme, namely the idea that the world is God's creation, dependent on God for its being, order and future. We have already seen Ramsey making use of this notion as a way of establishing the equal worth of people, whatever their social status. Epistemologically, it lies behind his case method of discerning need, for the theological premise of that method is the idea that crucial determinants of what the Christian should do emerge from the study of the historical world, rather than from revelation.

Ramsey did not develop the methodological infrastructure for his use of the creation theme in anything like the detail with which he refined the covenant category. But it is associated with some distinctive features of his thought. For example, Ramsey has a most sympathetic reading of pre-Vatican II Catholic moral theology and of casuistry generally. The willingness of the Catholic casuists--and of Aquinas and Augustine--to get down to cases certainly suits Ramsey's temperament and instructs him. But the root of this sympathy is the shared conviction that God reigns over all and that we can discern something of the normative structure of the creation.

Secondly, Ramsey clearly interprets this total dependence upon God to imply an equal sanctity to all human life. This postulate is central in his discussions of the definition of death, abortion and genetic engineering. Without anticipating unduly, it is worth noting that a fundamental issue in those arguments concerns what one means by a human relation to God, upon whom we confess our dependence. The covenant side of Ramsey's intellectual persona could read this relationship as a *conscious* relation to God. The implication would be that human beings who lacked such relation were subpersonal, not *imago dei*, and therefore of diminished importance. An exclusive stress on covenant could cohere with a neo-cortical definition of death--one that makes the possibility of consciousness central--and a low view of the status of human embryos and fetuses. The fact that Ramsey finds these conclusions abhorrent reflects his deep commitment to a supplementary theme of creation, the idea that the central root of human value lies in the relation to a creator, a relation not dependent upon human capacity for awareness. God's creation need not be *aware* of God in the same sense that God's covenant partner must.

Obviously, Ramsey's creation postulate qualifies the covenant theme in a conservative direction, and there is another complication in Ramsey's thought that reinforces this direction. We might call it the Lutheran turn. Ramsey has a very strong sense of the brokenness of the world as we know it. He has seen suffering first hand; hopes for a world without conflict, disappointment, death, and suffering

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