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IN MEMORIAM:

EDMUND D. PELLEGRINO, M.D.

When Edmund D. Pellegrino, M.D., John Carroll Professor Emeritus of Medicine and Medical Ethics, Georgetown University, died on June 13, 2013, the fields of Medicine and Philosophy lost one of their giants, who was considered to be a founder of Bioethics as a discipline and an early pioneer in teaching humanities in medical schools.¹ In Dr. Pellegrino, The Journal of Contemporary Health Law and Policy lost its spiritual Godfather, and I—personally—lost a cherished and loyal friend, mentor, exemplar and, indeed, sherpa or guide. His generosity of spirit and time were unwavering sources of encouragement and unstinting support; and his wisdom enriched and ennobled me.

Prior to the publication of the Journal in 1985, discussions began in 1981-82 with the then-Dean of the Law School, Steven P. Frankino, and the then-President of The Catholic University of America,² Dr. Pellegrino, regarding the feasibility of beginning a journal which would have a strong interdisciplinary focus on probing the intersection of law, science, medicine, philosophy, ethics, and religion.³ Indeed, President Pellegrino “inspired the formation and supported the enterprise with his expertise.”⁴ He took “pleasure in the Journal’s growth and its commitment to the exploration of


those issues which have been the focus of his professional life.”

During his life, Dr. Pellegrino contributed to the Journal six times,” and showed his bona fides, further, by being available to review and to shape contributions by students and lead article authors.

The vision of Dean Frankino and President Pellegrino in sponsoring the creation of the Journal was to create a forum to “promote social justice” and to “show an active involvement in law reform and social movements” designed “to speak on behalf of the poor and the oppressed.” Consistent with Dean Frankino and President Pellegrino’s passion for knowledge in the quest for truth, both of them encouraged the Journal to accept “a diversity of views in our pilgrimage to discover the truth.”

Over the past thirty years, the Journal has sought, diligently, to embrace the vision of Dean Frankino and President Pellegrino, and to be true to their charge. Were it not for their clarity of vision, unequivocal support, and thoughtful direction at its founding and in the subsequent years, the Journal would not have been able to build and sustain a credible and professional reputation. It is altogether fitting, then, that this thirtieth anniversary volume of The Journal of Contemporary Health Law and Policy be dedicated—with affection and humility—to the memory of Dr. Edmund D. Pellegrino.

Pellegrino is defined, classically, as a “pilgrim wanderer.” This word is an ideal surname describing the life of Edmund Pellegrino; for, his life was truly a life of the mind—and of a mind exhilarated by new ideas, and of ideas as pathways to knowledge and truth—especially those which explored the humanities and the symbiosis of law, science, medicine, philosophy, and

5. Id. at xii.


8. Id.

9. CASSELL’S ITALIAN DICTIONARY 366 (Piero Rebora, 2002).
Dr. Pellegrino’s faith—without question—was the most unifying and important element of his life.\footnote{10} To enter into a social conversation with Ed, or attend a lecture, Grand Rounds, or even a question and answer interview by Ed, was mesmerizing. His delivery was always with brio, animated, and with sweeping gestures which helped to punctuate the precision of thought and analysis of his discourse or even his responses to inquiries.\footnote{12} As Dean Frankino observed, Ed was “. . . a man of many aspects. He is warm in his personality and delightful in repartee. His physical and intellectual energy are palpable. A conversation with him is a joy. A project undertaken with him is a fulfilling process.”\footnote{13}

Integral to Dr. Pellegrino’s philosophy of medicine and his clinical practice throughout his entire professional life was his allegiance to cura personalis, or personal care—a foundational chrism, or faith based value, of Jesuit education.\footnote{14} Interestingly, not only is this principle central to the work of the Society of Jesus, but the “Catholic tradition views education holistically and emphasizes formation of the total person—mind, heart, 

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\footnote{10}{Supra note 1. Ernest Hemingway opined that one should strive to “live the full life of the mind, exhilarated by new ideas intoxicated by the Romance of the unusual.” See \textit{Ernest Hemingway}, \textit{Banal Story in The Complete Short Stories of Ernest Hemingway} 274 (Finca Vigia ed., 1987).}

\footnote{11}{Mark Zimmerman, \textit{Renowned Bioethicist Dr. Edmund Pellegrino Dies}, \textit{The Catholic Standard}, June 20, 2013, at 17, available at http://www.cathstan.org/main.asp?SectionID=2&SubSectionID=23&ArticleID=5720 (reporting that Dr. Pellegrino once said “his faith was the single most ‘important unifying element in my whole life.’”). See generally Daniel P. Sulmasy, \textit{Ethical Principles of Spiritual Care in Oxford Textbook of Spirituality in Healthcare} Ch. 63 (Mark Cobb, Christina M. Puchalski & Bruce Rumbold eds., 2012).}

\footnote{12}{See generally Rachel Donadio, \textit{When Italians Chat, Hands and Fingers Do the Talking}, \textit{N.Y. Times}, July 1, 2013, at A6.}

\footnote{13}{Frankino, supra note 4 at xi.}

body, and soul.”

Social justice is promoted, then, by a “service of faith” in education.

Although Ed Pellegrino was committed to the practice of Medicine as a moral experience, he was quite cognizant of the fact that physicians are gatekeepers to all health care resources which means, in turn, that their actions are often constrained by economic policies set by health insurance providers. Inevitably, patient autonomy conflicts with physician autonomy; and other stresses and conflicts arise regarding the extent to which beneficence is a fundamental “trump” to autonomy or, whether both values are compatible.

Working to advance and assure patient welfare was, then, central to Dr. Pellegrino’s philosophy of Medicine, and totally in keeping with the principle of cura personalis. For Dr. Pellegrino, the virtue of compassion was “the most important element in medicine.” Because all patients need “emotional support,” he maintained that physicians have a professional


16. Go Forth and Teach, supra note 14, at 137, ¶ 41; Cook, supra note 14, at 2.

17. Go Forth and Teach, supra note 14, at 3, ¶ 7(d); Cook, supra note 14, at 4.


responsibility to give of themselves in order to show solidarity with their patients.\textsuperscript{23}

Two particular recognitions—in a career filled with countless ones\textsuperscript{24}—serve, for me, as metaphorical “bookends” to a lifetime of service to his profession of Medicine and to Ed’s faith as a Roman Catholic. The first recognition came in 1998 when Notre Dame University bestowed upon him its Laetare Medal.\textsuperscript{25} Established in 1883, this medal “is awarded to those American Catholics . . . whose genius has ennobled the arts and sciences, illustrated the ideals of the Church and enriched the heritage of humanity.”\textsuperscript{26}

The personal citation for Ed’s award noted his commitment to championing “the culture of life” as proclaimed by His Holiness Pope John Paul II.\textsuperscript{27}

The second recognition for Ed came in April, 2013, when he received the John Carroll Society’s 2013 James Cardinal Hickey Lifetime Service
Award. With the late Cardinal Hickey’s enthusiastic encouragement, Ed—
together with two other physicians—established, in 1984, the Health Care
Network which continues to thrive as it seeks to provide medical care to the
impoverished. As an integral part of the Catholic Charities of the
Archdiocese of Washington, D.C., some 250 volunteer physicians, nurses,
and dentists serve approximately 2,000 people each year. As with the
awardance of the Laetare Medal and its recognition of Ed’s work in
illustrating—in thought, word, and deed—the ideas of the Church, and, in
enriching “the heritage of humanity,” the Hickey Award recognized—at the
end of Ed’s life of service—his faith in action.

Dean Frankino captured aptly Dr. Pellegrino’s character when he
observed in 1985 that Ed’s “. . . humility shines through in all of his
endeavors. . . . He adds to all that he does and enriches those who work with
him. In sum, his is a great life well lived.”

George P. Smith, II
Professor of Law
Founding Faculty Editor,
The Journal of Contemporary Health Law and Policy
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29. Id. See generally DAVID F. KELLY, GERARD MAGILL & HANK TEN HAVE, supra note 15.
30. Id. See also Zimmerman, supra note 11.
31. Frankino, Physician-Philosopher, supra note 4, at xii-xiii. See also Hemingway, supra note 10.