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Preprints and Working
Papers of the Centre for
Advanced Study in Bioethics
Münster 2012/38

wissen.leben
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NORMENBEGRÜNDUNG
IN MEDIZINETHIK
UND BIOPOLITIK
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› Secular Morality after Foundations: Moral Pluralism, Christianity, and the Culture Wars*

H. Tristram Engelhardt, Jr.

I. Christian and Secular Bioethics: An Introduction to a Conflict

The established secular bioethics is in conflict with traditional Christian bioethics. The case of Christian healthcare professionals refusing to provide or refer for certain treatments because of obligations to God is an illustration of this conflict. An element of this conflict lies not simply in the content of secular versus Christian bioethics, but in the different character of their moral and bioethical claims. Secular bioethical claims take on a different character, given the emerging realization that secular morality in general, and secular bioethics in particular, are without foundations. Because of intractable disagreement regarding basic premises and rules of evidence, there is no basis in sound rational argument to establish as canonical the claims of any particular secular morality or bioethics, nor is there a sound rational argument to resolve the controversies engendered by moral pluralism. This secular moral pluralism is compounded by the existence of traditional Christianity with its moral, bioethical, and metaphysical claims. I use traditional Christianity to identify that Christianity theologically in continuity with the Christianity of the first centuries, which Christianity was united in the first seven councils and which was largely uninfluenced by Augustine of Hippo (354–430). It is this Church that continues in Orthodox Christianity and that lies at the roots of fundamentalist Protestantism and even Roman Catholicism. It is this Christianity that is a source of many of the conflicts in the culture wars (Hunter 1992).

* Distantly ancestral roots of this paper can be found in presentations made April 29, 2011, at Houston Baptist University and in Torino, Italy, on January 31, 2012. A different articulation of these arguments will appear as "Christian Bioethics in a Post-Christian World: Facing the Challenges," in *Christian Bioethics* 18.1 (2012).

These reflections address primarily Roman Catholicism and Orthodox Christianity. Orthodox Christianity is chosen because its moral-theological and bioethical positions lie at the historical roots of Christianity.[1] Roman Catholicism is chosen because it shaped Western European culture and indirectly the contemporary dominant secular culture. The Roman Catholic 13th-century synthesis of Aristotelian, Platonic, Stoic, and Christian understandings gave force to the West's various discourses of natural law and human rights. It also gave a philosophical character to the moral theology of the West and shaped its moral philosophy. When Roman Catholicism's faith in reason was shown to be ungrounded and the lack of foundations became evident, both moral philosophy and Roman Catholicism confronted problems associated with a philosophically foundationless morality and bioethics. These problems collide with core commitments of Roman Catholicism, which presupposes a moral philosophy anchored in sound rational argument. This state of affairs requires a reassessment of the meaning of secular morality and secular bioethics.

As to contemporary secular bioethics, the bioethics that came into existence in 1971 under this term did not prove to have the character that many if not most of its founders expected. Most of the early supporters of bioethics conceived of bioethics as an intellectual movement that would bring unambiguous moral direction. However, a substantive, persistent, and indeed intractable moral pluralism characterizes bioethics. This moral pluralism is intractable in that, in order to resolve this pluralism, one would already need to possess a warranted agreement regarding basic moral premises and rules of evidence. Such agreement does not exist. In addition and as significantly, secular bioethics has proven to be without foundations, undermining any aspiration to universal moral guidance. Agreement is absent regarding not only the content of moral claims, but also regarding what could serve as a definitive grounding of the moral claims made by the various defenders of the various secular bioethics. The result is that bioethics finds its higher truth in biopolitics. Not being able to establish itself through sound rational argument, a particular bioethics can establish itself through state force. That is, a particular bioethics becomes established as canonical insofar as it is established at law and public policy. As Rorty quite rightly recognized, there is a "shift from epistemology to politics" (Rorty 1989, p. 68).

This shift transfers moral conflicts to a political level, providing support for a political reaction against Christianity. In particular, one finds secular fundamentalist states seeking to erase the remnants of Christendom. The term "secular-fundamentalist state" is used to identify a state that in its law, public policy, and public mores establishes a robust laicist ideology aimed at rendering the public forum, public institutions, and public discourse free from religious, in particular free from Christian, norms, images, and discourse (Engelhardt 2010c, 2010d). In the secular fundamentalist state there is no separation of state and secular ideology, so that the state in a totalizing fashion acts to define public life and the public professions, including medicine and the health care professions, in terms of purported secular moral obligations increasingly articulated in terms of claims regarding human rights. A secular healthcare policy framework and a vision of healthcare professionalism are engaged by the secular state to compel traditional Christian healthcare professionals either to act against their obligations to God or to leave their profession. Christian physicians, other healthcare professionals, hospitals, and healthcare institutions are held to be obliged, save in very limited circumstances, to provide

1 For an account of the morality and bioethics of traditional Christianity, see Engelhardt 2000.

health care in conformity with the established secular order (Meyers & Woods 1996). Secular healthcare professionalism is then located in a developing collage of secular human rights claims so that the refusal of traditional Christian physicians to be associated with the provision of abortion is regarded as a violation of the human rights of women to control their reproduction (Bunch 1990, Margolin 2008, Zampas & Gher 2008). A sense of secular professionalism and of social justice is established that not just requires violating obligations to God, but wishes to reduce a recognition of obligations to God to self-directed concerns for private values and private commitments (Cantor 2009).

This study closes with a brief assessment of why Orthodox Christianity and Roman Catholicism respond differently to this state of affairs because of their different relationships to moral philosophy. In response to the dilemma, Plato has Socrates propose to Euthyphro as to whether the good, the right, and the virtuous are approved by God because they are so, or whether the good, the right, and the virtuous are so because God approves of them, Roman Catholicism has embraced the rationalist horn. Orthodox Christianity in contrast affirms a form of the theocentric horn of Euthyphro's dilemma. Each, therefore, in a different fashion places Christians at tension with the current dominant secular culture in the West.

II. Bioethics after Foundations

Bioethics under this term initially took shape at the Kennedy Institute of Georgetown University, a Roman Catholic university where assumptions regarding natural-law theory made it plausible that right reason could provide a foundation for a range of moral claims spanning from patient autonomy to rights to health care. It should also be remembered that the term bioethics was first used in its current sense in1971, the year in which John Rawls' *A Theory of Justice* appeared, a book that has been read by many as providing a rational foundation for the bioethics of healthcare distribution (Rawls 1971). Few were willing to notice that to draw the conclusions John Rawls wished to embrace, one had first to grant a number of initial premises, including what Rawls held to be a proper risk aversion and a proper thin theory of the good. Of course, if one embraced a Confucian-Singaporean thin theory of the good that placed security first, prosperity second, and liberty third, while giving short shrift to equality, one would have an expository device that would support not a social-democratic constitutional vision with Western-style human rights, but a one-party, softly authoritarian, family-oriented capitalist state.

Bioethicists had begun with a faith that quasi-Kantian or quasi-utilitarian foundations could be supplied for all their particular moral intuitions. Forty years later, it is ever clearer that this is not possible without first granting particular basic premises and rules of evidence, which are some among a large class of possible basic premises and rules of evidence. Consider the following reflections of Tom Beauchamp regarding the inability of secular bioethics to give an adequate account of his cardinal principle of autonomy. Without foundations, and in the face of moral pluralism, autonomy has at best an ambiguous meaning.

> What it is about autonomy that we are to respect remains unclear, and it remains obscure what "respect" means. Most obscure of all is how practice is affected by a theory of autonomy. The contemporary literature in bioethics contains no theory of autonomy that spells out its nature, its moral implications, its limits, how respect for autonomy differs from respect for persons (if it does), and the like (Beauchamp 2004, p. 214).

There is no moral theory to do this work, because any particular bioethical or moral theory in being without foundations is at best a freestanding account. It is not anchored in a canonical account of moral rationality. Because theory cannot resolve the controversies, Tom Beauchamp opines that "this [moral] theory part of the landscape of bioethics … [will] vanish soon, because it is serving no useful purpose" (Beauchamp 2004, p. 210). In summary, there is the growing implicit and explicit recognition that one cannot identify the canonical secular bioethics through sound rational argument.

This is the case because, as Richard Rorty, making an Hegelian point, argued: "there is no way to step outside the various vocabularies we have employed and find a metavocabulary which somehow takes account of *all* possible vocabularies, all possible ways of judging and feeling" (Rorty 1989, p. xvi). For secular morality and secular bioethics, there is no equivalent of a God's-eye perspective, a non-socio-historically-conditioned standard to warrant particular moral content as canonical. The various secular bioethics are supported by nothing more than clusters of intuitions sustained by various narratives, all floating within the horizon of the finite and the immanent. They exist as free-standing positions in their own right or as expressions of a moral view that is itself such a free-standing position.

Because of the lack of foundations, particular secular bioethics are thus best understood as Rawls came to understand his theory of justice, namely, as political, not as metaphysical or even moral proposals. After metaphysics, that is, after foundations, moral discourse becomes rhetoric in the service of one's view of the politically reasonable. As Elizabeth Anscombe appreciated, after God what had been the meaning of morality is radically changed (Anscombe 1958). Although the secular culture has not eschewed the language of moral obligation as Anscombe had suggested, given the foundational character of secular morality and secular bioethics their force becomes political. After foundations, as Rorty puts it (because he was a supporter of social democracy), the right way to read moral philosophical slogans is as "philosophy as *in the service* of democratic politics" (Rorty 1989, p. 196). Among the consequences of this state of affairs is that the persistence of Christianity, or at least traditional Christianity, constitutes not just a cultural, but a political provocation to the now-dominant, secular culture and the secular state. Again, this is the case not only because the content of traditional Christianity morality and bioethics is in conflict with the content of secular morality and bioethics, but also because traditional Christianity has foundations that transcend the bounds of secular moral discourse and make it incapable of compromise within the secular politically rational. Claims by traditional Christianity of a transcendent ground for its morality and bioethics constitute for the secular culture and the secular state a disturbing fundamentalism.

III. The Secular Fundamentalist State

The refusal by Christian physicians and healthcare workers to provide legally available services often supported by public funds, because these services are forbidden by God, constitutes a political provocation and a violation of established secular bioethics. Although this refusal is usually couched in terms of rights of conscientious objection or the integrity of the conscience of healthcare professionals, often the more theological language of "obligations to God" is used and is usually more appropriate. For traditional Christian physicians and healthcare professionals, what is at stake is primarily an obligation to God, not just a concern for one's own conscience or moral integrity. In their refusal and in the grounds for their refusal, traditional Christian physicians and healthcare professionals are culturally disruptive: they recognize a basis for action grounded in an obligation to God not merely to refuse to provide medical

interventions they recognize to be forbidden, but in addition to refuse even to refer patients to others who would provide such services. Such refusals make a clear and emphatic statement at odds with the post-Christian commitments of the established secular bioethics, if the refusal is advanced in terms of an obligation to God.

The gulf separating the various secular bioethics from traditional Christian bioethics is increased by the now-dominant secular moral vision's having reduced the moral significance of a wide range of moral choices once publicly acknowledged as moral choices to the status of amoral life-style choices. This demoralization renders what had been moral choices into mere life-style choices, having at most a quasi-aesthetic significance, although many of the choices collide with core Christian prohibitions. For example, the demoralization of traditional morality has transformed choices regarding the sex of one's sexual partners, the use of abortion, physician-assisted suicide, and euthanasia from being in their content morally significant choices into being merely personal life-style or death-style choices, which are considered licit as long as those choosing affirm, and do not infringe on, the dominant secular moralities' endorsement of the equality and liberty of others, that is, as long as secular human dignity and social justice are not violated.

This dramatic shift in the character of the dominant Western morality has gained force as Western culture has become normatively post-metaphysical. By being "post-metaphysical" I mean the loss of an anchor in a non-socio-historically-conditioned perspective. It is this development that G. W. F. Hegel (1770–1831) characterized as the death of God in Western culture, so that the traditional God's-eye perspective of the West was replaced by a particular socio-historically-conditioned perspective that has been established in law and public policy. When Hegel first advanced this cultural diagnosis in 1802 in "Glauben und Wissen", he had come to realize that a fundamental change had occurred in how morality could be regarded (Engelhardt 2010a). When in "Glauben und Wissen" (1802) Hegel was the first to speak of the death of God by referring to the circumstance that the vanguard culture of his time was marked by "the feeling that 'God Himself is dead'" (Hegel 1977, p. 190; 1968, p. 414),[2] he began a systematic appreciation of what David Hume (1711–1776) had already begun to realize. Without God or the equivalent of a non-socio-historically-conditioned perspective, Hegel understood that there can be no anchor for morality outside of the moral perspectives of particular communities. That is, there can be no perspective beyond the socially and historically conditioned perspectives of particular moral narratives and their narrators.[3] The various secular moralities and bioethics must then be acknowledged to be tantamount to various clusters of intuitions supported by diverse moral narratives, all floating as freestanding moral visions in the space of socio-historical construction within the horizon of the finite and the immanent.

The gulf separating traditional Christianity from the now-dominant secular culture grew out of this shift from a culture that invites all to act guided by a theistic methodological postulate to a culture that invites all to act guided by an atheistic methodological postulate (Engelhardt 2010b). The resultant change in the culture's appreciation of reality and morality is

2 My account of Hegel and his project is indebted to the work of Klaus Hartmann (1972, 1988).

3 In the 5th century before Christ as the moral-philosophical project of rationally establishing moral claims was first undertaken, Protagoras recognized that the death of God, in the sense of the failure to have a socio-historically unconditioned perspective, marked the death of metaphysics, with the result that the judgments of humans became the only criterion of truth. As a consequence, because there is no one canonical human perspective, all secular truth and morality are plural.

profound: reality and morality become ultimately meaningless. Immanuel Kant (1724–1804) recognized that, without a theistic methodological postulate, one could not maintain the moral-philosophical assumptions supporting the traditional absolutist claims of Western morality (i. e., that moral claims are valid for all communities, and that moral commitments should always trump concerns for prudence). Kant (who was likely an atheist[4]) therefore affirmed as practical postulates the existence of God and of immortality.[5] After Hegel, both postulates were abandoned by the dominant secular culture, making the contemporary dominant secular culture possible. As an atheistic postulate was embraced, it became clearer that morality after God would be different in content and force from morality with God. Habermas appreciates this when he states that "a renewal of a philosophical theology [is impossible] in the aftermath of Hegel" (Habermas & Ratzinger & Pera 2006, p. 41), because "the *methodical* atheism of Hegelian philosophy and of all philosophical appropriation of essentially religious contents" is now integral to the dominant secular culture (Habermas 2002, p. 68). This change in metaphysical and moral orientation presents reality and morality as if God did not exist, and therefore implicitly regards reality and morality as if all ultimately came from nowhere, went ultimately to nowhere, and for no ultimate purpose.

Apart from God or an equivalent non-historically and socially conditioned perspective, morality has an individual narrator-relative grounding. Each person by default becomes the final origin of, focus for, and judge of his own moral concerns. Each tells his own moral story, even if some limits are set by the local culture. The result is the constitution of a community framed by the narrative that each should frame his own moral narrative. The point is that, in the absence of canonical standards, each person's freedom in peaceable interaction with others is determinant of moral propriety. As a result, individual autonomous decisions and agreements among consenting adults become the lynchpin of the contemporary secular moral fabric (Engelhardt 1996). A further result is that each individual comes to be regarded as having an equal moral right to tell, authenticate, and peaceably realize his own moral narrative, as long as this narrative does not impede others from doing the same. A further and crucial step is then taken so as to regard autonomy (i. e., permission) not just as a source of authority but to regard the autonomy involved in giving permission as the cardinal value, allowing the transition from a negative or forbearance right to a positive or claim right. Public professions are then held to be obliged not just to respect the forbearance rights of others, as by forbearing from directly acting so as to constrain women from seeking abortion by violating their rights to be left peaceably to act on their own, but also to support the claim rights of others to be able to effect their legal, and secularly morally accepted, life-style and death-style choices, as by having abortions provided. The refusal to provide legally available healthcare services is considered to violate a claim right of others to be aided in the realization of legal and therefore legitimate life-style choices, including sexual life-style choices. Refusals by health care professionals to provide aid become prohibited in being construed as not just intolerant of life- and death-styles that the secular culture has accepted as legitimate, but as violating established claim rights of self-determination and self-realization.

4 Kant most likely did not recognize that God exists, although he appreciated the cardinal importance of the idea of God as well as the postulate of God's existence in maintaining the rational coherence of traditional morality. See Kuehn 2001, pp. 391–92, also 3–4.

5 "These postulates are those of immortality, of freedom affirmatively regarded (as the causality of a being so far as he belongs to the intelligible world), and of the existence of God" (Kant 1956, p. 137, AK V.133).

IV. The State, Democracy, and Human Rights: Moral Authority after God

The dominant secular morality has brought the content and force of traditional Western Christian morality into question. In addition, its own foundationless character brings that very secular morality into question with its complex cluster of affirmations of human rights and human dignity. It does so in a complex fashion that is yet to be fully appreciated by that secular morality and the secular culture that this morality sustains. Among other things, claim rights to the positive and affirmative respect of others or to the provision of particular goods and services cannot be justified as moral claims, if one means by a moral claim an entitlement, the violation of which would render the violator blameworthy in the eyes of any disinterested rational judge (Engelhardt 1996). Instead, moral claims after God and after foundations gain their greatest generality by becoming elements of a public policy that a particular party or political faction has succeeded in establishing in law and public policy. There is a foundational transformation of the significance of morality and bioethics into politics. This is because of four intertwined factors.

(1) There is first-order moral pluralism, in that there is a plurality of views regarding when it is licit, forbidden, or obligatory to have sex, reproduce, transfer property, or take human life. This moral pluralism is real and intractable, because there is no canonical perspective to set this moral pluralism aside. There is no one sense of a disinterested rational judge, disinterested rational decision-maker, disinterested rational contractor, moral sense, thin theory of the good, rational discourse ethics, moral rationality, or sense of rational decision-making. This is the case because for any such construct to give guidance it must have content, and such content presupposes a particular ranking of human goods (e. g., liberty, equality, prosperity, and security) and right-making conditions (e. g., respect for the autonomous decisions of individuals, respect for the autonomous decisions of families, etc.). One has to be able to establish the canonical character of a particular moral sense, moral rationality, thin theory of the good, etc. That is, to establish any particular ranking of values or right-making conditions as canonical, one must have a background standard, involving either an infinite regress, a circular argument, or the invocation of a self-evident truth, thus begging the question of how to establish the canonical morality of bioethics.

(2) Second, this first-order moral pluralism is further deepened by a pluralism of justifications for the various first-order moral visions. Theory recasts the significance of first-order moral positions, in that it presents the force of first-order moral positions as, for example, whether the killing of an innocent person violates a right-making condition, or whether it is wrong because it undermines the greatest good for the greatest number. Depending on whether one embraces a Kantian or a utilitarian justification of moral norms, one reshapes their extension and intension. Moral pluralism has a theoretical dimension.

(3) Third, a demoralization of moral choices occurs when one cannot in universal terms be held to be either blameworthy or praiseworthy. Insofar as morality involves the normative claim that, if a choice is not made in a particular fashion, one ought to be held blameworthy by all disinterested rational judges, demoralization involves the counter-claim that such choices are to be considered only life-style or death-style choices. The result of demoralization is that what had been moral choices become life-style or death-style choices. Further, within the dominant, secular, moral culture, given an established demoralization, one may be prohibited in the dominant secular culture from making public moral judgments about those choices (e. g., regarding choices whether to have a sexual partner outside of marriage, the sex of sexual partner(s), the use of abortion, and the use of physician-assisted suicide and euthanasia). Few have noted that this demoralization is powerful enough to render into macro-life-style choices

the choice whether or not to affirm a social-democratic political vision affirming individual dignity and autonomy, or instead to affirm a Confucian soft dictatorship that sets centrally the role of elites and of families as decision-makers. Without a non-socio-historically-conditioned perspective, all moral-political accounts become particular clusters of intuitions sustained by a particular narrative floating as a free-standing position within the horizon of the finite and the immanent. The status of liberal democratic commitments, along with claims regarding human rights and human dignity, are thus demoralized into macro-life-style choices. Because there is intractable normative pluralism, there is no final normative standpoint to establish a particular moral perspective as canonical. The moral perspective, the moral point of view, is itself demoralized into a macro-normative life-style choice. However, traditional Christians will condemn this demoralization, leading to a further deepening of moral pluralism.

(4) Finally, the rationality of always affirming and acting according to the moral point of view (i. e., acting considering the interests of, the good of, and the rights claims of persons generally) in preference to concerns regarding private interests that conflict with proper action from the moral point of view (i. e., pursuing one's own good, the good of one's family, and the good of one's particular community) cannot be shown to be rationally necessary. This is the case in that privileging moral claims over claims of private interests requires justifying a particular normative point of view, the so-called moral point of view. But this privileging is not possible after God and after metaphysics, because within such a framework there is no ultimate meaning for anything. Absent an invocation of something like Kant's practical moral postulates of God and immortality, that is, absent (a) a God's-eye perspective to establish a particular moral understanding as canonical and (b) a God reliably to impose sanctions for immoral choices and actions so that happiness is in proportion to worthiness of happiness, then (c) the only substantive standing available for moral claims is through their being established at law and public policy. As a consequence, there is a deflation of moral concerns into political and legal concerns. Among the results is that the sanctions involved with immoral behavior become equivalent to possible legal actions and their possible costs. The decision whether to act immorally becomes analogous to the decision to drive in violation of the speed limit (e. g., one must consider the likelihood of being caught and how much one would need to pay). In culture conflicts, traditional Christians will deny this deflation, recognizing that they will face eternal sanctions if they violate their obligations to God.

Advocates of any secular moral understanding can at best be understood by others outside their particular moral community as seeking through political means to impose their views through state power. In this context, secular democracy can become a forceful political myth by means of which public democratic rituals are engaged to recruit as many citizens as possible to be inducted into the view that as citizens they have democratically authorized a secular morality that has become established at law and public policy. Of course, constitutional constraints will be established in such secular-fundamentalist states so as to limit democratic choices through among other things requiring that the public forum remain secular, so that one could not be democratically free to set a secular democracy aside. Under this circumstance, the ritual of democratic elections recruits the illusion of a general secular authorization of a secular state.

For those in disagreement with the secular-fundamentalist state's moral-political character, the state can at best be a *modus vivendi* within which one may be willing, out of considerations of prudence, to acquiesce *pro tempore* in its rule. In order to protect its hegemony, the secular state becomes fundamentalist through defining the limits of the politically reasonable, so as to exclude non-secular understandings of polity and governance. By so defining the limits of the politically reasonable, the goal is to protect the secular-fundamentalist state from being under-

mined. The secular-fundamentalist state is thus fundamentalist by defining in a non-negotiable fashion the limits of the politically reasonable while ruling others out of public consideration in the public forum (e. g., as in Germany when one is preventing from proposing views that are *verfassungswidrig*). Hence, the depth of the reaction of the secular-fundamentalist state against the remaining ruins of Christendom, as well as its attempt in a totalizing fashion to establish and preserve a dominant secular culture. After God, after metaphysics, after foundations, the totalizing secular state remains.

In those circumstances, what can it mean to support democracy? Nowhere is there a polity in which the people themselves, the demos, directly rule. Rather, the people engage in a public ritual that affirms their authority but that anoints an elite that acts in their stead. In part, this is the case because voters in general are easily misguided and ideologically driven. At the very least, a deliberative democracy is impossible, because those who participate do not share a common view of the good, the right, and the virtuous. As a consequence, political choices are made somewhat as in the market through the trading of powers and opportunities among those in the government. A particular policy emerges as a particular *modus vivendi* through the procedures established by the state that is itself a *modus vivendi*.

V. A Profound Gulf and a Strident Conflict: Why There is no Common Ground

By announcing their refusal to provide services that they know to be forbidden, Christian healthcare professionals acknowledge that they are bound by obligations different in content and in grounding from, and not defeated by, the requirements of the secular state, its laws, and its sense of the morally and politically reasonable. Traditional Christians in recognizing religious obligations as trumping the requirements of the secularly morally and politically reasonable are fundamentalists. Thus, when Christian healthcare professionals refuse to meet requests for legally recognized healthcare services such as donor gametes for third-party-assisted reproduction, treatment for sexual dysfunction in homosexual couples, in vitro fertilization and embryo transfer for lesbian couples, abortion, physician-assisted suicide, and euthanasia, where such are legal, such refusals appear within the contemporary dominant secular culture as immoral. In not recognizing the secular culture's demoralization of such choices to life-style and death-style choices, such refusals are considered not only to offend against the established claim rights of others, indeed against social justice, but to be an offensive moralizing that involves the imposition of a personal morality and bioethics on non-consenting others. Such refusals are regarded as impositions that deprive non-consenting patients of their legally established entitlements to medical services by physicians and healthcare professionals who are publicly licensed. Against this background, one can understand Julian Savulescu's criticism of Christian healthcare professionals, which criticism is meant to locate healthcare professionals fully within the framing context of the dominant secular morality. It also is meant to reduce claims of obligations to God to personal or private values. "If people are not prepared to offer legally permitted, efficient, and beneficial care to a patient because it conflicts with their values, they should not be doctors" (Savulescu 2006, p. 295). Gianni Vattimo takes a stance similar to Savulescu's and for similar reasons: "[G]ynecologists with a conscientious objection to performing abortions seem to me ... like a policeman with an aversion to carrying firearms, they should find another job" (Vattimo 2004, p. 106). Savulescu and Vattimo would marginalize the grounds for refusal to provide services prohibited by God to private concerns that must give place in the public sphere to public obligations. Claims regarding obligations to God are to be demoralized to life-style choices that may not interfere with one's public duties.

In short, the dominant secular culture and its realization in the secular fundamentalist state are committed to prohibiting Christian physicians, healthcare professionals, and healthcare institutions from refusing on grounds of Christian obligations to provide legally established healthcare services. The reasons for the secular culture's reaction deserve a summary.

1. First, refusals on religious grounds to provide customary medical services associated with peaceable and legal life-style and death-style choices, involving secularly accepted sexual preferences, reproductive preferences, and preferences regarding how one wishes to die, appear in the secular culture as illegitimate attempts to remoralize choices that have become demoralized in the secular culture. Such refusals are regarded as involving an improper moralizing and intolerance, especially when publicly condemning as immoral the secularly permissible life-style and death-style choices of others, such that such obligations to God are considered as properly to be demoralized into life-style choices that may not be exercised if they collide with public obligations.[6]
2. Second, refusals to provide legally established medical services because of obligations to God (or even on the basis of rights of conscientious objection) constitute a subversion of the established secular order through permitting a private morality to serve as a partial check on the established secular morality.
3. Third, refusals of state-licensed medical professions to provide legally-established medical services are considered unjustified constraints on the civil and human claim rights of others.
4. Last, because refusals to provide services on the basis of obligations to God appear as dangerously fundamentalist in that they in principle preclude compromise with what is politically reasonable.

After Christendom and in the secular fundamentalist state, commitments to traditional Christian morality and bioethics are monumentally politically incorrect.

6 Vattimo recognizes the contemporary secular moral culture's demoralization of traditional moral choices into life-style or aesthetic choices. He regards this demoralization as contributing to its avoidance of violence and its pursuit of peace. He takes the position that, if people were to abandon absolute moral commitments and commitments to a transcendent reality, there would be less about which to fight.
It seems clear that the reconciliation of peace and liberty in the postmodern or late-modern world will be attained only on condition that esthetics prevails over objective truth. The variety of lifestyles and the diversity of ethical codes will be able to coexist without bloody clashes only if they are considered, like the artistic styles within an art collection... (Vattimo 2004, p. 58).
Vattimo's point is that the contemporary secular search for world peace has come to involve the rejection of metaphysics in the sense of references to an unconditioned reality or perspective. He holds that, for the sake of peace, all moral claims must be domesticated in their force and meaning. Zabala puts it thus: "Thought must abandon all objective, universal, and apodictic foundational claims in order to prevent Christianity, allied with metaphysics in the search for first principles, from making room for violence" (Zabala 2005, p. 13). With the rejection of a transcendent ground, the content for morality tends to be grounded in the hedonic, augmented at most by the aesthetic. All perspectives become particular, socio-historically conditioned perspectives. Under these circumstances, the only strong assertions of moral commitments to be tolerated are those that turn on the asserted cardinal status of liberty, equality, and justice, often summarized in claims regarding human dignity and human rights. These commitments are themselves without foundations. One thus has the prospect of a culture war against Christians because of the metaphysical anchor of their beliefs. The secular culture becomes intolerant of Christians for what the secular culture takes to be Christianity's intolerant moralizing.

VI. The Historical Roots of the Contemporary Cultural Rupture

Christendom is over. The conflict of the established secular morality and secular bioethics with traditional Christian morality and bioethics reflects the attempt to remove the remaining vestiges. Following St. Constantine the Great's, Equal-to-the-Apostles (A. D. c. 272–337), victory on the 28th of October, 312, at the Milvian Bridge against Marcus Aurelius Valerius Maxentius (A. D. c. 278–312), and especially after his victory on the 18th of September, 324, defeating Gaius Valerius Licinianus Licinius (A. D. c. 263–325) at Chrysopolis, the first steps were taken to establish Christianity. As a consequence, over time Christian morality, including its medical moral norms, became publicly normative.[7] After St. Constantine and especially after St. Justinian the Great, a legal framework grounded in part at least in Christian commitments came into existence. This Christian legal framework in various forms continued as the core to the dominant culture of Europe and the Americas into the late 18th and mid-20th centuries. Following the French Revolution, this legal framework began through various steps to be abolished by various laicist movements.

Christianity's medical-moral norms existed before Christendom and remain still. They are and remain substantive norms from the ancient Church bearing on the practice of medicine. "The Didache", a text probably originating from the first century, includes for example prohibitions against abortion and infanticide. "'Thou shalt do no murder; thou shalt not commit adultery'; thou shalt not commit sodomy; thou shalt not commit fornication; thou shalt not steal; thou shalt not use magic; thou shalt not use philtres[8]; thou shalt not procure abortion, nor commit infanticide" (Lake 1965, "The Didache" II.2, pp. 311, 313). The existence of prohibitions against abortion and infanticide are also recorded also in the Epistle of Barnabas. "Thou shalt not procure abortion, thou shalt not commit infanticide" (Lake 1965, "Epistle of Barnabas" xix.5, p. 403). The normative discourse of the original Church contrasts with that which takes full shape in the West in the second millennium. The prohibitions against abortion are not grounded in natural-law arguments or for that matter in philosophical arguments of some other genre. In particular, St. Basil the Great's (A. D. 329–379) Letter 188 shows that the traditional Christian prohibition of abortion does not rest on a claim that the embryo is ensouled and that therefore abortion constitutes murder. Instead, abortion is treated as murder, resting on the impermissibility in itself of abortion, a prohibition that affirmed the Noachite prohibition against shedding the blood of an embryo, whether formed or unformed, ensouled or not ensouled.[9] A philosophically-developed justificatory framework was not seen

7 St. Constantine's accomplishments have been regarded with some ambivalence. For two accounts written against the grain of views critical of St. Constantine such as that by John Howard Yoder, see Leithart 2010 and Norwich 1999.

8 The prohibition against philtres is a prohibition against making magical potions.

9 In conformity with Jewish teaching, first century Christians recognized that abortion was *per se* forbidden for the sons of Noah. "[A son of Noah is executed] even for the murder of an embryo. What is Rabbi Ishmael's reason? - Because it is written, *Whose sheddeth the blood of man within* [*another*] *man, shall his blood be shed*. What is a man within another man? - An embryo in his mother's womb" (*Sanhedrin* 57^{b}). In contrast, more latitude was allowed for Jews. There existed even an obligation to kill the fetus in order to save the life of the mother, as long as the larger portion of the fetus had not emerged from the mother's vagina. "If a woman is in hard travail, one cuts up the child in her womb and brings it forth member by member, because her life comes before that of [the child]. But if the greater part has proceeded forth, one may not touch it, for one may not set aside one person's life for that of another" (*Oholoth* 7:6).

to be necessary by the Church of the first centuries, which Church is still alive in the Orthodox Church.[10]

The medical-moral norms of the ancient Church, alive and well in Orthodox Christianity, exist within a fabric of understandings whose framework was not recast by the 13th-century synthesis of Aristotelian, Stoic, and Christian resources that formed the moral-philosophical views of the Western Christian Middle Ages. The Church of the first centuries did indeed borrow philosophical terms, distinctions, and rhetorical forms from the pagan Greeks. However, it did not draw on their philosophical foundations for support. This restricted use of philosophy reflected the Pauline declaration that "God made foolish the wisdom of the world" (I Cor 1:20), an admonition affirmed in Tertullian's (A. D. c. 160–220) warning to be very cautious when Athens offers insights to Jerusalem, or the Academy to the Church.

> Writing to the Colossians, he [St. Paul] says, "See that no one beguile you through philosophy and vain deceit, after the tradition of men, and contrary to the wisdom of the Holy Ghost" [Col 2:8]. He had been at Athens, and had in his interviews (with its philosophers) become acquainted with that human wisdom which pretends to know the truth, whilst it only corrupts it, and is itself divided into its own manifold heresies, by the variety of its mutually repugnant sects. What indeed has Athens to do with Jerusalem? What concord is there between the Academy and the Church? what between heretics and Christians? Our instruction comes from "the porch of Solomon" [Acts 3:5] who had himself taught that "the Lord should be sought in simplicity of heart" [Wisdom 1:1]. Away with all attempts to produce a mottled Christianity of Stoic, Platonic, and dialectic composition! We want no curious disputation after enjoying the gospel! With our faith, we desire no further belief. For this is our palmary faith, that there is nothing which we ought to believe besides (Tertullian 1994, "On Prescription Against Heretics" VII, p. 246).

One encounters a Christian equivalent to Laocoon's warning to the Trojans regarding the horse left as a gift by the Greeks. "Timeo Danaos et dona ferentes" (Virgil, *Aeneid* II.49).

The Church of the first centuries lived out the Pauline concern, "See to it that no one takes you captive through hollow and deceptive philosophy, which depends on human tradition and the basic principles of this world rather than on Christ" (Col 2:8). This warning is reflected in St. John Chrysostom's injunction to Christians not to be like

10 Early Christianity produced extensive, non-philosophical understanding regarding human sexuality, reproduction, consent to treatment, dying, and death. They are enough to frame an entire bioethics (Engelhardt 2000) and include norms for the use of life-extending and death-postponing medical interventions (see, for example, St. Basil the Great's answer to Question 55 of *The Long Rules*). The material that exists is so encompassing as to include positions (e. g., St. John Chrysostom's Homily 20 on Ephesians) that clearly bear against human reproductive cloning. Also, there is not only an explicit prohibition of suicide, but in addition a recognition that suicide can be the result of mental illness. In such circumstances, mentally incompetent suicides received a Christian burial. See question XIV of the 18 Canons of Timothy, Archbishop (Pope) of Alexandria. In addition, the traditional Christian appreciation of involuntary sin allows the Church to regard homosexual acts as sinful, even if one were psychologically compelled to engage involuntarily in homosexual acts. Other points of contrast with the contemporary dominant secular bioethics include the early Church not requiring fully informed consent for medical treatment. Indeed, it encouraged lying in order to save life. Unlike the view that developed in the West in the second millennium, this Church did not embrace a doctrine of double effect that would permit performing an indirect abortion allegedly free from any concern with sin.

> Plato, who composed that ridiculous Republic, or Zeno, or if there be any one else that hath written a polity, or hath framed laws. For indeed, touching all these, it hath been made manifest by themselves, that an evil spirit, and some cruel demon at war with our race, a foe to modesty, and an enemy to good order, oversetting all things, hath made his voice be heard in their soul (Chrysostom 1994, "Homily I on the Gospel of St. Matthew" 10, p. 5).

Instead, the Church of the first centuries and Orthodox Christianity recognize a set of norms to guide human conduct, including the proper use of medicine, but which norms are not embedded in a moral-philosophical framework.

The result is that the extension and intension of normative terms (e. g., right, wrong, good, bad, sin and immorality) in Orthodox Christianity will have an intension and extension different from the same terms in Roman Catholicism and in the dominant secular culture, just as space and time, mass and energy have different intensions and extensions in Aristotelian, Newtonian, and Einsteinian physics (Engelhardt 2000). As a consequence, Orthodox Christianity and fundamentalist Protestantism conflict with the now-dominant secular culture in a form quite different from the conflict of Roman Catholicism with the same dominant secular culture. Because Orthodox Christianity does not have roots in the philosophical synthesis of the Western High Middle Ages, and for that matter even lacks a morality in the Western sense of a third thing between God and man.[11] it regards the secular culture not primarily as intellectually misguided, but more fundamentally as radically spiritually misguided by not being anchored in God through right worship. Although the West embraced the rationalistic horn of the *Euthyphro*'s dilemma, Orthodox Christianity continues to hold fast to the theocentric horn. In choosing between claiming that God approves of the good, the right, and the virtuous because they can be rightly understood as such independently of God, or recognizing that the good, the right, and the virtuous are such because they lead to holiness, Orthodox Christianity continues to hold the theocentric horn. Orthodox Christianity appreciates that morality cannot in principle be rightly understood without reference to God, Who constitutes the perspective in terms of which all must be understood.[12]

VII. Controversy and Conflict: The Geography of Disagreement

The different responses of Orthodox Christianity and Roman Catholicism to conflicts with the secular fundamentalist state and its secular culture are a function of different moral epistemologies, which are reflected in quite different reading of the first and second chapters of St. Paul's Letter to the Romans. St. John Chrysostom understood St. Paul as rejecting the view that lies at the basis of much secular bioethics and of Roman Catholic natural-law theory, namely, that,

11 Given morality's supposed grounding in sound rational argument, and given Roman Catholicism's embrace of the rational horn of Euthyphro's dilemma, the norms of right conduct could then be claimed to be knowable apart from God and could serve as a standard to judge both the actions of men and the moral norms accepted within the Church's tradition, thus leading to the revision of teachings regarding the status of slaves, women, homosexuals, and others.

12 If one recognizes that God is the source of all and the final unconditioned perspective from which all must be judged, then it will not be possible to understand the good, the right, and the virtuous, save one-sidedly, if one excludes the perspective of God. If God is truly transcendent and the Creator of all, then no adequate account of the good, the right, and the virtuous will be possible without reference to God.

even apart from an at least minimally religiously rightly-ordered life, one can reliably discern between right and wrong actions. As the first chapter of St. Paul's Letter to the Romans makes clear, if one's life is distorted by false worship, if one worships the creature rather than the Creator, one will perceive the norms of conduct wrongly and be beset by misguiding passions. The law works without distortion in one's heart (*to ergon tou nomou*), as St. John Chrysostom knew, only if one lives a morally ordered life sustained by rightly worshipping God. As St. John Chrysostom expressed this point in his commentary on Romans:

> But by Greeks he [St. Paul] here [Rom 2:12–16] means not them that worshipped idols, but them that adored God, that obeyed the law of nature, that strictly kept all things, save the Jewish observances, which contribute to piety, such as were Melchizedek and his, such as was Job, such as were the Ninevites, such as was Cornelius (Chrysostom 1994, Homily V on Romans, vol. 11, p. 363).

In affirming St. Paul's position, the Church of the first centuries, including St. John Chrysostom's account of that position, did not expect that pagans would reliably embrace the equivalent of a Christian morality and bioethics. Nor was there an expectation of a neutral moral-philosophical standpoint to blunt the collision of traditional Christianity and its bioethics with the non-Christian morality and the non-Christian bioethics of a non-Christian culture, which non-Christian culture would be distorted in its moral commitments as the culture of which St. Paul speaks in Romans 1:18–32. In this the Fathers of the early Church anticipated the depth of the current tension between traditional Christianity and its bioethics on the one hand and the now-dominant secular culture and its bioethics on the other.

An important qualification is in order. Western Christianity and especially Roman Catholicism lie at the roots of the contemporary Western culture. The West's moral vision was framed by the moral-philosophical paradigm born of the Western Christian synthesis, which eventually shaped the Enlightenment expectations of philosophers such as Kant. The secularization of the West grew out of the marriage of Roman Catholicism with philosophy, because the 13th-century cultural synthesis of Christianity and philosophy not only made traditional Roman Catholic morality, medical-moral theology and bioethics possible, but provided the foundations for the Western moral philosophical hope for conclusive, sound, rational arguments that could provide a foundation for morality and bioethics. A religiously neutral moral-philosophical discourse emerged. In this sense, Roman Catholicism is the source of secular culture, as Gianni Vattimo correctly recognizes.

> [T]he West is secularized Christianity and nothing else. In other words, if we want to talk about the West, Europe modernity – which, in my argument, are held to be synonymous – as recognizable and clearly defined historical-cultural entities, the only notion we can use is precisely that of the secularization of the Judeo-Christian heritage (Vattimo 2002, p. 73).

The mainline Christian churches of the West have been a major source of and support for the secularization of the West in rendering Christian concerns into philosophical concerns.

When secular philosophy lost this faith in reason, Roman Catholicism did not as easily lose its faith in reason because for purely theological reasons it affirmed the existence of God, while still embracing the rationalist horn of Euthyphro's dilemma.[13] Because Roman Catholicism did

13 Of course, it is possible that Roman Catholicism could abandon all concerns with foundations and re-constitute itself as a religious group making room for both atheists and theists (Zabala 2005).

not abandon its faith in reason and its faith in the ability to secure foundations, Roman Catholicism remained of the opinion that the differences that separate it from the secular culture can be overcome by better arguments.[14] In particular, given Roman Catholicism's continued faith in moral philosophy, one can also better understand (1) John Paul II's characterization of the secularization of Europe as in great measure due to a failure of philosophy and (2) his philosopher's appeal to philosophers to repair the damage: "I appeal also to *philosophers*, and to all *teachers of philosophy*, asking them to have the courage to recover, in the flow of an enduringly valid philosophical tradition, the range of authentic wisdom and truth - metaphysical truth included - which is proper to philosophical enquiry" (John Paul II 1992, §106, p. 151). So, too, one can understand why Benedict XVI (while still a cardinal) asserted the centrality of moral-philosophical argument for the project of closing the gulf between Christianity and the now-established secular culture. He has argued, for example:

> ...ultimately the only weapon [in confronting a secular culture without roots] is the soundness of the arguments set forth in the political arena and in the struggle to shape public opinion. This is why it is so crucial to develop a philosophical ethics that, while being in harmony with the ethic of faith, must however have its own space and its own logical rigor. The rationality of the arguments should close the gap between secular ethics and religious ethics and found an ethics of reason that goes beyond such distinctions (Ratzinger & Pera, pp. 130–31).

By suggesting that there are points of common ground, such an approach precludes an adequate appreciation of what separates Christianity from the secular culture, as well as a frank recognition of the force of the collision of traditional Christianity and the secular culture. The two cultures do not share sufficient basic moral premises and rules of evidence to achieve that for which Pope Benedict XVI hopes.

Given Roman Catholicism's intellectual and moral diagnosis of the secularization of the West, Roman Catholicism has a greater optimism about the possibility of forging a common culture. After all, the current secular culture of the West has roots in the intellectual synthesis of the 13th century. Moreover, Roman Catholicism still affirms the possibility of a common

14 The more it became clear that the 13th-century Western faith in reason was unfounded, the more the project of a rationally grounded morality, a project first shaped by Plato and Aristotle and then further developed by the West especially after the 12th century, was brought into question. As a result, contemporary, content-full, secular moral views appear ever more starkly to be freestanding moral positions framed out of various collages of moral intuitions sustained by diverse moral narratives all floating within the horizon of the finite and the immanent. This state of affairs will come as no surprise to Orthodox Christianity, which has embraced the theocentric horn of Euthyphro's dilemma. Absent an anchor in God, morality fragments, is distorted, and is without roots.

The response of Western Christianity and especially Roman Catholicism to this state of affairs is quite different from that of Orthodox Christianity, because Western Christianity came to affirm the rational horn of Euthyphro's dilemma. As a result, it has tended to consider the integrity of morality and moral philosophy to be independent of a rightly-ordered relationship with God. It is for this reason that Roman Catholicism supports an intellectual diagnosis of the aggressive secularization of the dominant culture, namely, that its problems stem from intellectual mistakes leading to a false view of morality, rather than deriving primarily from a failure to turn in right worship to God. Given Roman Catholicism's background commitments, it will appear plausible to attempt to re-anchor the secular culture through moral foundational arguments aimed at reconnecting morality with being-as-it-is-in-itself, and thus philosophically re-orienting the dominant secular culture and its morality. The response will not be to call the culture to fasting and repentance, as Jonah did the city of Nineveh.

moral-philosophical, rationalist foundation for morality and bioethics. This response of Roman Catholicism draws its strength from having embraced the rationalist horn of Euthyphro's dilemma, which serves as a basis for a quite different view of the dialectic between Christianity and the current dominant secular culture than will be accepted by Orthodox Christians. In the case of Orthodox Christianity, as well as most forms of fundamentalist Protestants, there is no illusion of a common ground. For the secular culture, the good, the right, and the virtuous are understood in terms of fully immanent considerations. For traditional Christians, the good, the right, and the virtuous can only be understood by reference to the fully transcendent God. The embrace of the theological horn of Euthyphro's dilemma precludes moral compromise, or even the articulation of a common ground with any content. For better or worse, this state of affairs will sustain the stark contrast and the force of the points of collision between traditional Christianity *cum* bioethics and the secular culture with its bioethics.

VIII. Beyond Common Ground: The Culture Wars Continued

As bioethics goes to the future, the challenge will be to come to terms with the gulf separating traditional Christians from the dominant secular culture. The more the secular culture seeks to force traditional Christians to violate their obligations to God (or the integrity of their consciences), the more the gulf will become a place of conflict. At stake are conflicting understandings of medical professionalism and the proper character of the public space and public culture. These conflicts will engender the cultural equivalent of a fault-line along which major cultural tectonic plates collide. Orthodox Christians and Roman Catholics both agree that such a conflict, such a collision is occurring. However, their assessments of its origins, character, and prospects are quite different. At issue for secularists, Roman Catholics, and Orthodox Christians (along with fundamentalist Protestants) is both how to characterize these conflicts and how to respond to them. The diagnosis of and the response to this conflict of moral perspectives will shape the culture wars of the future, as well as the controversy-ridden character of bioethics. It is a matter of cardinal cultural concern for all. But in any event, deep moral pluralism will remain.

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