

# The demoralization and deflation of Morality and Bioethics<sup>#</sup>

## *A desmoralização e degradação da Moralidade na Bioética*

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### I. THE END OF AN AGE

It was 1954. I had arrived in Europe for the first time, indeed in Genoa. In that early June, bright with flowers, a joy for my mother, I entered a world that was a universe apart from the Europe of the second decade of the 21<sup>st</sup> century. The moral and metaphysical texture of the then-dominant life-world was radically different. There was a pronounced folk piety. Italy's streets were full of young priests and children. Everywhere there were grey and black friars. Italy was young, generally pious, and dynamic (although side chapels were at times marked by signs bearing an astonishing warning: *Vietato urinare*). The churches were not empty. These observations are not meant to deny the presence even then of the roots of the now-dominant secular culture<sup>a</sup>. Italy had its full share of agnostics and atheists. However, Italy was then just before, but still surely before, a major and dramatic cultural tipping point. Vatican II (1962-1965), the sexual revolution of the late 1960s, the student protests beginning in 1968, and the general im-

pact of the Frankfurter Schule<sup>b</sup> would soon precipitate a comprehensive secularization. However, this transformation had not yet taken place. I was in a cultural lull before widespread turbulence and change. It was not yet a culture after God.

There surely have been other periods when Italy was just before an immense, thoroughgoing, and largely unanticipated change. In A.D. 395 when the Eastern and Western portions of the empire were divided following the death of Emperor Theodosius (349-395), most Romans could not have imagined that in fifteen years the City would fall to Alaric and his Goths<sup>c</sup>. In 1954 I could not have envisaged that by 1969 as a Fulbright post-doctoral scholar working with Klaus Hartmann and Gottfried Martin (Bonn), as well as long-distance with Thomas Luckmann (associated with the Frankfurt School) on a manuscript by Alfred Schutz<sup>d</sup> and on my first book<sup>e</sup>, I would be in a completely different Europe, a Europe in which my second daughter Christina would be born. The Europe I was experiencing in 1954 would have disappeared. Even in 1965 when I was in Italy and

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a. The term "dominant secular culture" identifies the established ideology of contemporary secular fundamentalist states<sup>1,2</sup>. In a society shaped by a secular fundamentalist state, a state in which one secular moral perspective is established and enforced by law and public policy, there nevertheless remain particular communities with their own quite different cultures (e.g., Orthodox Christian and Orthodox Jewish).

b. For an overview of the Frankfurt School, see Arato & Gebhardt<sup>3</sup>.

c. The fall of Rome in A.D. 410 was for many Romans unimaginable. It had not been pillaged since it fell to the Celts in 386 B.C. Jerome, who was living in Palestine at the time, was overwhelmed by the news that the city had fallen.

Whilst these things were happening in Jebus a dreadful rumour came from the West. Rome had been besieged and its citizens had been forced to buy their lives with gold. Then thus despoiled they had been besieged again so as to lose not their substance only but their lives. My voice sticks in my throat; and, as I dictate, sobs choke my utterance. The City which had taken the whole world was itself taken; nay more famine was beforehand with the sword and but few citizens were left to be made captives. In their frenzy the starving people had recourse to hideous food; and tore each other limb from limb that they might have flesh to eat. Even the mother did not spare the babe at her breast<sup>4</sup>.

[B]ut alas! Intelligence was suddenly brought me of ... the siege of Rome, and the falling asleep of many of my brethren and sisters. I was so stupefied and dismayed that day and night I could think of nothing but the welfare of the community ... But when the bright light of all the world was put out, or, rather, when the Roman Empire was decapitated, and, to speak more correctly, the whole world perished in one city. ... Who would believe that Rome, built up by the conquest of the whole world, had collapsed, that the mother of nations had become also their tomb; that the shores of the whole East, of Egypt, of Africa, which once belonged to the imperial city, were filled with the hosts of her men-servants and maid-servants, that we should every day be receiving in this holy Bethlehem men and women who once were noble and abounding in every kind of wealth, but are now reduced to poverty? We cannot relieve these sufferers: all we can do is to sympathise with them, and unite our tears with theirs (p. 500)<sup>4</sup>.

Shortly after my first visit to Italy, a final destruction of the remnants of Western Christendom would begin. In 1954 I could not have imagined how different Italy would be in a mere fifteen years.

O autor declara não haver conflitos de interesse.

Germany, the full scope of the changes would have been hard to anticipate. The major shift in the dominant public culture that was about to occur involved a radical change in what constituted matters of guilt, shame, and public embarrassment. As with any tipping point, all of a sudden the changes became dramatically apparent. Within a half century, affirmation of traditional Western morality, of traditional Christianity, and of God's existence became off-color. In 1954 this great transformation had not yet occurred. Its advent was largely unanticipated. One could still recognize that one was living in a Christian culture that took itself to be anchored in the very heart of reality.

Now Italy is different. Italy has aged, young priests are rare, there are far fewer children. Sitting in the Piazza Navona at an open-air restaurant with a gaggle of young grandchildren, we now look quite out of place. My granddaughters Macrina and Theodora, as well as my grandson Stefan, ask why Italy is so post-Christian. Even they can feel the difference. A similar question came from my grandsons Duncan, Keegan, and Aidan, as we toured the empty mainline churches of Frankfurt. Italy and Germany are not like Texas or Alaska, where there are large flourishing fundamentalist Christian communities and Orthodox churches. My grandchildren can sense that Europe is a world apart from where they lived. Most significantly for this volume, the dominant culture of Italy, indeed of the West, is now profoundly secular. It is framed as if God did not exist. It is not just that the public space is robustly after Christendom. In addition, the dominant secular culture makes no claim to be anchored in the transcendent order of things. Or to put matters more starkly, the dominant secular culture positively eschews any grounding in the transcendent. Indeed, there is no public reflection on, much less a recognition of, the importance of the transcendent. The dominant culture is without foundations. Europe and Italy have a public life-world that is different in kind from Italy and Europe of 1954. In that June of 1954 I had entered into a way of life about both to be undone and to be radically marginalized. The public moral assumptions were still substantively other than the Europe of the first decade of the third millennium. It was world

where even within the public square one could still speak of sin. From today's perspective, it all seems so different. From the perspective of the now-dominant culture, it all seems so patriarchal, heterosexist, and Christian. It was a world where, within the public square, one could still speak of offenses against God. In terms of the now-dominant political correctness, it now all seems so wrong.

The Italy of the 1950s was an Italy that could not have conceived that there would soon be serious debates regarding the possibility of Roman Catholic priestesses and homosexual marriages, not to mention the propriety of third-party-assisted reproduction with donor gametes, abortion, physician-assisted suicide, and euthanasia. This is not to say that in the 1950s there was no abortion, fornication, adultery, active homosexuality, and even physician-assisted suicide. There surely was. However, the official culture expected repentance for such acts, or at least the tribute of hypocrisy. Such activities were still publicly appreciated, even if often insincerely, as sinful. Indeed, they were generally illegal. Those who engaged in such behavior recognized the collision of their moral commitments with the then dominant culture, which was then still a Christian culture. After all, the Roman Catholic Church was Italy's legally established church. The cardinal difference between then and now turns not just on a difference regarding certain norms, but much more so on a change in the very nature of public morality. It turns not just on the force and meaning of norms, but on the contemporary requirement that the public square must be free of any mention of God. As a consequence, public moral discourse had a very different character. In the dominant culture of the West, and of Italy in particular, one could still be publicly judgmental regarding the morality, or better regarding the immorality, of abortion, fornication, adultery, homosexual acts, and physician-assisted suicide. Such adverse judgments were taken to have foundations, to be anchored in reality, in being itself. Moreover, one could publicly mention God. The culture I experienced in the 1950s was a world in deep contrast with what one encounters today in the public space of the West, even in that of Texas.

To engage Thomas Kuhn's (1922-1996) metaphor, the dominant moral paradigm of Italy, indeed of Europe

and the Americas, has changed<sup>7</sup>. The traditional Christian moral paradigm of the West no longer governs. Instead, the dominant culture has embraced a secular moral vision. The previous dominant cultural-moral paradigm has been replaced. Here, I employ Thomas Kuhn's metaphor of paradigm, as it was somewhat recast by Margaret Masterman<sup>8</sup>, in order to indicate the depth and scope of the transformation that has taken place in the culture of the West, radically reconfiguring the cultural context in which morality and bioethics find themselves. Our experience of reality is shaped by our commitments regarding the deep ontology of things, the character of being, how one knows reality, who the expert knowers are, and, in the case of morality and bioethics, what the cardinal goods are, and in what ranking. These commitments provide the framework of our life-worlds. With regard to the place of God and Christianity in the dominant culture, there has been a change in taken-for-granted ontology, moral epistemology, sociology of moral experts (in 1954 it had included theologians), and axiology. There has been a transformation of the public cultural understanding regarding that about which one should feel guilt, shame, and/or embarrassment. This foundational recasting had been developing for more than two centuries, and in the last half-century it came thoroughly to define public discourse. The very life-world of Western Europe and the Americas has changed. The texture and character of the two life-worlds (1954 and the present) are literally worlds apart.

The then-dominant traditional morality claimed a metaphysical anchor in natural law and even in God. The now-dominant secular culture in contrast asserts moral claims based on moral intuitions that are held to be self-evident, at least within its narrative, which intuitions are claimed to be as good as the revelations of God. The secular moral narrative is ultimately foundationless. The once-dominant Western Christian culture was framed by moral claims that guided sexual activity, reproduction, and how one should face death in terms of century-old normative understandings, all supposedly secured by sound rational moral-

philosophical argument. The now-dominant culture has abandoned these expectations and has transformed these once moral matters into life-style and death-style choices, which are now to be appreciated fully within the horizon of the finite and the immanent. Since I first walked the streets of Italy in 1954, a thoroughgoing change has occurred: immanence has triumphed and the transcendent has been exorcized. The discourse of sin has become politically unacceptable. Even Christian democratic parties no longer speak of Christ or God, but only vaguely of "Christian values". It is a life-world apart from that of the mid 1950s and from traditional Christianity. Of course, the same changes have also occurred in Texas, but at home I experienced the changes gradually, day by day. Moreover, the changes in Texas have not even yet been as far-reaching as in Europe. We still know God exists, and we still have our guns (Luke 22:36).

## **II. THE GREAT RUPTURE: THE END OF CHRISTENDOM AND THE MARGINALIZATION OF CHRISTIANITY**

Ours is a new age. There has been a profound rupture from the Christian past. The dominant culture of the West, as one finds it in contemporary law and public policy, is not just disconnected from its Christian past. The contemporary secular culture is aggressively setting its Christian past behind it, as if it had been an evil temptation. As Octavio Paz correctly observes, the modern age is better characterized as beginning with a "breaking away from Christian society" (p. 27)<sup>9</sup>. Modernity involves a separation from Christianity. Post-modernity involves a separation from God, from any ultimate anchor, along with a fracturing of modernity's hopes and understandings<sup>d</sup>. The Enlightenment had wanted its own paganism. As Peter Gay correctly puts it:

The philosophes' experience... was a dialectical struggle for autonomy, an attempt to assimilate the two pasts they had inherited—Christian and pagan—to pit them against one another and thus to secure their independence. The Enlightenment may

d. The meaning of post-modernity will be further explored in the course of this volume. Here it is enough, as has already been underscored in chapter one, to identify a culture as post-modern if it has recognized that all secular accounts of morality, bioethics, and reality are intractably plural and without ultimate meaning.

be summed in two words: criticism and power. ...I see the philosophes' rebellion succeeding in both of its aims: theirs was a paganism directed against their Christian inheritance and... a *modern* paganism, emancipated from classical thought as much as from Christian dogma (p. xi)<sup>10</sup>.

In having severed itself from any transcendent point of orientation, the contemporary dominant culture of the West is an age resolutely after Christ as Messiah and God. St. Peter answers Jesus' question, "Who do you say that I am?" (Matthew 16:15), with "You are the Messiah, the Son of the Living God" (Matthew 16:16). In contrast, the dominant secular culture gives at best secular reductive accounts of Jesus as "a marginal Jew who came to be regarded not only as the messiah but as a god"<sup>e</sup>. The answer must be in fully atheistic, or at least agnostic terms. The dominant secular culture means to constitute itself not just as the culture after Christendom, but as a culture beyond any acknowledgement of Christ as God and the Messiah of Israel. It is a culture beyond God<sup>f</sup>. The contemporary culture is even after deism.

St. Peter's response reflected the core commitment of Christendom. In contrast, the denial of St. Peter's response is at the core of our contemporary culture. In

the West, the Enlightenment project<sup>g</sup>, which produced the strong laicist response of the French Revolution, but now without deism<sup>h</sup>, has transformed the dominant culture. As noted in chapter one, there has never been any time quite like it before. It is an age "after God". Until the 20th century, there never before had been a major culture that was resolutely after God, that was articulated without any reference to spiritual powers, without any acknowledgement of the transcendent, which sought to frame its view of reality and human flourishing apart from any transcendent anchor, as if all were in the end ultimately meaningless. In the case of Eastern Europe, aside from Russia and its associated states, the post-Christian and post-deist commitments of the now-dominant ethos of the European Union have come to substitute for the official atheism of the previous communist regimes.

The dominant secular culture, as a result, is clearing away not just the remnants of Christendom, but of any public recognition of God<sup>i</sup>. Given the background circumstance that European culture for a millennium and a half has been defined by Christendom, this secularization involves a dramatic rearticulation of public discourse and public institutions. Modernity had attempted to preserve Christian morality without

e. One might think of Richard Rorty's (1931–2007) reflection on the detheologized Christian theology of Paul Tillich (1886–1965). "He would say, in effect, that it was precisely the job of a Christian theologian these days to find a way of making it possible for Christians to continue using the term 'Christ' even after they had given up supernaturalism (as he hoped they eventually would)" (p. 70)<sup>11</sup>.

f. There is a considerable dispute about the force of the Enlightenment and modernity, ranging from Karl Löwith's secularization thesis<sup>12</sup> to the quite different position of Hans Blumenberg that the idea of progress is not a centralization of Christian eschatology, but a dynamic process from within human history itself<sup>13</sup>.

g. Peter Gay correctly perceives that, although there were many Enlightenments, they were still joined together in one general project.

There were many philosophes in the eighteenth century, but there was only one Enlightenment. A loose, informal, wholly unorganized coalition of cultural clerics, religious skeptics, and political reformers from Edinburgh to Naples, Paris to Berlin, Boston to Philadelphia. ... The men of the Enlightenment united on a vastly ambitious program, a program of secularism, humanity, cosmopolitanism, and freedom, above all, freedom in its many forms—freedom from arbitrary power, freedom of speech, freedom of trade, freedom to realize one's talents, freedom of aesthetic response, freedom, in a word, of moral man to make his own way in the world (p. 3)<sup>10</sup>.

h. Even deism involves a recognition of a God's-eye perspective. One should note the difference between theism and deism. Immanuel Kant crafts a helpful distinction.

Those who accept only a transcendental theology are called deists; those who also admit a natural theology are called theists. The former grant that we can know the existence of an original being solely through reason, but maintain that our concept of it is transcendental only, namely, the concept of a being which possesses all reality, but which we are unable to determine in any more specific fashion. The latter assert that reason is capable of determining its object more precisely through analogy with nature, namely, as a being which, through understanding and freedom, contains in itself the ultimate ground of everything else. Thus the deist represents this being merely as a cause of the world (whether by the necessity of its nature or through freedom, remains undecided), the theist as the Author of the world (p. 525)<sup>14</sup>.

Kant in his account of empirical knowledge is a deist in invoking the idea of God as a regulative idea (A670-671=B700-701)<sup>14</sup>. In this regard, Kant is a defender of Intelligent Design in arguing that one must view the world as if it were created and designed by God. However, in his moral theology, Kant embraces a theism.

...if we consider from the point of view of moral unity, as a necessary law of the world, what the cause must be that can alone give to this law its appropriate effect, and so for us obligatory force, we conclude that there must be one sole supreme will, which comprehends all these laws in itself. For how, under different wills, should we find complete unity of ends? This Divine Being must be omnipotent, in order that the whole of nature and its relation to morality in the world may be subject to his will; omniscient, that He may know our innermost sentiments and their moral worth; omnipresent, that He may be immediately at hand for the satisfying of every need which the highest good demands; eternal, that this harmony of nature and freedom may never fail, etc. (p. 641-2)<sup>14</sup>.

Hear, O Kantians, your god is two: one deist and one theist!

i. In the United States, secularization is reflected in movements to remove public acknowledgements of God through, *inter alia*, removing the phrase "one nation under God" from the Pledge of Allegiance (Elk Grove Unified School District v. Newdow, 542 U.S. 1 [2004]). There has also been opposition to the American motto "in God we trust" (Aronow v. United States, 432 F.2d 242, 243 [9th Circuit 1970]; O'Hair v. Blumenthal, 462 F. Supp. 19 [5th Circuit 1978]), as well as suits to remove displays of the Ten Commandments from public buildings (McCreary County v. American Civil Liberties Union of Kentucky, 545 U.S. 844 [2005]; Van Orden v. Perry, 545 U.S.677 [2005]; and Glassroth v. Moore, CV-01-T-1268-N, 229 F. Supp. 2d 1290 [M.D. Alabama 2002]).

Christianity and without Christ, but usually with some form of deism. There is now a fully post-Christian, post-deist laicist age whose increasingly secular fundamentalist, post-Christian culture is aggressively after God. It is also a post-modern age if one means by post-modern the recognition that a single, secular, and canonical moral rationality and view of reality cannot be identified as canonical by sound rational argument. Directed by an atheistic practical postulate, a fully atheistic or at least agnostic culture and bioethics have been established. Now after the fall of the atheist communist regimes in Eastern Europe, the European Union and the United States have emerged as the vanguard of a secular public culture that is fully committed to shaping a global culture as if God did not exist.

Although it is clear that we are in a new age, the contours and implications of this new state of affairs are far from clear. A distinctly new dominant culture is in place. There are substantive points of conflict between the now-dominant secular culture and the culture of Christendom it displaced. Those already transformed by the now-dominant secular culture may have already forgotten how they once felt, thought, experienced, and lived, so that the radical character of the changes is often obscured or at least ignored. However, those still embedded in traditional Christian communities live in the Christian culture that was previously dominant, which the now-dominant secular culture seeks fully to set aside. Traditional Christians can but regard the now dominant secular culture and its bioethics as misdirecting, perverse, and indeed evil<sup>j</sup>. The contrast between the two cultures is stark and evocative of bitter cultural and political conflicts. In this new context, Richard Rorty could but regard devout traditional Christians as crazy (p. 187)<sup>11</sup>.

The secularist agenda is broad. The public forum, and as far as possible the public space, are not just to be rendered innocent of the obvious, direct, or even indirect control of the church, but to be purged as well of all acknowledgements of the existence of God.

Public discourse has come to eschew any reference to the transcendent, as well as to focus resolutely on the immanent. The depth and compass of this secularization are still adequately to be appreciated. The very general outlines can now be recognized not simply in terms of a removal of religious considerations from the public forum and a removal of religious discourse and images as far as possible from the public space, but in terms of the marginalization of religious discourse into an ever-shrinking sphere of privacy. All is to be placed within the horizon of the finite and the immanent. If one is to speak of spirituality as one speaks of various views of wellness, one must be sufficiently vague and reduce what is at stake to immanent considerations.

We are somewhat like people at the end of the Middle Ages. We know a vast change is taking place, but we are not quite sure how adequately to describe it, much less to gauge its full implications. We can at least in part see how our cultural context is significantly different from that of even a half-century ago. At the end of the Middle Ages, in the shadow of a period of excess and decadence in which Rodrigo Borgia (1431–1503) after he became Pope Alexander VI (elected 1492) had his bastard daughter Lucrezia married in the Vatican on June 12, 1493, following the precedent of Pope Innocent VIII (1432–1492, elected 1484), who had his bastard son married in the Vatican, there was a feeling of change<sup>k</sup>. Those at the end of the Middle Ages could sense that, especially with the fall of Constantinople, the Renaissance had been further fueled by scholars and manuscripts from Byzantium. The dominant culture had begun to take on a new character. By 1469, the term *media tempestas* had been employed, and by 1518 *media aetas* and by 1604 *medium aevum* were used to indicate that a new age had dawned that was distinct from the Middle Ages that had just been rendered past<sup>l,17,18</sup>. After Luther tacked his 95 theses to the Schlosskirche in Wittenberg (31 October 1517), Western Christendom was rent, and the Western empire fell into war within itself. In 1543, Andreas Vesalius had brought the

j. Traditional Christians will consider what John Rawls regarded as a “reasonable pluralism”, as “a disaster”, albeit given the fallen human condition unavoidable. Traditional Christians are in this sense fundamentalists.

k. The so-called autumn of the Middle Ages showed a society coming apart in decadence and extremes. See, for example, Huizinga<sup>15</sup>.

l. The idea of the Middle Ages as a period spanning from either the Council of Nicea (A.D. 325), the sack of Rome (A.D. 410), or the resignation of the last Augustus in the West (Romulus Augustulus A.D. 476), was influenced by Flavio Biondi's (1392–1463) *Historiarum ab inclinatione Romanorum imperii decades*, a work in 32 volumes, written between 1439 and 1453<sup>16</sup>.

time-honored anatomy of Galen into doubt, and Nicolaus Copernicus had done the same with respect to Ptolemy's astronomy<sup>19,20</sup>. By the mid-17<sup>th</sup> century, this new age was no longer looking primarily to the past achievements of Greece and Rome as the Golden Age. It had instead turned its gaze to the future. The Golden Age was yet to be achieved through human reason and energies. Rather than regarding Greco-Roman civilization as the highest human achievement, the focus began to turn to the future through confidence in scientific, technological, and cultural progress<sup>m</sup>. By the mid-17<sup>th</sup> century, it was clear that one had entered into a new life-world shaped by new realities and new expectations. Yet, again, most of what was entailed was not very clear until at least the Enlightenment. So, too, for us it is difficult to comprehend and articulate what is occurring, reshaping our life-world at the beginning of the 21<sup>st</sup> century.

The rupture from Christendom first became salient with the French Revolution and the events it engendered. The French Revolution was tantamount to a revolution against Christianity<sup>24,25</sup>. It involved the bloody slaughter of men, women, and children especially in the Vendée, because they were resolutely traditional Christians<sup>26</sup>, as well as the establishment of a state-run constitutional church under the authority of the Civil Constitution of the Clergy (12 July 1790). This was followed by the establishment of the Cult of Reason, along with the Feast of Reason in the Notre Dame Cathedral (9 November 1793)<sup>24,27</sup>. At times the French Revolution had the character of an almost theatrical, but at the same time violent, assault on Roman Catholicism. One might think of Napoleon's 1796 invasion of the papal states, the proclamation of a Roman Republic (1798), and the kidnapping of Pope Pius VI (1775–1799, born 1717), who was taken to Valencia

where he died. One should also note the Reichsdeputationshauptschluss of 22 August 1802, through which the Western empire, the Holy Roman Empire of the German Nation, under pressure from the French authorized the dissolution of the remaining Roman Catholic episcopal principalities<sup>n</sup>, and the seizure of properties, to be used as compensation for German sovereigns who had lost holdings on the west bank of the Rhine, and to provide spoils for allies (p. 329–358)<sup>o,28</sup>. The Secularization involved not just a political change (the dissolution of Roman Catholic episcopal sovereignties), but also the obliteration of systems of Christian education and charity with roots in the Middle Ages. Institutions embedded in Christendom were replaced by secular institutions<sup>p</sup>.

This theater of secularization continued when Pope Pius VII (1800–1823, born 1742) was induced to come to Paris to crown Napoleon, who proceeded to crown himself on December 2, 1804, and proclaim his new code. Then on the Feast of the Transfiguration, the sixth of August, 1806, the last emperor of the Holy Roman Empire, Francis II, abdicated after his defeat by Napoleon, so that Europe was symbolically transfigured into a secular empire with Napoleon as its self-crowned emperor. These dramatic changes were further highlighted through Napoleon's seizing the Papal States. The pope was then in 1809 again transported, this time becoming a prisoner in Savona and later in Fontainebleau. All of this was part of a political and cultural drama that underscored that Christendom had fallen and that Christianity had been displaced. A new age along with its post-Christian culture had been established.

In the 19<sup>th</sup> and 20<sup>th</sup> centuries, the laicism born of the French Revolution developed strength, became entrenched, and attempted to render society affirmatively secular. The culture that was emerging was marked by an anger against God reflected in the

m. European culture came to regard its new science, technology, and literature as superior to that of the ancients. "As early as the eighteenth century, the word 'modern' acquired something of the ring of a war cry, but then only as an antithesis of 'ancient' – implying contrast with classical antiquity" (p. xvii)<sup>21</sup>. The assertion of modernity's superiority over against the ancients was captured in the term "the *querelle*." The *querelle* or quarrel focused on whether the culture of the moderns was better than that of classical Greece and Rome. The result was the emergence of the notion of cultural and scientific progress with its face to the future contrasted with the first period of the modern age, the Renaissance, with its face still turned to the past. See Baron<sup>22</sup> and Lorimer<sup>23</sup>.

n. One should recall the importance of episcopal principalities in the Western empire. For example, with the Golden Bull of Emperor Karl IV in 1351, three of the seven electors who determined who would be emperor were ruling bishops (Cologne, Mainz, and Trier).

o. An immense transfer of church properties to the state had already occurred in the Austro-Hungarian empire under Emperor Joseph II (ruled 1763–1790), who in 1790 closed seven hundred religious houses.

p. For a critical assessment of the Secularization of 1803, see Joseph Freiherr von Eichendorff (1788–1857): (p. 1133–84)<sup>29</sup>.

work of such as Charles Baudelaire (1821–1866), especially in *Les Fleurs du Mal* (1857), and Arthur Rimbaud (1854–1891). This anger against God is striking in the poetry of the Franco-Uruguayan Jules Laforgue (1860–1887).

The stars, it is certain, will one day meet,

Heralding perhaps that universal dawn

Now sung by those beggars with caste marks of thought.

A fraternal outcry will be raised against God (p. 203)<sup>30</sup>.

The history of this struggle between Christendom and a post-Christian France led at times to bloody clashes. One must recall that it was Napoleon III (1808–1873, reigned 1852–1870) who protected Rome with a garrison of French troops, along with Roman Catholics who had come from across the world to protect Rome. They remained until the war with Germany began, while Pope Pius IX (1792–1878, elected 1846) during Vatican I was being proclaimed infallible. On September 20, 1870, Italian troops finally entered through a breach in the Porta Pisa, and Rome was declared the capital of Italy on June 30, 1871. On May 1, 1871, the law of papal guarantees had been issued, granting the Vatican, the Lateran, and Castel

Gandolfo extra-territorial status. The papal states were reduced to a symbolic residuum of what had come into existence through the first Donation of Peppin in 754, and fully so with the second Donation of 756. The intellectual cultures of both Italy and France were transformed.

In France the transformation was dramatic. In the vacuum created by the defeat of Napoleon III, the Paris Commune established itself on March 18, 1871<sup>31</sup>. In the end, laicism reshaped French society, as for example when Émile Combes (1835–1921) as prime minister of France completed the secularization of French education inaugurated by Jules Ferry (1832–1893). By 1905, *laïcité* was imposed by law separating church and state, so that French primary and secondary schools were rendered secular<sup>32</sup>. This laicism largely succeeded in removing Christianity from the public forum of France. These events were a harbinger of the secularization that would become general in the West by the end of the 20<sup>th</sup> century.

In the United States, an analogous transformation occurred primarily over the last three-quarters of a century. The United States into the 20<sup>th</sup> century had been *de facto*, indeed *de jure* Christian<sup>9</sup>. After all, the First Amendment only forbade a federal establishment of a

q. Into the early 20<sup>th</sup> century, courts in the United States affirmed Christianity. The court even opined:

American life, as expressed by its laws, its business, its customs, and its society, we find every where a clear recognition of the same truth [that the Christian religion is a part of the common law]. Among other matters, note the following: the form of oath universally prevailing, concluding with an appeal to the Almighty; the custom of opening sessions of all deliberative bodies and most conventions with prayer; the prefatory words of all wills, “In the name of God, amen;” the laws respecting the observance of the Sabbath, with the general cessation of all secular business, and the closing of courts, legislatures, and other similar public assemblies on that day; the churches and church organizations which abound in every city, town, and hamlet; the multitude of charitable organizations existing every where under Christian auspices; the gigantic missionary associations, with general support, and aiming to establish Christian missions in every quarter of the globe. These, and many other matters which might be noticed, add a volume of unofficial declarations to the mass of organic utterances that this is a Christian nation (*Church of the Holy Trinity v. United States* 143 U.S. 457 [1892] 143).

Indeed, Christianity (generally Protestant Christianity) constituted an essential component of American common law (*United States v. Macintosh*, 283 US 605 [1931]).

This continued cardinal moral role of Christian mores was accepted because it was in full harmony with the constitutional prohibition against the establishment of religion in the First Amendment to the compact styled the Constitution of the United States. This is the case because as written the amendment prohibits only a *federal* establishment of a religion. “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof....” The First Amendment originally meant in practice that ministers of one particular denomination could not be federally supported to the exclusion of other denominations. The prohibition against the establishment of a religion was not taken to require a separation of the state from religion in the sense of purging Christian moral norms from law and public policy (consider the legal prohibition of the marriage of adult sterile siblings). The American legal framework was accepted as “self-evidently” shaped by, and receiving guidance from, Christianity. As a consequence, until the last part of the 20<sup>th</sup> century, Christianity was in different states in different ways *de facto* and generally *de jure* the established religion. For a history of the continued established of Christianity in American particular states in the early 19<sup>th</sup> century, see McConnell<sup>33</sup>.

This establishment of Christianity in the United States was only brought into question in the mid-20<sup>th</sup> century as the Supreme Court through a set of rulings secularized American law and public policy by imposing the First Amendment on the states and public institutions generally. See, e.g., *Tessim Zorach v. Andrew G. Clauson et al.*, 343 US 306, 96 L ed 954, 72 S Ct 679 (1951); *Roy R. Torcaso v. Clayton K. Watkins*, 367 US 488, 6 L ed 2d 982, 81 S Ct 1680 (1961); and *School District of Abington Township v. Edward L. Schempp et al.*, *William J. Murray et al.*, *v. John N. Curlett et al.*, 374 US 203, 10 L ed 2d 844, 83 S Ct 1560 (1963). One should note that the Supreme Court itself has remained divided about how to regard the remnants of Christianity in public spaces.

From 1947, when the U.S. Supreme Court first applied the non-establishment norms to the states, to the present, the justices of the Court have been sharply divided about what it means to say that government may not establish religion. They have been divided both about what the nonestablishment norm means as a general matter and, especially, about what the norm means, about what its implications are, for government aid to religiously affiliated schools. The division among the present justices is as great as it has ever been: The four most relevant recent cases decided by the Court (in 1995, 1997, 2000, and 2002) were decided by votes of five to four or six to three (p. 6)<sup>34</sup>.

Despite this ambivalence, confessional Christianity has in general been removed from the public forum.

particular religion, where this was understood as the establishment of a particular Christian denomination. The United States comprised a Christian people<sup>r</sup> and forthrightly supported Protestant Christianity<sup>s</sup>. Until the middle of the 20<sup>th</sup> century, Christianity was the established religion of the United States. However, in both the European Union and the United States, the dominant culture is now secular, after Christianity and after God, a point that has been made by the European Court of Human Rights<sup>t</sup>. In France, as just noted, the process of secularization occurred in fits and starts beginning with the French Revolution. In countries such as the United Kingdom where there is still an established church, the secularization has been more complex, marked primarily by a decline in engaged congregants and an increasing perception of the established church's being primarily a cultural institution, rather than a religious institution<sup>44</sup>. The result is that many persons who are members of the Church of England do not know that Christ has risen from the dead.

At the beginning of the 21<sup>st</sup> century, we see the truth of G. W. F. Hegel's (1770–1831) observation in 1802 regarding “the feeling that ‘God Himself is dead,’ [as that feeling] upon which the religion of more recent times rests” (p. 190; p. 414)<sup>u,45,46</sup>. The 19<sup>th</sup> century saw the death of God in Protestant Europe and in England. As A. N. Wilson summarizes in his book *God's Funeral*:

As Dostoevsky made so clear in that terrible prophecy, and as Thomas Hardy and Leslie Stephen and Morrison Swift would probably all in their different ways have agreed, the nineteenth century had created a climate for itself – philosophical, politico-sociological, literary, artistic, personal – in which God had become unknowable, His voice inaudible against the din of machines and the atonal banshee

of the emerging egomania called The Modern. The cohesive social force which organized religion had once provided was broken up. The nature of society itself, urban, industrialized, materialistic, was the background for the godlessness which philosophy and science did not so much discover as ratify (p. 12)<sup>47</sup>.

For countries that were a part of the Soviet bloc, which lived through the Leninist-Marxist regimes' commitment to an atheist secular state, the encounter with the laicism of the European Union represents a second wave of secularization, which reflects the now thoroughly secular culture of the West.

Given this dominant secular cultural framework, and given the worldwide dominance of the West, the dominant culture of the world can be described as secular, post-modern, post-Christian, after God, and after foundations. This culture is increasingly characterized by a robust laicism that seeks to define not just the public forum, but also the public space in strongly secular terms so as to banish any reference to the transcendent, in particular to God, from public acts and public discourse<sup>48,49</sup>. The religious symbols from the past, if they cannot easily be removed, are to be evacuated of religious meaning. They are only allowed to stay if they are reduced to relics of a cultural and national heritage. One might think of how the European Court of Human Rights first forbade Italy from displaying crucifixes in its public schools, as had occurred in Germany, where the display of crucifixes could no longer be required<sup>50</sup>. Similar developments occurred in Romania (p. 56-7)<sup>42</sup>. For Italy, crucifixes could remain through interpreting their presence as a merely cultural phenomenon. Their religious significance had been set aside. There had been a cultural translation and reduction of the religious<sup>42,51,52</sup>.

r. The general cultural and legal acceptance of religious belief lay behind the United States Congress's adopting on April 22, 1864, the motto “In God we trust” for American coinage (The Congressional Globe, p. 144), which appeared for the first time on the two-cent coin that year. The Coinage Act of February 12, 1873, requires that “the Director of the Mint, with the approval of the Secretary of the Treasury, may cause the motto ‘In God we trust’ to be inscribed upon such coins as shall admit of such motto...” Appendix to the Congressional Globe, February 12, 1873, Chap. CXXXI, Sec. 18, p. 237. As late as July 30, 1956, the 84<sup>th</sup> Congress approved legislation by which “The national motto of the United States is declared to be In God We Trust” (P.L. 84-140), Law 36 U.S.C. 186.

s. Until the mid-20<sup>th</sup> century, Christianity, and in most parts of the United States Protestant Christianity (save, for example, in southern Louisiana), constituted the civil religion of the United States. “Evidence that Protestant Christianity [was] the functional common religion of [American] society would overwhelm us if we sought it out” (p. 113)<sup>35</sup>. Until then, the American ethos was that of Protestant Christianity; see Huntington<sup>36</sup>. This general establishment of Protestantism allowed the American federal government to persecute Orthodox Christians in Alaska. See Oleksa<sup>37</sup>. For an account of the weakening and transformation of mainline Christianity, see Hutchinson<sup>38</sup>; Roof & McKinney<sup>39</sup>; and Turner<sup>40</sup>.

t. *Lausi v. Italy*, no. 30814/06, § 55, 3<sup>41</sup> (referred to the Grand Chamber on 1 March 2010). For a discussion of this ruling, see Andreescu & Andreescu<sup>42</sup> and European Court of Human Rights<sup>43</sup>.

u. Hegel's “Glauben und Wissen” originally appeared in *Kritisches Journal der Philosophie*, volume 2, number 1 (Tübingen: Cotta, 1802).

Against this background, one can understand the strident conflicts between the remnants of Christianity and the now-regnant post-Christian West regarding any public acknowledgement of Christianity and its importance<sup>53-56</sup>. A good example is offered by the debates regarding the treaty proposed in 2004 to serve as a constitution for Europe. The treaty was produced by a committee chaired by the former president of France Valéry Giscard d'Estaing and enjoyed the support of the then-president of France Jacques Chirac. A dispute arose because the treaty omitted any reference to Christianity's role in the development of Europe. The first two paragraphs of the Preamble to the proposed European constitutional document read:

DRAWING INSPIRATION from the cultural, religious and humanist inheritance of Europe, from which have developed the universal values of the inalienable and inalienable rights of the human person, freedom, democracy, equality and the rule of law,

BELIEVING that Europe, reunited after bitter experiences, intends to continue along the path of civilisation, progress and prosperity, for the good of all its inhabitants, including the weakest and most deprived; that it wishes to remain a continent open to culture, learning and social progress; and that it wishes to deepen the democratic and transparent nature of its public life, and to strive for peace, justice and solidarity throughout the world,

CONVINCED that, while remaining proud of their own national identities and history, the peoples of Europe are determined to transcend their former divisions and, united ever more closely, to forge a common destiny,

CONVINCED that, thus 'United in diversity', Europe offers them the best chance of pursuing, with due regard for the rights of each individual and in awareness of their responsibilities towards future generations and the Earth, the great venture which makes of it a special area of human hope... (p. 10)<sup>57</sup>.

Although a religious inheritance was mentioned, the accent fell on rights, recalling human rights discourse, but including nothing that was particularly Christian.

The language of rights, human rights, and even social justice has after all no deep roots in Christianity<sup>v</sup>.

Within such a central document, laicists did not allow any mention of Christianity, even if only to acknowledge Christianity as a cultural residuum, as a mere historical connection. After all, the European Union as a secular political project was beginning anew. It claimed a identity born *de novo* of the Enlightenment. The distinctiveness of Europe was to be found in its atemporal moral commitments to the supposedly non-ethnocentric, universal canonical norms of human dignity and human rights, not to an ethnocentric or religiocentric history. For example, András Sajó in his defense of "democratic constitutionalism" asserts that "Democratic constitutionalism recognizes only one source of power, and this is the power of the people over itself. ... Popular sovereignty means that all power in the state originates from people, therefore *it cannot originate from the sacred*" (p. 627)<sup>58</sup>. Europe's particular identity was to be found in its supposedly secular, rational, non-particular roots, in its commitments to universal moral and democratic norms. This commitment to universal norms ruled out reference to particular religious roots.

The Protestant and secular northern European nations were at home with omitting reference to the Christian roots of Europe, although this omission was criticized by Pope John Paul II and by predominantly Roman Catholic nations, such as Poland and Lithuania.

The Vatican and some other scholars ... propose[d] a Christian foundation to the European polity. The idea is that Europe grew into a secularized set of states without ever shaking off its Christian roots. At the basis of European morality lie Christian values, which are the necessary building-blocks and glue that keep all Europeans together (p. 194)<sup>49</sup>.

A similar position has been endorsed by the agnostic friend of Pope Benedict XVI and defender of Christianity as the cultural cement of Europe and the West<sup>59</sup>. These disputes regarding the proposed constitutional document for Europe and the failure of its ratification engendered wide-ranging discussions about the place of Christianity and "Christian values" in a proper understanding of

v. One might note that the term social justice arose in the first half of the 19<sup>th</sup> century, coined by Luigi Taparelli, S.J.

the European Union. What went largely unnoticed was that the language of “values” that many employed in defending a recognition of Christianity reflects the secularization of religion in the West. Traditional Christians and Jews, for example, do not have “values” but a God Who commands (“teaching them to obey everything I have commanded you” – Matthew 28:20). The language of values that is now engaged suggests that there exists a *lingua franca* available without a recognition of the God Who lives and commands. The language of values reduces religion to its cultural significance<sup>v</sup>. The proposed Constitution was rejected by referenda in France (2005) and the Kingdom of the Netherlands (2005) on grounds other than the omission of a reference to Christianity. Although this proposed Constitution was abandoned, the controversies engendered a backlash against the goal of establishing a robust post-Christian identity for Europe<sup>x,58,61-65</sup>.

The new Western European secular self-consciousness involves a profound, and at times passionate, disassociation from Christianity. The now-dominant, contemporary, secular Western European morality and culture with their law and public policy, with the exception of Hungary, which in its 2011 Constitution recognizes the role of Christianity in preserving nationhood<sup>66</sup>, have now severed themselves from the morality and bioethics that for a millennium and a half defined Europe. The dominant culture has

cut itself loose from any anchor in God. The result is an unprecedented genre of secularity with laicist passions to remove every remaining, albeit minor, public non-reduced or non-culturally-recast reference to God. Again, this state of affairs constitutes a cultural novum. This cultural state of affairs seeks to be a cultural novum in so radical a fashion that the Christian past is not even its past, so that the new European culture can be appreciated *ab initio* without not just Christ, but without God. This laicism seeks to render Christianity in particular, and other religions in general, but especially fundamentalist monotheistic religions, into a past that is not even to be recognized as an element of the past of this new secular culture. Traditional Christianity, it should be conceded, is fundamentalist in requiring that its commitments trump the claims of secular moral rationality and the secularly politically reasonable<sup>y</sup>. The secular culture can only be fully understood through its contrast with, and its repudiation of, Christendom and God.

### III. FRAMING A CULTURE WITHOUT A GOD’S-EYE PERSPECTIVE

God is important for reasons other than worship. God provides a meaning and final perspective outside of, and independent of, particular, transient, socio-historically conditioned communities and their narratives. Indeed, without a God’s-eye perspective, there is in principle no

w. Paul Gottfried perceptively recognized that the move to values discourse transformed the Christian Democratic Union (CDU).

German political historian Karlheinz Weissmann presents an argument about “value conservatism” similar to mine in explaining the “leftward lurch” of the Christian Democrats on social and natural questions under Helmut Kohl and even more under Merkel. According to Weissmann, in the 1970s the center-right CDU decided to exchange the defense of “structural conservatism,” identified with the family, church, army, and nation, for a less confrontation “Wertekonservatismus,” a position that signified a “dwindling of its conservative content.” Instead of rising to the defense of German refugees from Eastern Europe, upholding the honor of its nation and the traditional concept of marriage, Christian Democratic leaders could leave behind divisive issues, which were likely to draw charges of flirting with fascism from the left, and to focus on inoffensive electoral slogans. In Germany, Weissmann insists that this substitution was deliberate and took place for opportunistic reasons (p. 163)<sup>60</sup>.

x. Contemporary Europe’s embarrassment about its Christian past is grounded not just in its secularization, but also in its radical embrace of the supposedly universal, non-particularist commitment of the Enlightenment that produced a view of human equality, human dignity, and human rights built around a vision of humans as bare individuals.

y. Fundamentalism is not a univocal term; it identifies both religious and secular fundamentalisms. The term originally arose in American fundamentalism when the American Bible League in 1907 produced twelve pamphlets entitled “The Fundamentals” defending traditional elements of Christian doctrines (e.g., the Virgin Birth, the atonement, the physical resurrection of Christ, and the Second Coming of Christ) under critical assault by more liberal theologians. In this volume, a fundamentalist position is one that holds that the commands of God or of one’s morality trump the requirements of the state, including what the secular state and the dominant secular culture hold to be the secularly politically reasonable. “Fundamentalist” has come to identify anyone with the view that his particular religious, moral, or metaphysical understandings, whether secular or religious, trump contrary claims in all matters addressed by that account. As Rawls puts it, Many persons — call them “fundamentalists” of various religious or secular doctrines which have been historically dominant — could not be reconciled to a social world such as I have described. For them the social world envisaged by political liberalism is a nightmare of social fragmentation and false doctrines, if not positively evil. To be reconciled to a social world, one must be able to see it as both reasonable and rational. Reconciliation requires acknowledging the fact of reasonable pluralism both within liberal and decent societies and in their relations with one another. Moreover, one must also recognize this pluralism as consistent with reasonable comprehensive doctrines, both religious and secular. Yet this last idea is precisely what fundamentalism denies and political liberalism asserts (p. 126-7)<sup>67</sup>.

Those who recognize revealed religious truth as traditionally understood within the Abrahamic religions (e.g., Orthodox Jews, Orthodox Christians, traditional Protestants, conservative Roman Catholics, and traditional Muslims) are fundamentalists in this sense. They have grounds to find the fragmentation of society into communities organized around false, not to mention sinful, moral and metaphysical viewpoints, as a default position that is for the time being to be tolerated in the face of intractable and not-to-be-celebrated moral and metaphysical diversity. It is not a state of affairs to be celebrated.

vantage point from which to consider one morality to be canonical, that is, as anything more than one among a plurality of socio-historically conditioned moral vantage points. From Aristotle (384–322 B.C.) through Descartes (1596–1650), Spinoza (1632–1677), Leibniz (1646–1716), and even Kant (1724–1804), reference was made to God not for religious, but for ontological and epistemological reasons. God was recognized as the reference point for non-socio-historically-conditioned truth<sup>z</sup>. The perspective of God, the existence of a God's-eye perspective, in principle secured objectivity and was a response to moral relativism. As we will see, this role of God is also important for Kant, who appreciated that he was constrained to affirm the practical moral postulates of God and immortality in order to maintain the traditional objective force of morality. Friedrich Nietzsche (1844–1900) and Fyodor Dostoyevsky (1821–1881) in different ways recognized that after God everything appears radically different. But it was, and still is, unclear what the full scope and force of the consequences are, or will be, of denying the existence of God and of a God's-eye perspective.

In particular, how should one think of morality and bioethics when one approaches reality as ultimately meaningless? What are the consequences of no longer even in principle having an ultimate point of reference? Among other things, secular morality becomes intractably plural. One lacks, even in principle, a final perspective that can transcend the plurality of competing moral views and establish a particular morality as canonical. Unlike what Plato, Aristotle, Thomas Aquinas (1225–1274), and Immanuel Kant had promised, moral philosophy cannot bring agreement about the content and force of the good, the right, and the virtuous. Instead, moral pluralism prevails. We do not agree when it is licit, obligatory, or forbidden to have sex, reproduce, transfer property, lie, or take human life. We disagree regarding the moral significance of homosexual acts, abortion, third-party-assisted reproduction, the welfare state, and physician-assisted suicide. Even if it were the case that

all humans valued the same goods, simply placing these goods in a different order would constitute a different morality. Different rankings of cardinal human goods provide the basis for different visions of what should count as a morally proper way of life and the character of a proper or reasonable political structure.

If one gives priority first to liberty (e.g., as expressed in democratic civil liberties), then to fair equality of opportunity, and then only afterward to prosperity, insofar as that prosperity redounds to the benefit of the least-well-off class, one will have embraced that moral rationality, as well as that sense of the politically reasonable, that lies at the foundations of the social-democratic state. One might think of John Rawls' account of justice (1971), as well of his view of the politically reasonable (1993). If, however, one first gives priority to security and then to familial prosperity, focusing on the bonds that maintain the cohesion of the family rather than on fraternity among isolated individuals, giving accent to liberty only insofar as it is compatible with security, prosperity, and the flourishing of the family, one will have embraced the moral rationality and sense of the politically reasonable that form the foundations of Singapore's dominant morality and bioethics, along with its vision of the politically reasonable<sup>69-72</sup>. Given the central importance of elites (i.e., groups with a special interest in and insight regarding the stability and flourishing of a society, such as lawyers, physicians, and successful businessmen) as bearers of a culture, one will also affirm an authoritarian, one-party, familist, capitalist state<sup>73,74</sup>. Unlike what follows if one grants John Rawls' moral-political vision, a Singaporean view of the morally rational and politically reasonable contrasts with social-democratic morality, bioethics, and political views and instead supports a one-party capitalist oligarchy<sup>aa</sup>. This view of the morally rational and/or the politically reasonable will discount concerns with liberty and equality, and require rejecting the pursuit of fair equality of opportunity because it is incompatible with the centrality of the family<sup>76</sup>. After all, Rawls correctly observes that “the principle of fair

z. Of course, many philosophers constructed their accounts without God. See, for example, Antony<sup>68</sup>.

aa. The differences separating Confucian versus Rawlsian approaches to justice may involve not just different rankings of cardinal goods, but also different goods, as well as the role of different categories of basic approaches through which morality, law, and public policy concerns are addressed, as for instance the role of *li* or ritual. See Solomon<sup>75</sup>.

opportunity can be only imperfectly carried out, at least as long as the institution of the family exists” (p. 74)<sup>ab,77</sup>.

As Steven Smith put it, there is no unbiased perspective that can guide: “the quest for neutrality...is an attempt to grasp an illusion” (p. 96)<sup>78</sup>. Despite the Kantian aspiration at the core of the Enlightenment, there is no “rational impartial observer [*ein vernünftiger unparteiischer Zuschauer*]” (p. 9)<sup>79</sup>. In the absence of a canonical standard, a moral view becomes nothing more than a particular cluster of moral intuitions supported by one among a plurality of moral narratives. A secular canonical moral standard cannot be established, because to establish one normative standard as canonical one needs a further background normative standard. To secure as canonical a particular thin theory of the good, a particular view of a properly disinterested moral judge, observer, decision-maker, or hypothetical contractor, a proper moral rationality or canonical moral sense so as to pick out one view as canonical, one needs a further background standard by which canonically to order basic right-making conditions, cardinal moral values and goods, etc. A purely disinterested observer or decision-maker cannot make a principled choice without a guiding canonical standard. However, one cannot establish particular basic guiding moral premises and rules of moral evidence for such a standard without already having accepted a further particular background view of morality and moral rationality. Attempts through sound rational argument to establish a particular morality or moral rationality as canonical as a consequence beg the question, argue in a circle, or engage an infinite regress.

This impasse can thus be shown to be in principle unavoidable by pointing out that any concrete claims invoke guiding background standards. That is, in order to establish a canonical thin theory of the good, or a canonical notion of rational choice, moral rationality, or game-theoretic rationality, or a canonical account of preferences, one must already know how one ought properly to rank values, correct preferences, compare rational versus impassioned preferences, in addition to

knowing God’s discount rate for preferences over time. One must already know the correct way to compare goods and/or pleasures, in order to articulate the correct approach. But which standard should one choose in order to get the entire process started? And if one hopes instead to proceed by balancing different moral appeals, what balance ought one to use, and how does one compare competing possible balances? To choose the right background standard or balance, one will need a further background standard or balance and so on forever.

If one appeals to morality as a natural phenomenon that developed with the evolution of humans, this will not help either. This is the case because in order to secure normative conclusions one must specify the “goals” of evolution and the character of the reference environment. If the goal is reproductive fitness, then those males who love their neighbors, while getting their neighbors’ wives pregnant, possess individual biological fitness in many environments. But is this good, right, or virtuous? To make a moral judgment, one needs a standard. But yet once again, which standard should one use? In each case, the choice presupposes selecting a set of basic premises and rules of evidence. The question remains: which basic premises and rules of evidence should one affirm? If one takes an evolutionary point of view, one needs first to specify a particular environment and the goals at stake (is it simply inclusive fitness?). Again, one confronts the same problem. In giving an answer, one imports a particular point of view. Given different environments, different moral dispositions, different balances among those who are moral, act hypocritically, or act immorally, will maximize group adaptation and survival, as well as help realize other goals. However, to secure guidance so as to get to a particular question, one needs a standard; one needs to specify the environment and the goals of adaptation one should endorse. But which are they and by what background standard?

One is returned to the problem of securing canonical secular moral guidance. The difficulty is that, within the horizon of the finite and the immanent, all standards

ab. Rawls’ acknowledgement of the family as the enemy of fair equality of opportunity leads him to be troubled about the proper place of the family within a society organized in terms of liberal social-democratic principles.

The consistent application of the principle of fair opportunity requires us to view persons independently from the influences of their social position. But how far should this tendency be carried? It seems that even when fair opportunity (as it has been defined) is satisfied, the family will lead to unequal chances between individuals (§46). Is the family to be abolished then? Taken by itself and given a certain primacy, the idea of equal opportunity inclines in this direction. But within the context of the theory of justice as a whole, there is much less urgency to take this course (p. 511)<sup>77</sup>.

are socio-historically conditioned and ethnocentric. As a consequence, as Judd Owen summarizes with reference to Richard Rorty and Stanley Fish, all immanent standards rest on particular, conditioned perspectives, on particular socio-historical views from somewhere.

Both Rorty and Fish repeatedly criticize attempts and aspirations to apprehend and demonstrate timeless truths, which they regard as truths that necessarily appear the same from each of the infinite variety of historical human perspectives. ... We could recognize a timeless truth only from a vantage point outside of time – from a “God’s eye view” – a vantage point that no human being can occupy or even imagine. All descriptions of the world and all alleged political and moral principles are irreducibly historical. The awesome variety of conflicting human opinions about the whole cannot be transcended toward a universal knowledge. Fish’s shorthand expression for this situation is “irreducible difference” (p. 12)<sup>80</sup>.

The result, given a plurality of different basic premises and rules of inference, is clear: secular morality and bioethics are irreducibly plural. Appeals to nature or evolution will not help. The pluralism is intractable.

The core difficulty is that there is no canonical sense of one morality or even of the politically reasonable, much less one sense of the morally rational. Again, we do not possess a common view of when it is forbidden, allowable, or obligatory to have sex, reproduce, transfer property, or take human life. Moreover, it is impossible to secure a philosophical foundation that can anoint as canonical one account of morality or bioethics, or even one view of the politically reasonable in the fashioning of medical law and healthcare policy. To make the point yet once again: the result is that the Western moral-philosophical project born in ancient Greece, reborn in Western Europe in the 12<sup>th</sup>-13<sup>th</sup> centuries, and recast in increasingly post-Christian terms during the Enlightenment, fails. Unless one can invoke the true God’s-eye perspective, one cannot establish one view of the morally rational or of the politically reasonable as canonical.

One surely did not need to wait for the 21st century to recognize that moral philosophy cannot through sound rational argument establish a particular morality or a particular bioethics as canonical. The fact of intractable moral pluralism was acknowledged by many in the ancient world. Clement of Alexandria (A.D. 155–220), for example, appreciated that rational argument by itself cannot deliver binding conclusions unless one first grants initial background premises. “Should one say that Knowledge is founded on demonstration by a process of reasoning, let him hear that first principles are incapable of demonstration; for they are known neither by art nor sagacity” (p. 350)<sup>81</sup>. The limits of philosophical argument were also famously limned by the third-century philosopher Agrippa in his *pente tropoi*, his five ways of indicating that controversies, such as those regarding the canonical content of morality and bioethics, as well as canonical political authority, cannot be resolved by philosophy, that is, by sound rational arguments. Philosophy cannot deliver a canonical justification for any concrete philosophical position, including morality and bioethics, in that those in dispute argue from disparate perspectives and therefore they (1) argue past each other, (2) beg the question, (3) argue in a circle, or (4) engage in an infinite regress. Beyond that, by the time of Agrippa, (5) eight hundred years of philosophical analysis and argument had proven inconclusive<sup>ac</sup>. There is no neutral secular moral perspective that can determine the moral facts of the matter, that can establish through sound rational argument a conclusion regarding the necessary content of a canonical secular morality, bioethics, or account of the politically reasonable. Post-modernity triumphs.

#### **IV. THE DEMORALIZATION AND DEFLATION OF TRADITIONAL MORALITY AND BIOETHICS**

The intractable plurality of morality and bioethics has been largely hidden by the Western medieval faith in reason. The dialectic of faith and reason, of *fides et ratio*, born of the Western Middle Ages, anointed philosophy

ac. Agrippa showed why other philosophical controversies such as moral controversies cannot be resolved by sound rational argument. His views are summarized by Diogenes Laertius, *Lives of Eminent Philosophers*, Pyrrho 9, 88–89, as well as by Sextus Empiricus, “Outlines of Pyrrhonism” I.15.164–169<sup>82</sup>. To resolve a moral dispute by sound rational argument, the disputants must already embrace common and true basic premises, as well as common and correct rules of evidence.

(the *via moderna* notwithstanding) as the taken-for-granted source of a universally valid rational account of reality, morality, and bioethics. In particular, moral philosophy was considered competent to comprehend the nature of the good, the right, and the virtuous so as to be able to give concrete canonical rational moral guidance. Western Christian, in particular Roman Catholic, thought embraced the assumption that moral-philosophical reasoning without a reliance on God could ground morality. However, such attempts at an anchorage in being and in a canonical moral rationality were brought into question in the wake of David Hume's (1711-1776) critique of claims of access to reality as it is in itself. After Hume, it could no longer plausibly be denied that philosophy had proven unable to secure grounding for the moral guidance that it had promised. Recognition of this state of affairs leads to the demoralization and deflation of the traditional morality of the West. Here, the term "demoralization" refers to the rendering of what had been considered to involve universally governing considerations of the right, the good, and the virtuous into mere life-style decisions about which moral judgments are now held to be inappropriate. The term demoralization is used to recognize that what had once been issues of morality in the sense of involving norms defining how, *ceteris paribus*, persons are obliged universally to act in order to be praiseworthy, worthy of happiness, or indeed productive of good consequences, have been reduced to life-style choices. This demoralization occurs because after God there are no universal, canonical, secular norms that can establish what is necessary for persons to be worthy of happiness, to be good persons and/or to be virtuous persons, rather than merely persons with alternative life-styles. What had involved moral judgments have become non-moral matters of life-style and death-style choices.

The term "deflation" refers to the loss of a secular, rational basis for the claim that one as a rational agent must always act from a universal perspective, from the so-called moral point of view, regarding the right, the good, and the virtuous, rather than from a particular viewpoint such as a family-centered bias that gives priority to the flourishing of one's own family. The

deflation of morality refers to the circumstance that it is impossible to establish that one ought rationally to accept the moral point of view of pursuing what is right in general (whatever that might mean) and beneficial for persons generally, rather than, say, a family-centered point of view in terms of which one judges the right, the good, and the virtuous from the perspective of what is beneficial for one's family. As a consequence, the traditional significance and force of secular morality, as Rorty and Vattimo have insisted, cannot be sustained. As we have seen, no particular secular morality can be shown to be the moral rationality that persons as such should affirm. No particular morality can be shown to have a canonical claim on persons. This is the case, as Hegel and later Rorty appreciated, because one cannot "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" (p. 59)<sup>83</sup>. Once one has lost a God's-eye perspective, there is no neutral vantage point from which a particular morality and bioethics can in general secular terms be established as canonical for all persons as such. Each moral narrative stands on its own, sustaining its own intuitions along with its own view of proper action. A polytheism of secular moral viewpoints becomes unavoidable. Morality that had been putatively grounded in an unavoidable vision of moral rationality anchored in being-as-it-is-in-itself is now adrift.

The threat of this demoralization and deflation of morality led Kant to develop his mature account of moral philosophy. Kant saw that Hume left morality as at best grounded in contingent sympathies and sentiments held together by equally contingent habits. If Hume were right, moral sentiments and proclivities would then be mere facts of the matter, and could always be otherwise. They could not secure a moral standpoint that was canonically morally normative. Given the plurality of moral sentiments and proclivities, morality cannot be shown to be grounded in a framework justified by rational, moral-philosophical reflection as universally binding on all persons as such. In the absence of a canonical standard, a God's-eye perspective that can definitively order the various human goods, secular moral rationality

remains intractably plural. There can be neither a necessary nor a canonically normative content for morality or bioethics. The dominance of any particular morality or bioethics represents at best the contingent valorization of one among many competing moralities and bioethics. Hume led to the view that morality as it had once been understood, as compassing universal norms binding on all persons, cannot be established by sound rational argument, because morality turned out to be grounded in sympathies, not in reason. Sympathies are heterogeneous and often in tension, if not incompatible. As an example of a normative perspective that is not that of the traditional Western moral point of view, consider the injunction of the chief Norse god Odin (alias Wotan). “He should early rise, who another’s property or life desires to have. Seldom a sluggish wolf gets prey, or a sleeping man victory”<sup>84</sup> (p. 35).

Kant therefore recognized that, without God, a grounding of morality in canonical rationality would not be possible. It would also not be enough to forward various natural-law or human-rights claims in order to counter the response by the “immoralist” that it would not always be rational to act morally. One needed both a God’s-eye perspective, as well as God as the guarantor that in the end persons will be happy in proportion to their worthiness to be happy. Both conditions were essential to maintain the traditional force of morality. Without God it would not always be rational to act in accord with Kant’s categorical imperative, Kant’s norms for the universalizing morality of rational agents. Kant, who was likely an atheist<sup>ad</sup>, nevertheless affirmed the

need for a God’s-eye perspective, as well as for immortality, in order to preserve the canonical content and force that Western European morality had promised. A God’s-eye perspective and immortality were required in order in principle to establish a moral point of view as the morally canonical point of view, as well as to establish the moral point of view as that perspective from which morality would be enforced. At stake is not merely fear of God’s punishment as a source of the motivation to be moral, but in addition and crucially God as the source of the ultimate significance for morality and the rational coherence of the right and the good. In the absence of these conditions being met, Kant understood that morality would cease to have a unique canonical content and an unqualified rational binding force or priority over non-moral normative concerns, including a priority over the concerns of prudence.

Kant placed God centrally as the lynchpin of his account of the kingdom of ends<sup>ae</sup>, arguing that the existence of God and immortality had to be affirmed as postulates of practical reason in order to ensure a canonical content for morality, to maintain a rational coherence of the right and the good, as well as to secure the priority of morality over prudence<sup>af</sup>. In conformity with the Western Christian philosophical project, Kant sought to ground morality in a moral rationality congruent with a God’s-eye perspective so as to vindicate a canonical morality anchored in being through moral philosophical argument. Kant recognized that if he failed in his project, the meaning of traditional Western European morality would be radically recast, with its claims receiving

ad. In his biography of Kant, Kuehn concludes that “Kant did not really believe in God” (p. 391-2)<sup>85</sup>. Kuehn came to this conclusion on the basis of reports by persons such as Johann Brahl, who stated that Kant did not “believe in God, even though he postulated him” (p. 392)<sup>85</sup>. Nevertheless, God or at least the idea of God, along with the postulate of God’s existence, played cardinal roles for Kant<sup>86</sup>. But none of these roles justified for Kant traditional recognitions of man’s relationship to God. For example, as J. H. W. Stuckenberg noted, “reason did not postulate the existence of God for the purpose of prayer; therefore the idea of His existence does not justify prayer” [for Kant] (p. 355)<sup>87</sup>. For Kant, the only proper role for prayer was a rhetorical one when it was engaged to encourage moral action. As for himself, Kant had nothing to do with religious ritual or personal prayer. “Thinking it contemptible for any one to become devout in the weakness of old age, he declared that this should never be the case with him; and he kept his promise, for during his greatest weakness and with death staring him in the face, there was a remarkable absence of all religious expressions” (p. 355)<sup>87</sup>. Given the Enlightenment spirit of the time, “Kant was lauded as the saviour of religion and morality; and some regarded him as the improver and perfecter of the Christian religion” (p. 374)<sup>87</sup>. The result was that “Creeds and the cultus, as well as the Scriptures, were now to be conformed to the Critical Philosophy and its religion and morality. A Reformed minister declared that the Kantian morality surpasses that of Christianity” (p. 374-5)<sup>87</sup>. The Kantian moral reduction of Christianity allowed a post-Christian culture still to call itself Christian, although it had with malice aforethought turned to set Christianity aside.

ae. Through his reference to God’s holy will, Kant implicitly recognizes God as providing a canonical unity for the kingdom of ends. As the uniquely complete and canonical moral perspective, God secures for Kant a single, canonical morality. See Kant, *The Foundations of the Metaphysics of Morals*<sup>89</sup>, AK IV.414.

af. In the *Opus Postumum*, God is for Kant the foundation for a single and coherent moral law.

There exists a God, that is, one principle which, as substance, is morally law-giving. For morally law-giving reason gives expression through the categorical imperative to duties, which, as being at the same time substance, are law-giving over nature and law-abiding. It is not a *substance* outside myself, whose existence I postulate as a hypothetical being for the explanation of certain phenomena in the world; but the concept of duty (of a universal practical principle) is contained identically in the concept of a divine being as an ideal of human reason for the sake of the latter’s law-giving [*breaks off*] (p. 122-3)<sup>88</sup>. *Pace* Kant, God gave different laws to different people, seven laws to the sons of Noah and then 613 laws to the Jews. Even in this case, the unity of both sets of laws is in God.

a different extension and intension. He recognized that without a God's-eye perspective the categorical claims of traditional morality would not be rational.

Kant anticipated G. E. M. Anscombe (1919-2001), who also recognized that a morality after God is so radically changed in its meaning as to deserve to be articulated in fundamentally different, non-moral terms. Anscombe argued that after God traditional Western morality was so changed that the term "moral" should if possible be abandoned. She held, for example, that "the concepts of obligation, and duty – *moral* obligation and *moral* duty, that is to say – and of what is *morally* right and wrong, and of the *moral* sense of 'ought,' ought to be jettisoned if this is psychologically possible" (p. 1)<sup>88</sup>. Anscombe wished to undermine the illusion that after God, morality could still be morality as it had been beforehand in the Christian West. Western Christian morality through the dialectic of faith and reason had placed the commands of God within a philosophical framework, which still required a God's-eye view to sustain it. Kant's response in the Second Critique was to require that one affirm the practical postulates of God, free will, and immortality.

Kant also anticipated what Anscombe would recognize, namely, that, without God and immortality, a person who acts immorally would be somewhat like a person who would be termed a criminal, "if the notion "criminal" were to remain when criminal law and criminal courts had been abolished and forgotten" (p. 6)<sup>89</sup>. "Acting immorally" would be radically deflated in its force and significance in a fashion analogous to what it would mean to claim that someone acted illegally in the absence of any police, courts, or prisons to define, identify, and punish illegal acts. After all, the immoralist could always respond to the claim that he acted immorally, with the riposte that, in an ultimately meaningless universe, the assertion of his will to pursue his own goals is as authoritative as any among the plurality of other normative points of view. On this point, the affirmation of the postulates of God and immortality, as mere postulates, by the atheist Kant do not provide a justified solution to the threat of the demoralization and deflation of morality, as well as bioethics. The affirmation of

the postulates was a cry of metaphysical desperation. As a consequence, in these circumstances, aside from a morality actually being established at law and in public policy, morality's force is substantively deflated, a point to which we will return in the next section of this chapter.

The loss of a God's-eye perspective, along with the consequent demoralized and deflated morality, which now frames the dominant culture of the West, is the result of the failure of Kant's project, or of the moral-philosophical project in general, to provide an adequate secular justification for traditional morality. With no anchor in being-in-itself, in a canonical moral rationality, or in a God's-eye perspective, morality now in the plural floats free, nested only within diverse narratives set within the horizon of the finite and the immanent. David Hume (1711–1776), Denis Diderot (1713–1784), and Baron Pierre-Henri d'Holbach (1723–1789) saw this. They also aided in undermining the illusion that moral philosophy could establish a canonical morality. The post-Christian world they helped establish was dramatically different from that which had just passed. As Karl Löwith appreciated, "[T]he break with tradition at the end of the eighteenth century... produced the revolutionary character of modern history and of our modern historical thinking" (p. 193)<sup>12</sup>. It was a culture within which everything looked different as ultimate meaning was evacuated.

If the universe is neither eternal and divine, as it was for the ancients, nor transient but created, as it is for the Christians, there remains [after Christendom] only one aspect: the sheer contingency of its mere "existence." The post-Christian world is a creation without creator, and a *saeculum* (in the ecclesiastical sense of this term) turned secular for lack of religious perspective (p. 201-2)<sup>12</sup>.

Everything was now to be regarded as ultimately contingent.

A culture after God became a central feature and a prominent characteristic of the West following the French Revolution. Within a generation after the French Revolution, the vanguard philosophers of this post-Christian age recognized the emergence of a way of life after God. It is for this reason that Hegel, already in

*Glauben und Wissen* in 1802, spoke of the death of God. For many, this did not mean that Christianity needed to be set aside, only transformed. Hegel was content with a Christianity deprived of transcendent significance and reduced to being no more than a cardinal cultural adornment. Hegel could live as a Lutheran without a transcendent God, and with only the immanent God of philosophy as the default God's-eye perspective<sup>ag</sup>. Hegel embraced the collapse of traditional morality, which Hume had threatened. He recognized that the moral-philosophical project of maintaining a canonical secular morality with the content of traditional Christian morality through rational argument could not succeed<sup>ah</sup>.

Again, because reason cannot supply for secular morality an ahistorical metaphysical grounding or anchorage, the moral-philosophical project born of the secularization of Greece in the 5th century before Christ<sup>ai</sup>, which was re-embraced in the Western Christian Middle Ages, fails to provide canonical moral content. It

became a rationality that was to function within a God's-eye perspective, and then *inter alia* was recast by Kant. Even Kant's attempt to establish a unique, historically unconditioned, canonical content for morality as a fact of reason cannot succeed<sup>aj</sup>. One always presupposes a particular background view of how to rank cardinal human values, a particular set of basic premises and rules of inference. Absent God and absent a canonical, content-full moral standard, the intellectual core of European culture is after God<sup>ak</sup> and after metaphysics. It must be seen as it is, namely, as ethnocentric, as socio-historically conditioned and contingent<sup>al</sup>. In this circumstance, the content and substance of morality come from neither reason nor God's commands, but from a particular socio-historical context whose content is contingent and ethnocentric. As Hegel understood, any concrete secular morality can only be recognized as one socio-historically conditioned, contingent morality among a multitude of others, as one among a plurality of *Sittlichkeiten*<sup>am</sup>.

ag. Hegel was a somewhat high-church Lutheran atheist. Walter Kaufmann gives Heinrich Heine's (1797–1850) account of an evening with Hegel as an indication of Hegel's atheism.

I, a young man of twenty-two who had just eaten well and had good coffee, enthused about the stars and called them the abode of the blessed. But the master grumbled to himself: "The stars, hum! Hum! The stars are only a gleaming leprosy in the sky! For God's sake, I shouted, then there is no happy locality up there to reward virtue after death? But he, staring at me with his pale eyes, said cuttingly: "So you want to get a tip for having nursed your sick mother and for not having poisoned your dear brother?" – Saying that, he looked around anxiously, but he immediately seemed reassured when he saw that it was only Heinrich Beer, who had approached to invite him to play whist. ... I was young and proud, and it pleased my vanity when I learned from Hegel that it was not the dear God who lived in heaven that was God, as my grandmother supposed, but I myself here on earth (p. 367)<sup>90</sup>.

For a slightly different translation of Heine's remarks, see Heine (p. 114)<sup>91</sup>.

Hegel did not consider himself obliged to explain to others that, although he was a Lutheran, he was an atheist in the sense of denying the existence of the transcendent God. After all, he believed in God insofar as God existed. Terry Pinkard sees a further example of Hegel's views in Hegel's ambiguous answer to his wife as to whether he credited immortality: "when she asked him what he thought of [personal immortality], he simply without speaking pointed to the Bible, which she of course interpreted in her own way" (p. 577)<sup>92</sup>.

ah. There is much disagreement about what Hegel understood his undertaking to be. My account of Hegel is indebted to Klaus Hartmann (1925-1991), who recognized that Hegel's mature project was not grounded in a metaphysics, but was instead post-metaphysical, or, as Hartmann puts it in his best-known article in English, "non-metaphysical"<sup>93</sup>. A presentation of Hartmann's understanding of Hegel's project can be found in Hartmann<sup>94-99</sup>. For an assessment of Hartmann's account of Hegel, see Engelhardt & Pinkard<sup>100</sup>. Hegel is best interpreted as setting aside the metaphysics that had reigned from the High Middle Ages into the 18<sup>th</sup> century.

As will be noted in chapter 8, Kreines describes Hegel's non-metaphysical account of reality in terms generally in accord with Hartmann's interpretation of Hegel. For example, Kreines states: Hegel seeks to advance yet farther Kant's revolution *against* pre-critical metaphysics ... Hegel denies all need to even conceive of Kant's things in themselves, leaving no contrast relative to which our own knowledge could be said to be merely limited or restricted. That is, Hegel aims not to *surpass* Kant's restriction so much as to *eliminate* that restriction from the inside (p. 307)<sup>101</sup>.

In all these accounts, it is recognized that for Hegel thought and being are one.

ai. The sophists and physicians of Greece played major roles in undermining the traditional character of Greek culture, in particular its recognition of traditional, religiously-based norms. See Versenyi<sup>102</sup>.

aj. In his attempt to provide a rational ground for morality, Kant in *The Critique of Practical Reason*<sup>103</sup> retreated to the assertion that morality is a fact of reason, holding that "The consciousness of this fundamental law may be called a fact of reason, since one cannot ferret it out from antecedent data of reason, such as the consciousness of freedom" (p. 31)<sup>103</sup>.

ak. For Hegel, God was dead in the sense that the vanguard culture of Hegel's time no longer acknowledged God as a personal God or a transcendent noumenal entity. The result was a change in the character of the culture from one that experienced the centrality of at least a God's-eye perspective to a culture marked by "the feeling that 'God Himself is dead'" (p. 190)<sup>45</sup> (p. 414)<sup>46</sup>. This death of God for Hegel included the death of metaphysics in the sense that it had become clear that philosophy could not establish claims about the deep nature of reality as it is in itself apart from its being socio-historically conditioned. This Hegelian turning point, the lodging of transcendence within immanence, was crucial, a point that will be emphasized at a number of steps along the way of developing the arguments in this volume.

al. By "after metaphysics" I identify a culture's loss of a sense that morality is anchored in reality, in being-as-it-is-in-itself.

am. G.W.F. Hegel in the section "Die Moralität" of *Grundlinien der Philosophie des Rechts* (1821) criticizes Kant and similar moral-philosophical attempts to establish by rational argument alone a canonical, content-full morality. Such is not possible without covertly importing a particular content. Instead, as Hegel recognizes, all content comes from a particular socio-historically-conditioned circumstance, a particular ethical community (*Gemeinwesen* or to use a later term, *Gemeinschaft*). "In an ethical community, it is easy to say *what* someone must do and *what* the duties are which he has to fulfil in order to be virtuous. He must simply do what is prescribed, expressly stated, and known to him within his situation. Rectitude is the universal quality which may be required of him, partly by right and partly by ethics" (p. 193)<sup>104</sup>. "Was der Mensch tun müsse, welches die Pflichten sind, die er zu erfüllen hat, um tugendhaft zu sein, ist in einem sittlichen Gemeinwesen leicht zu sagen. – es ist nichts anderes von ihm zu tun, als was ihm in seinem Verhältnissen vorgezeichnet, ausgesprochen und bekannt ist. Die Rechtschaffenheit ist das Allgemeine, was an ihn teils rechtlich, teils sittlich gefordert werden kann" (p. 298)<sup>105</sup>.

## **V. MORALITY AND BIOETHICS DEMORALIZED AND DEFLATED: A FURTHER EXPLORATION OF AN INSIGHT FROM HEGEL**

Given the West's historical bond to the moral-philosophical project, the secularization of the West is associated with the complex phenomenon of post-modernity. If modernity is understood as the attempt to orient oneself and one's culture to a guiding canonical understanding of rationality as a substitute for a reference to the one and only God, post-modernity involves the recognition that secular moral rationality and indeed even the politically reasonable are inextricably plural and without ultimate significance. As a result, it is now clear that no one secular moral narrative can be the universal narrative. In post-modernity, as Jean-François Lyotard observes, "The grand narrative has lost its credibility, regardless of what mode of unification it uses, regardless of whether it is a speculative narrative or a narrative of emancipation" (p. 37)<sup>106</sup>. G. Elijah Dann makes the same point in slightly different terms by arguing for the "privatization" of religion or any other ultimate standpoint "because there is no epistemological vantage point, philosophical or theological, whereby grandiose proclamations about Reality can be made and then used to measure against the truthfulness of our other beliefs" (p. 54)<sup>107</sup>. We are faced with numerous and incompatible views of the right, the good, the virtuous, and the politically reasonable. As Vattimo recognizes, "Atheism appears in this light as another catastrophic Tower of Babel" (p. 31)<sup>108</sup>. Because we disagree as to when it is obligatory, licit, or forbidden to reproduce, have sex, transfer property, and to take human life, we are left in post-modernity with interminable disagreements about the content of bioethics. Without an objective standard, without a God's-eye perspective, platitudes about a common ground and/or a common good are either self-delusions or the recruitment of moral language for political rhetorical purposes. All of this is to say that secular claims with regard to a canonical morality cannot continue as before. Hegel saw this and was at peace with this state of affairs<sup>109</sup>.

This state of affairs already recognized by Hegel has in the 20<sup>th</sup> and 21<sup>st</sup> centuries been further explored by

others such as Richard Rorty (1931-2007) and Gianni Vattimo (1936-). The appreciation of the quite different character of morality "after foundations", that is, after God, allows a better understanding of the radical demoralization and deflation not just of any secular reconstruction of traditional Christian morality and bioethics, but of any secular morality and bioethics. All secular moralities are *Sittlichkeiten* in the sense that Hegel recognized: they are particular fabrics of moral understandings, commitments, and intuitions each shaped by its own socio-historical context and supported by one among a plurality of possible and in the end freestanding moral narratives. A concrete morality is always the discourse of a particular moral community with its particular moral narrative sustaining its own particular moral intuitions, hence its ethnocentric character. As such, a concrete secular morality without a unique anchor in reality cannot aspire to providing canonical norms for persons as such or, for that matter, for humans as such. Hence, Rorty's warning that the significance and force of secular morality must be rethought: "We can keep the notion of 'morality' just insofar as we can cease to think of morality as the voice of the divine part of ourselves and instead think of it as the voice of ourselves as members of a community, speakers of a common language" (p. 59)<sup>83</sup>. But which community? What common language? There is obviously a plurality of competing communities and competing languages of moral discourse. After foundations, not only the sense but also the force of secular morality and bioethics turns out to be quite different from what had for the most part been expected in Western moral philosophy, given the arguments from Thomas Aquinas through Immanuel Kant.

Rorty wanted at least to keep the morality-prudence distinction. But matters are worse than Rorty acknowledged. The difficulty is that the traditional priority of a moral point of view over the perspective that affirms the good of a particular person or group can itself only be secured as long as the moral point of view is anchored in a God Who affirms it and enforces it. One needs a God's-eye perspective with teeth to anoint a particular point of view as the moral point of view. On behalf of the moral point of view, Rorty states:

We can keep the morality-prudence distinction if we think of it not as the difference between an appeal to the unconditioned and an appeal to the conditioned but as the difference between an appeal to the interests of our community and the appeal to our own, possibly conflicting, private interests (p. 59)<sup>83</sup>.

The problem is that Rorty has no canonical community with which his “we” must identify. His “we”, as he knows, is ethnocentric even if it is an anti-ethnocentric ethnocentrism. One simply has a plurality of normative points of view. Because any large society will always compass a plurality of communities, a plurality of “we’s”, a multiplicity of moral discourses, there is no canonical “we” to allow Rorty to maintain the morality-prudence distinction in favor of morality.

As Kant recognized, the priority of the moral point of view requires God Who enforces, not just defines, His moral point of view. The “we” for Kant is the “we” that is in concert with God and enforced by God. The difficulty is that Rorty fails to add that any community (as Kant insisted) that hopes to draw the morality-prudence distinction, as it had traditionally been drawn, can do so only so long as the members of that community still hold at least as a practical moral postulate that the morality of their community is anchored in and enforced by God. But, of course, Rorty would not affirm this. A core difficulty, which Rorty does recognize, is that one cannot establish by sound rational argument which secular morality or bioethics is canonical, if any. One always needs the prior concession of basic premises and/or rules of evidence. Rorty does not as clearly concede that this same difficulty besets establishing the priority of the moral point of view. To establish the priority of the moral point of view, one needs foundational premises and rules of evidence to establish what morality is, as well as God Who enforces the morality. Without a God to define a canonical moral point of view and then enforce it, one cannot even recognize which normative point of view with its bioethics is the point of view that a person should affirm and why. But one would not expect Rorty always to be clear in these matters, in that for him morality is in the end politics, a political agenda he hopes will be established at law and in public policy.

Here we face the deflation of secular morality. If all is ultimately meaningless, why should I not act to advantage my family, even if this undermines the greatest good for the greatest number, or even when this violates important right-making conditions? Perhaps the moralist will quote John Rawls and say, “we are so constituted that we have in our nature sufficient motives to lead us to act as we ought without the need of external sanctions, at least in the form of rewards and punishments imposed by God or the state” (p. xxvii)<sup>110</sup>. But Rawls’ considerations will not be sufficient. They would not have been sufficient for Alexander the Great or Julius Caesar, who pursued glory rather than morality. The immoralist can simply respond to the moralist, “so what?! I will act to advantage my family or pursue glory, and, if I am careful, there will likely be no price to pay, only advantage.” The normativity of the moral point of view cannot be established without begging the question, arguing in a circle, or engaging in an infinite regress. For a community to regard the moral point of view as always trumping prudence, one must already have conceded particular basic premises or rules of evidence, as well as at least Kant’s practical postulates of God and immortality.

One is left with a troubling conclusion that one cannot in general secular terms establish the priority of a community of anonymous persons (i.e., the so-called moral point of view) over the claims of the particular community of those for whom one is most concerned and with whom one is most intimately socio-historically bound: the community of one’s family, friends, and close associates. There is no canonical secular perspective that can rule out the priority of the perspective that affirms the good of those for whom one is most concerned as the appropriate and guiding normative point of view. Consider, for example, a person who is confronted with the alternative of either killing an innocent person with whom he has no relationship and no interest, for which homicide he would be amply and securely rewarded (and let us also grant, with little chance of ever being discovered as the murderer), or refusing to do so, in which case he, his family, friends, and close associates would be brutally and expertly tortured for a year and

then subjected to a degrading, painful, and slow death by those making the offer. Again, if one held the universe to be ultimately meaningless, why would it be irrational to reject the anonymous moral point of view and instead embrace a family- and associates-focused view? In that within the dominant secular culture one cannot invoke a God's-eye perspective, there is no final standpoint from which in principle to show that one should not embrace a normative perspective that affirms that one should advance the flourishing of those with whom one is most intimately bound and connected (i.e., family, friends, and associates), rather than the good of persons generally, anonymously considered.

Without begging the question, arguing in a circle, or engaging an infinite regress, no special priority can be given to a Kantian or utilitarian moral point of view with its bioethics versus a quasi-Confucian, normative perspective with its bioethics that places family members centrally, then friends, etc., along with affirming family over individual patient consent. In the absence of being able to speak from the God's-eye perspective (and of course the question then is which God? the Norse god?), neither the perspective of the anonymous community of all persons nor the perspective of the community to whom one is bound in love and ultimate loyalty can in general secular terms be shown conclusively to have a compelling rational priority, a more compelling claim to be the normative point of view that one *should* affirm. The attempt to preserve at least something of morality's traditional priority over prudence fails<sup>an</sup>. One is left with a plurality of secular moralities and normative fabrics, some even rejecting the traditional moral point of view itself and instead affirming the pursuit of the flourishing and advancement of those for whom one is most concerned and most intimately bound in love and affection (e.g., family, close friends, etc.), or indeed the pursuit of glory or even mere naked personal advantage. The claimed priority of the traditional view of morality's canonicity is unsecured, once one no longer affirms Kant's practical postulates of God and immortality.

Talk of a religion without God will not help<sup>113</sup>, because such discourse does not identify any non-socio-historically-conditioned point of reference. It is organ music with nothing happening. After God, there is no one, or no perspective, outside or within the universe to give a final judgment that can endure. There is no one enduring perspective to give content to the good, the right, and the virtuous so that it can persist in its significance. Some may say with Ronald Dworkin (1931-2013) that "religion is deeper than God. Religion is a deep, distinct, and comprehensive worldview: it holds that inherent, objective value permeates everything, that the universe and its creatures are awe-inspiring, that human life has purpose and the universe order" (p. 1)<sup>113</sup>. However, without a final and eternal self-conscious point of view to give a final judgment regarding and reward for right, good, and virtuous behavior, all is lost without any enduring point of reference.

The result is that after God all is changed. There is demoralization and deflation of morality and bioethics that involve a radical recasting of a domain that had once compassed moral matters. Choices regarding one's engagement in sexuality, reproduction, and self-killing within the dominant secular culture have become mere life-style or death-style choices. That is, decisions whether or not to fornicate, to engage in homosexual acts or bestiality, to define one's life as a heterosexual, homosexual, or shoe fetishist, or to have one's children within or outside of marriage have become non-moral life-style choices. Choices in these matters are no longer experienced as, or considered to be, moral choices about which one can be blameworthy or praiseworthy. This shift in the understanding of morality and bioethics constitutes a watershed change. Consider again how outrageous it has become in the dominant secular culture to state that it is immoral to live a homosexual life-style. So, too, the choice whether or not to use abortion has within the dominant secular culture become a personal reproductive choice, a personal life-style choice, not a moral matter. In addition, within the dominant secular culture the

an. Richard Rorty understood that once one recognized the absence of foundations for secular morality, the significance of morality and human life is radically recast. "The German idealists, the French revolutionaries, and the Romantic poets had in common a dim sense that human beings whose language changed so that they no longer spoke of themselves as responsible to nonhuman powers would thereby become a new kind of human beings [sic]" (p. 7)<sup>83</sup>. Rorty failed sufficiently to appreciate the scope of the unintended adverse consequences for society defined by a secular morality without foundations, lacking a God's-eye perspective with teeth: a God Who imposes sanctions and rewards. In contrast with Rorty, Dostoevsky foresaw with foreboding what it would mean to live after God, the consequences of which were displayed by Hitler's National Socialism and the international socialisms of Lenin, Stalin, Mao Zedong, and Pol Pot. One might consider, for example, the examination of the brutal policies of Mao Zedong and his regime<sup>111,112</sup>.

choice whether or not to use physician-assisted suicide or euthanasia has become a death-style choice, not a matter that should be held to be good or bad, praiseworthy or blameworthy. Such choices within the dominant secular culture have ceased to be characterized as choices bearing on one's moral character or virtue. An important domain of human choices is no longer appreciated as having a moral valence. As we will see, the demoralization and deflation affect morality as a whole.

## **VI. MORALITY AND BIOETHICS AS MACRO LIFE-STYLE CHOICES**

As the demoralization of traditional morality was occurring, it was initially hoped by most secular moralists that the emerging post-Christian secular morality and bioethics would at least be able to maintain the full moral force of the cardinal slogans of the Enlightenment and the French Revolution regarding liberty, equality, human dignity, tolerance, social justice and human rights. After all, when making life-style and death-style choices, the social-democratic moral perspective demanded that persons be recognized as free, equal, and without moral reproof in their legitimate life- and death-style choices, thus all along asserting a canonical moral significance for liberty and equality. The expectation had generally remained that life- and death-style choices would still necessarily need to be placed within moral constraints that would require affirming others as possessing equal human dignity. However, this cannot be established as more than a particular macro-life-style choice. Given the implications of the failure to provide foundations, human rights claims as well as the traditional Western heterosexist mores as secular claims equally come into question, because as secular moral claims they remain at best assertions supported by particular moral intuitions set within a freestanding moral-political view, all of which exists within the sphere of the socio-historically conditioned. Claims of human rights, human dignity, human equality, and social justice can at best derive their significance from one among a plurality of diverse ethnocentric fabrics of moral intuitions supported by one among a plurality of diverse moral narratives, the

canonical force of which is undermined, when all is approached after God, that is, as if it were without any ultimate meaning.

Within the dominant secular culture and in the field of bioethics in particular, it is still largely unrecognized that the demoralization that renders traditional moral choices into choices among life-styles also transforms the status of the central moral tenets of the dominant secular culture itself. That is, the demoralization and deflation of morality bear as well on the force of such liberal moral norms as human equality, human dignity, human rights, and even tolerance. These moral claims, and for the same reasons, are best appreciated as elements of a particular life-style choice, albeit a macro life-style choice. This is the case because such general moral claims are no more embedded in a canonical moral rationality than are particular choices such as whether to embrace a homosexual life-style. The result is that the affirmation of a social-democratic moral vision, along with the bioethics of individual informed consent and truth-telling, is nothing more than a macro life-style choice, a more comprehensive life-style choice. In contrast, Alexander the Great, Julius Caesar, and Napoleon pursued glory over morality. The possible content of bioethics is plural. For example, Chinese bioethicists affirm a family-oriented bioethics over an individually-oriented bioethics<sup>114,115</sup>. Choices in this area are at best claims sustained within a particular freestanding moral or political narrative, a point that Joseph Raz admits in his affirmation of individual consent. "The puzzle is how one can give consent a viable role, without saying that only principles already agreed to by all can be relied upon" (p. 46)<sup>116</sup>. Raz then proceeds to invoke an intuition, because otherwise he cannot justify the political theory he wishes to embrace. Because neither secular morality nor secular political authority can from a secular perspective be regarded as embedded in the will of God, a cosmic order, metaphysics, or canonical moral rationality, particular moral and political visions must be recognized instead as simply one among a plurality of intuitions sustained by one among a plurality of freestanding moral and/or political accounts or narratives, floating within the horizon of the finite and the immanent. Because by sound

rational argument none among these positions can be established as canonical, they lack a conclusive rational necessity.

For example, what can the assertion that “all men are created equal” mean after God and after metaphysics? If God does not in some sense make all persons equal, and if there is no socio-historically unconditioned perspective that in some way requires all humans, if not all persons, to be recognized as equal, then in what way and on what canonical grounds can humans be equal? What can the canonical moral force of claims of human equality be in the face of the actual stark disparities and inequalities in terms of virtue, intelligence, and talents that distinguish humans, as well as in the face of an intractable moral pluralism, which undermines the possibility of a single canonical standard by which to compare humans and still speak of equality? If one attempts to ground equality in an equal capacity to give permission, does this not collide with a wide variation in the rational self-conscious appreciation of what it means to give one’s permission? Why should all consent or permission carry the same weight? How does one compare the consent of an eleven-year-old with a thirty-five-year-old, a person with an IQ of 85 with that of a person with an IQ of 140? Analogous puzzles arise regarding reason-giving in a rational discourse. And for that matter, why should reasons be confined to immanently apprehensible reasons (whatever that may mean), rather than include transcendent considerations such as the will of God, if one holds that one knows the will of God? The result is that not even social-democratic affirmations of liberty, equality, and solidarity can be established as morally canonical outside of a particular ethnocentric context or framework. Again, after God, and therefore after a canonical metaphysics and after canonical foundations, any particular affirmation of human rights, human equality, and human dignity is at best grounded in one among a plurality of local or particular moralities, each with its own web of intuitions supported by its own moral narrative.

The implications are wide-ranging and dramatic. Any particular affirmation of human rights, human

dignity, human equality, social justice, and tolerance can at most be regarded as integral to the affirmation of a particular macro-life-style choice. Nor can any particular macro-life-style choice be shown by sound rational argument to be necessarily integral to the proper, that is, canonical, secular appreciation of the good, the right, or the virtuous. For example, in the absence of a non-socio-historically-conditioned God’s-eye view, it cannot be demonstrated that the affirmation of a social-democratic ethos replete with the liberal West’s list of human rights and liberal bioethical commitments is more integral to a rightly-ordered secular morality or view of the secular politically reasonable than the mores and political vision of elitist capitalist oligarchies such as Singapore. Nor can the view that one should appeal to individual consent rather than family-based consent<sup>115,117</sup> be shown to be canonically rationally warranted. Nor will a Western liberal approach to the bioethics of healthcare allocation be able to be rationally established in preference to one warranted by a Chinese moral vision<sup>114</sup>. No particular secular morality or account of moral rationality or of the politically reasonable has a canonical status that can be established by sound rational argument. Secular views of morality as well as of the politically reasonable remain plural.

The result is not a nihilism, but it comes close. It is not merely that the claims of traditional Christian morality cannot be maintained within the dominant secular culture through being recast into a secular morality, as Kant attempted<sup>ao</sup>. More radically, moral claims in general within the dominant secular culture are demoralized into individual macro life-style choices, which exist as freestanding viewpoints sustained by diverse narratives (e.g., the moral vision of Cambridge, Massachusetts, versus that of Singapore or Beijing). As Judd Owen observes,

The growing consensus among intellectuals today is that liberalism itself, like everything else human, is the product of a “cultural bias.” Rorty agrees. We are “without a skyhook with which to escape from the ethnocentrism produced by acculturation” (1991, 2).

ao. Kant attempted a secular reconstruction of most of Western Christian morality. For example, he argued with regard to masturbation that it involved a use of oneself as a means in a way equivalent to self-murder. “The ground of proof surely lies in the fact that a man gives up his personality (throws it away) when he uses himself merely as a means for the gratification of an animal drive. But this does not make evident the high degree of violation of the humanity in one’s own person by the unnaturalness of such a vice, which seems in its very form (disposition) to transcend even the vice of self-murder” (p. 86)<sup>118</sup>.

Liberal democracy does not transcend ethnocentrism; it is a form of ethnocentrism (p. 16)<sup>80</sup>.

The demoralization and deflation of traditional morality recasts the significance and force of the social-democratic moral project itself into a macro life-style choice. All moral discourse within the horizon of the finite and the immanent, including the social-democratic political project itself, is left without foundations and therefore without ultimate significance. Traditional secular morality, indeed bioethics, that had once claimed a universal validity and a necessary rational priority for its moral point of view in putatively being anchored in reality or reason itself is cut loose from any secure mooring. Is this nihilism?

Well, not quite. Within the horizon of the finite and the immanent, there is still surely meaning. There are projects that can capture human interest and fill one's life with purpose. There are limited, finite goals that can *de facto* move individual humans and unite human communities. One can pursue fully immanent projects and ideals. One can show love and courage. There is meaning, but this meaning must be recognized as narrative- or account-dependent, such that the narratives live and die with the narrators, or at least with the narratives and the communities that sustain those narratives. Each moral narrative or vision is under these circumstances contingent, socio-historically conditioned, existing as one among a plurality of competing visions of human meaning sustained by some but not other communities. All meaning *qua* secular is as a consequence ultimately transient. Any particular moral community can be and will be disrupted, indeed eventually obliterated. Nothing endures forever within the horizon of the finite and the immanent. Moral communities can remember virtuous men and their accomplishments only as long as those communities exist.

The memory and perspective of any particular moral community is a meager substitute for the memory and perspective of God. Communities die and their records are lost, with the result that the memory of the virtuous and the vicious is equally in the end, in the long run, lost. Absent the personal Creator God, Who is the Genesis of all, the ground of all morality, the certain

motivator for rightly-ordered conduct, and the One Who forever remembers and appropriately rewards and punishes the virtuous and the vicious, all is ultimately meaningless. The Western culture that created a synthesis of Christian, Platonic, and Stoic concerns and that lived in the recognition of an ultimate and enduring reality has been replaced by a culture in which nothing has ultimate meaning and in which no meaning is anchored in reality as it is in itself. This side of the rupture from the possibility of ultimate orientation, reality and secular morality are not just intractably plural, but in the end fundamentally meaningless. The meaning of secular morality and bioethics will need to be radically reconsidered.

## **VII. FROM KANT TO HEGEL: THE STATE AND POLITICS AS A SUBSTITUTE FOR GOD AND MORALITY**

After metaphysics and after God, the secular fundamentalist state becomes a surrogate for God because, once reality, morality, and bioethics are severed from an unconditioned ground in being, and once moral reason is recognized as plural in content, one is not just left with a plurality of moralities and bioethics, but also the closest thing to a common morality and a common bioethics becomes that morality and bioethics that is established at law and in public policy, a matter to which we will turn in greater detail in Chapter Six. This morality and bioethics are radically different from, and deflated in their force in comparison with, the traditional morality and bioethics of Christianity, which are anchored in the commands of God. Secular morality and bioethics are even pale in comparison with the morality of Kant, which thought itself to have an anchor in rationality. The strongest general normativity and authority that secular morality and bioethics can enjoy are simply that they are imposed through law and within a particular state. Given moral pluralism, the dominant moral and bioethical understanding is not that about which there is good reason to claim a moral consensus, a secular equivalent of a *consensus fidei*. The dominant morality and bioethics are at best the morality and bioethics that,

given a sufficient political consensus, have been established in a particular polity by an effective ruling political coalition. The result is that the dominant secular morality and bioethics are the secular equivalent of an established religion, now presented as the secular state's established secular ideology. Again, the current dominant secular morality and bioethics, along with its claims regarding liberty, equality, human dignity, and social justice, can at best be recognized as a cluster of intuitions embedded within a free-standing narrative of a particular community that has succeeded in having this morality and bioethics established at law and in the public policy.

Secular morality and secular bioethics (as we will also see in chapter 6 with regard to clinical ethics) are sustainable only as a secular political agenda, a point to which we will return at greater length in the next chapter. Here, however, it is important to note what impels post-modernity's political turn. The need to reassess the meaning of a secular morality and bioethics became more apparent as Western morality became post-metaphysical following the death of God in Western culture. As already noted, G.W.F. Hegel's announcement of God's cultural death in his 1802 paper "Glauben und Wissen" ("Faith and Knowledge") reflected a realization that after God morality cannot be anchored in an unconditioned moral perspective, and as a consequence morality is always socio-historically conditioned<sup>119,120</sup>. Hegel recognized that for secular morality there can be no vantage point beyond the socially and historically conditioned perspectives of particular moral narratives and their narrators<sup>ap</sup>. That is, secular morality involves a shift from a metaphysical to a post-metaphysical discourse, which invites all to

act guided not by a theistic methodological postulate affirming God's existence and immortality, but by an atheistic methodological postulate. Again, Kant tried to avoid this radical recasting of morality. Kant implicitly recognized that, in the absence of the theistic methodological postulates, the moral-philosophical assumptions supporting the traditional strong understanding of Western morality would be unmasked as unfounded, leading to the radical demoralization and deflation of what had been traditional secular Western morality<sup>aq</sup>. It is for these reasons that Kant affirmed as practical postulates the existence of God and of immortality<sup>ar</sup>. Kant, however, had not anticipated the political restatement of morality that after God and after foundations would reground morality as ideology.

Hegel marks the end of modernity and the threshold of post-modernity. Crucial elements of the theistic moral vision have been abandoned by the dominant secular culture. In Hegel's case, an atheistic postulate was embraced, albeit camouflaged by a discourse rich in theological terms and images. Nevertheless, Habermas correctly appreciates the dramatic implications of these developments. "[A] renewal [in the dominant secular culture] of a philosophical theology [is impossible] in the aftermath of Hegel"<sup>123</sup> (p. 41), because "the *methodical* atheism of Hegelian philosophy and of all philosophical appropriation of essentially religious contents" defines the secular culture (p. 68)<sup>124</sup>. Apart from God, Hegel realized that philosophers by default become gods, or at least the standpoint of philosophy becomes the standpoint of God as far as this is possible within the horizon of the finite and the immanent<sup>as</sup>.

One should note as well a peculiarity of an all-encompassing immanence. By default, persons

ap. In the 5th century before Christ, Protagoras recognized that the death of God, that is, the denial of God's existence, entailed the death of metaphysics and of objectivity in ethics, such that humans became the only criterion of truth, with the consequence that moral pluralism was intractable.

aq. Kant recognized the necessity of God for morality and immortality. As Kant puts it already in the first edition of *The Critique of Pure Reason* (1781)<sup>121</sup>. "... if we consider from the point of view of moral unity, as a necessary law of the world, what the cause must be that can alone give to this law its appropriate effect, and so for us obligatory force, we conclude that there must be one sole supreme will, which comprehends all these laws in itself. For how, under different wills, should we find complete unity of ends. This Divine Being must be omnipotent, in order that the whole of nature and its relation to morality in the world may be subject to his will; omniscient, that He may know our innermost sentiments and their moral worth; omnipresent, that He may be immediately at hand for the satisfying of every need which the highest good demands; eternal, that this harmony of nature and freedom may never fail, etc. (p. 641-2)<sup>121</sup>. Here Kant anticipates his articulation of his moral postulates of God and immortality in the *Critique of Practical Reason* (1788).

ar. Kant requires for the coherent engagement in moral action that we act as if there were ultimate enduring meaning. Otherwise, the rationality of morality would be brought into question. As Kant puts it in the *Critique of Pure Reason*. "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" (p. 137)<sup>122</sup>. He rejects embracing the atheistic methodological postulate.

as. For Hegel, it is philosophers and intellectuals generally who within the horizon of the finite and the immanent constitute the only equivalent of a God's-eye perspective, although the content of that perspective is socio-historically conditioned. For Hegel, it is philosophers who give the only available final rational answers to rational questions about morality and rationality. Philosophers as such are Absolute Spirit. They are the secular equivalent of God<sup>119</sup>. This will be examined in further detail in chapter 8.

become the ultimate origin of, focus for, and judge of their own moral concerns. In the absence of canonical moral standards, and in the absence of an authoritarian or non-individually directed ethos, the now-dominant secular culture of the West endorses each person's freedom in peaceable secular interaction to be equally the determinant of the character of moral propriety. The result is that, given such a cultural context, autonomous decisions and agreements among consenting adults serve as the lynchpin of the contemporary secular moral fabric<sup>125,126</sup>. Because there is no final unconditioned moral perspective, within this culture each individual by default comes to regard himself as having a moral right to tell, authenticate, and peaceably realize his own moral narrative, as long as this narrative and the actions it warrants are tolerant in being in conformity with the now-emerging criterion of not morally disapproving of the peaceable, secularly accepted life-style and death-style choices of others. Apart from God and metaphysics, persons find themselves left to frame their own moral and bioethical narrative without any canonical normative guidance. Each person becomes a quasi-God's-eye perspective.

If God is not recognized as existing, as well as establishing and enforcing rewards for acting rightly and punishments for acting wrongly, then the state is by default the best available enforcer within the horizon of the finite and the immanent in being able, as far as possible, to provide a positive correlation between happiness and worthiness of happiness<sup>at</sup>. It is for this reason, *inter alia*, that Hegel understands the state to be "the march of God in the world [*Es ist der Gang Gottes in der Welt, dass der Staat ist*]." The state under these circumstances is the "actual God [*der wirkliche Gott*]" (p. 279)<sup>127</sup>. In summary, in the absence of a canonical morality to define the culture, and deaf to

the commandments of God, if one aspires to a general morality, then the best one can have is the establishment of a morality at law and in enforceable public policy. The force of law then substitutes for what had been the supposed universal rational force of moral norms, which since the time of the Western medieval moral-philosophical synthesis had been held to be grounded in moral-philosophical rationality, and whose putative rational force had in Western modernity already replaced the commands of God.

In the face of intractable secular moral and bioethical pluralism, that is, in the absence of a non-socio-historically conditioned foundation from which one can identify one morality as the canonical morality and bioethics, the final force of secular morality and bioethics becomes the sanctions within a particular secular state for acting contrary to that morality established at law and in public policy. One is left with legal sanctions understood in terms of the punishments imposed by law and considered in light of the probability of one's actually being punished<sup>au</sup>. The political becomes the higher truth and full force of morality. Medical law and established healthcare policy become the higher truth of bioethics. In summary, absent God and immortality, and absent a canonical reason that can substitute for God, it is the state that in lieu of God and of a canonical moral rationality gives secular morality its standing and force. Hegel accepted and affirmed all of this. Hegel embraced what Kant had sought to avoid. Hegel recognized that in a secular culture one could not escape a substantive revision of the content and force of Western Europe's dominant morality that was becoming after God and after metaphysics, or do without its political realization. Hegel also appreciated that morality could only be fully understood in terms of its political realization, a matter to which we will return in chapter three.

at. For Hegel, a morality becomes fully actual only when it is realized through becoming law and public policy. The state provides a morality with an objectivity through rendering that morality into law and public policy<sup>127</sup>.

au. Christians understand that one is required by God to recognize the authority of the state so as to maintain the rule of law, one of the seven laws given to Noah. The state in this sense acts with Divine authority. "Let every person be subject to the governing authorities; for there is no authority except from God, and those authorities that exist have been instituted by God. Therefore whoever resists authority resists what God has appointed, and those who resist will incur judgment. For rulers are not a terror to good conduct, but to bad. Do you wish to have no fear of the authority? Then do what is good, and you will receive its approval" (Rom 13:1-3).

### **VIII. THE DEMORALIZATION AND DEFLATION OF MORALITY AND BIOETHICS: A SUMMARY**

Once secular morality and bioethics are recognized as incapable of appealing to a God's-eye perspective to secure a non-sociohistorically-conditioned, "objective" grounding and to a God's-eye perspective that can enforce morality, that is, once one recognizes that sound rational argument cannot establish a particular canonical secular morality, then the various secular moralities must be recognized as multiple alternative clusters of moral intuitions supported by diverse narratives, floating as freestanding accounts within the horizon of the finite and the immanent, all without a final reliable enforcer other than the state. As a consequence,

(1) morality and bioethics are intractably plural. Given a plurality of basic moral premises and of rules of evidence, and in the absence of access to an unconditioned ahistorical standpoint equivalent to a God's-eye perspective by which to define the content of the canonical morality, any attempt to identify a canonical secular morality and bioethics will beg the question, argue in a circle, and/or engage an infinite regress.

(2) This intractable moral and bioethical pluralism has wide-ranging implications. One is confronted with the circumstance that there are insufficient grounds for holding that persons who act contrary to the norms of the dominant secular morality and/or bioethics must necessarily be held to be immoral or blameworthy in the eyes of rational persons in general. This is the case because there are no universal secular canonical grounds to establish any particular secular moral claims as necessarily rationally binding, for there will always be alternative orderings of goods, rights, and preferences, none of which can be shown to be canonical. Because there is no one canonical view of the right, the good, and the virtuous that can be established as canonical through sound rational argument, there is therefore no unbiased basis on secular moral grounds to hold that those who violate one particular deontological,

utilitarian, or virtue-based account must in universal terms be held to have acted wrongly, badly, or viciously, because, given a different view of what should be the guiding right-making conditions, the proper ordering of goods or preferences, or the correct view of virtue, a different rule for action could have been affirmed as the governing norm. In short, there is no universal or canonical secular moral perspective or account. Thus, a utilitarian hunter can plausibly respond to a utilitarian animal-rights advocate that the self-reflective culture of the hunt produces enough intense pleasure for a sufficient number of hunters so as to outweigh the pain of the animals involved. The animal may suffer, but the hunters can extend and deepen their pleasure from the kill in their reflections on, and stories about, the hunt. The same could be said with regard to gladiators or Viking warriors. As a consequence, the meaning of morality is demoralized into conflicting and incompatible life-style choices.

(3) Morality and bioethics are demoralized into life-style and death-style choices. If all is approached as if there were no God, that is, if all is approached as if there were no final God's-eye perspective, morality and bioethics are not just plural in significance and force, but radically demoralized into various life-style choices. This demoralization is not just manifest in choices regarding third-party-assisted reproduction, abortion, physician-assisted suicide, euthanasia, and consensual sexual activity outside of the marriage of a man and a woman, which are regarded as non-moral life-style and death-style choices, but this same demoralization discloses the true status of the social-democratic ethos and its affirmations of liberty, fair equality of opportunity, and human rights as simply a particular, ethnocentric, macro life-style choice. Alternative moral and bioethical perspectives such as the Singaporean pursuit of security and familial prosperity within an effectively one-party capitalist state become at best alternative macro life-style choices<sup>73,114,128,129</sup>. Each morality is a macro life-style choice.

(4) Morality is deflated in its claims of having priority over against the claims of prudence. After God and after metaphysics, the moral point of view can no longer be regarded as necessarily trumping the pursuit of the good of those for whom one is most concerned, such as oneself, one's family, friends, and close associates, even when this undermines the good of persons generally and violates the rights of individual persons. If one does not recognize a God's-eye perspective so as to establish a particular morality and bioethics, along with the God Who enforces that morality and bioethics, it is impossible without begging the question, arguing in a circle, or engaging an infinite regress to hold that it will always be irrational or improper to reject the moral point of view, the anonymous and unbiased regard of persons, including patients as persons, along with an anonymous regard of the good and of right-making conditions, and instead to affirm a normative account focused on achieving the good of a particular group, even if this involves diminishing the good of the greatest number and/or violating right-making conditions. Morality itself becomes a macro life-style choice.

(5) Morality and bioethics are further deflated in their force and significance in the absence of any ultimate meaning. That is, the force of secular morality and bioethics are radically deflated if one regards everything as coming from nowhere, going nowhere, and for no ultimate purpose, because acting morally or alternatively immorally is itself without ultimate significance. Thus, the significance of having acted immorally or against the established ethics of the medical profession will in the long run in the absence of a God's-eye perspective be lost in the surdity of an ultimately meaningless reality. In a fully ultimately meaningless and surd universe, it will not have mattered whether one has acted morally or immorally, professionally or unprofessionally. The result is that, after God, the meaning and force of morality and bioethics are foundationally changed. Indeed, as Friedrich Nietzsche (1844-1900) recognized in *On*

*the Genealogy of Morals* (1887), after God, morality is at best a fiction in the sense that morality possesses neither canonical status nor enduring meaning. As Anscombe underscored, after God the whole meaning of morality must be radically reconsidered.

In short, the intractable pluralism, demoralization, deflation, and ultimate meaninglessness characterizing secular morality and bioethics have dramatic implications with respect to the force of the normative claims advanced by the contemporary dominant secular culture regarding matters such as the moral significance of autonomy, equality, fair equality of opportunity, as well as human rights, patient rights, the rights of research subjects, social justice, and human dignity. The morality and bioethics of secular culture is radically different from, and deflated in its force in comparison with, the traditional morality and bioethics of Christianity, which is anchored in the commands of God and which is enforced by God, or for that matter in contrast with moralities such as that of Kant, which were supposed to be anchored in rationality itself, not that mere rationality could substitute for God. Without God, the meaning of morality and bioethics are substantively altered. After God, all is changed.

## **IX. LOOKING INTO THE ABYSS**

In a culture after God, moralities along with their bioethics are nothing more than freestanding fabrics of intuitions sustained by narratives that float without foundations within the horizon of the finite and the immanent. They are macro life-styles. They have no necessary grounding in a canonical rationality or in reality as it is in itself. They are not secured by a normative vision that has any necessity beyond its affirmation by its partisans who endorse a particular cluster of intuitions and their narrative. Insofar as one can speak of a justification for a particular secular morality and its bioethics, it is only to be found internally, that is, within a particular freestanding fabric of intuitions. Within a narrative, one can find

reasons, grounds, considerations, and arguments that can be engaged and advanced, given the assumptions and commitments of that particular morality and its bioethics. Each alternative morality and bioethics enjoys its own internal justifications, with each alternative morality and bioethics having its own basic premises and its own rules of moral evidence. But there is no common canonical morality because there is no common moral ground, no common basic set of moral premises and rules of inference. Absent, a God's-eye perspective, such cannot exist. Morality is intractably plural and deflated. One is adrift in a meaningless, contingent cosmos.

The demoralization and deflation of morality have dramatic implications for how one regards one's life. One is placed within a life-world after sin. People within the dominant secular culture can no longer recognize that certain actions alienate them from the Ground of everything that is, from God. Of course, those within this secular life-world will be pleased to be beyond guilt and shame when they make their peaceable life-style choices to fornicate, commit adultery, engage in homosexual acts, use donor gametes for reproduction, and use physician-assisted suicide or euthanasia. Within the dominant culture, these decisions have become acceptable life-style choices. Within this life-world after God, they are after sin and after morality. They can live on their own terms. There is no more fear of God. When one is very sure one will never be caught, one will seek one's own good, and the good of those one loves, against established law and public policy. This re-orientation from God to love of one's self has had an all-pervasive impact on how one understands who one is. All that had been once recognized as sins remain sins, albeit now sins in ignorance. They will still turn oneself to oneself, but without the opportunity for repentance and reorientation. Having rendered oneself blind to what one ought to be, one has eliminated a whole dimension of moral striving. In a world without ultimate meaning,

one is left ultimately adrift. The everyday fabric of life has changed dramatically.

We live in a life-world radically apart from what I encountered in 1954. All appears, and is experienced, quite differently, although only a little over a half century has passed. Traditional Western morality had regarded itself as having a supporting rationality grounded in, and in accord with, a rationality anchored in being as such, indeed in accord with the will of God. In 1954, that traditional morality was still salient in much of everyday life, even if its norms were often violated. In contrast, the now-dominant morality, the now-public morality, is articulated without God. It is now clear that this public morality lacks the basis for securing any point of final orientation or canonical moral view beyond being one among a plurality of immanent moralities. The now-dominant public morality along with its bioethics is a particular artifact of a particular culture. In contrast, the traditional morality and its bioethics were not understood to be contingent. They were regarded as rationally and metaphysically necessary. Now, however, it is ever clearer that the dominant contemporary secular morality has no necessity. It is one from among a plurality of possibilities. Last but not least, for both traditional Western Christian morality and the morality of modernity as illustrated by Kant, the grounds for acting morally, the motivation and justification to be moral, could only be secured through the God Who punishes and rewards. The morality of the now-dominant secular culture has publicly separated itself from any anchors in reality as it is in itself and/or canonical rationality.

Now when I walk the streets of Italy, I pass through the ruins of not only what had been a pagan empire, but what had once been Western Christendom. The pope is still there<sup>av</sup>. However, Western Christianity is fragmented and in rapid decline. There are ancient and beautiful, largely empty churches. The priests at the altars now look *ad occidentem*, often straight into

av. If one credits the arguments of some traditional Roman Catholic thinkers, Pope John Paul II significantly changed what the Roman Catholic church teaches<sup>130</sup>. The view that the papacy has adopted a fundamentally different view regarding Christianity appears fully vindicated by the interview on October 1, 2013, of Pope Francis in *La Repubblica*<sup>131</sup>. This issue will be further examined in chapter 3.

my eyes as I enter. The priests are as old as I am. They are tired. They are men from a world that exists no more, or that, insofar as it exists, has survived crippled and in decline. The congregation is generally meager and also old. My grandchildren ask me, “What could possibly have happened? How could Christianity have died out?” When I sit with Roman Catholic clerics to drink in the evening to discuss theology, morality, and bioethics, even with the young priests of the Legionaries of Christ<sup>aw</sup> there is an appreciation that Christianity has become a scandal. Roman Catholicism and its celibate priesthood have become an embarrassment for Christianity as a whole. After giving a lecture at Regina Apostolorum Pontifical University in Rome in March of 2010, young Legionaries of Christ reflected with me about the difficulty of seemingly unending pleas by prelates for forgiveness, given the continuing disclosures of sexual indiscretions. The continued disclosure of sexual liaisons, homosexual and heterosexual, with adults and with children by a supposedly celibate clergy<sup>ax</sup> have now become a public stumbling block to taking Christianity seriously<sup>130</sup>. In 1954, such things happened, but they remained a private shame. Now much more is public. Even the sense of shame has changed, because everything

concerning sexuality, reproduction, the family, and the authority of the state is now embedded in a life-world radically different from that which I entered as I first set foot in Italy in 1954. Given political correctness, there now is liberty only to speak of the abuse of children, but not to underscore homosexual seductions. It is a different culture.

Yet in the midst of the cultural rubble of what had once been Christendom, even in Italy, there are still believers. Belief has far from disappeared. Many believers are fundamentalist Protestants cut off from the history of Christianity as a whole and without a coherent understanding of church, but they do recognize that God lives and that Jesus is the Messiah, the Son of the living God. They have been given the grace to know the right answer to the question: Who do you say I am? (Matthew 16:16). There are still Roman Catholics fervently loyal to what remains of their traditions. There is as well the ever-increasing presence of Orthodox Christians in the very heart of Rome. All of these, along with Orthodox Jews and traditional Muslims, collide with the aspirations of the now-dominant secular culture and the claims of the secular fundamentalist state. It is the children of those who take God seriously who are increasingly in the streets of Italy. Their places of worship are full.

aw. At the end of the 20<sup>th</sup> century, the Legionaries of Christ had become a financially very well-endowed, “conservative” and successful order with over 800 priests. All I met were devout and committed to Roman Catholicism. The Legionaries were founded by Fr. Marcial Maciel (1920-2008) in 1941. By the late 1990s, allegations were surfacing that Fr. Maciel had had homosexual relationships with seminarians and other priests. In addition, there were indications of his having two families with two different women. It is interesting to note that, “following the 1997 charges made against Fr. Maciel, the Holy Father [John Paul II] went out of his way to demonstrate his confidence in and support for the priest [Maciel], who as the head of a religious congregation reports to and is directly responsible to the pope. On December 31, 2001, Angelo Cardinal Sodano, Vatican Secretary of State, second in command at the Vatican, blessed and inaugurated the new headquarters of the Pontifical Athenaeum Regina Apostolorum, the Legion’s University in Rome” (p. 973)<sup>132</sup>. John Paul II’s support of Fr. Marcial Maciel once constituted a stumbling block to his canonization. Benedict XVI banished Fr. Maciel from ministry to a “life of prayer and penitence” in 2006; Fr. Maciel died in disgrace in 2008.

ax. As to my views of the Roman Catholic general requirement that clergy be celibate, I note with joy that the father of six of my grandchildren is an Orthodox priest who was ordained after the birth of his first child.

**REFERENCES**

1. Engelhardt Jr HT. Religion, bioethics, and the secular state: Beyond religious and secular fundamentalism. *Notizie di Politeia*. 2010;26(97):59-79.
2. Engelhardt Jr HT. Political authority in the face of moral pluralism: Further reflections on the non-fundamentalist state. *Notizie di Politeia*. 2010;26(97):91-9.
3. Arato A, Gebhardt E, editors. *The Essential Frankfurt School Reader*. New York: Continuum; 1987.
4. Jerome. *Letters and Select Works*. In: Schaff P, Wace H, editors. *Nicene and Post-Nicene Fathers, Second Series*. Peabody (MA): Hendrickson Publishers; 1994. v. 6.
5. Schutz A, Luckmann T. *The Structures of the Life-World*. Trans Richard M. Zaner and H. T. Engelhardt. Evanston (IL): Northwestern University Press; 1973.
6. Engelhardt Jr HT. *Mind-Body: A Categorical Relation*. The Hague: Martinus Nijhoff; 1973.
7. Kuhn T. *The Structure of Scientific Revolutions*. 2nd ed. Chicago: University of Chicago Press; 1970.
8. Masterman M. The nature of a paradigm. In: Lakatos I, Musgrave A, editors. *Criticism and the Growth of Knowledge*. London: Cambridge University Press; 1970.
9. Paz O. *Children of the Mire*. Trans Rachel Phillips. Cambridge (MA): Harvard University Press; 1974.
10. Gay P. *The Enlightenment: An Interpretation*. New York: W. W. Norton; 1966.
11. Rorty R. *Objectivity, Relativism, and Truth*. New York: Cambridge University Press; 1991.
12. Löwith K. *Meaning in History: The Theological Presuppositions of the Philosophy of History*. Chicago: University of Chicago Press; 1949.
13. Blumenberg H. *The Legitimacy of the Modern Age*. 2nd ed. Trans Robert M. Wallace. Cambridge (MA): MIT Press; 1983.
14. Kant I. *Critique of Pure Reason*. Trans Norman Kemp Smith. New York: Macmillan; 1964.
15. Huizinga J. *The Autumn of the Middle Ages*. Trans Rodney J. Payton and Ulrich Mammitzsch. Chicago: University of Chicago Press; 1996.
16. Masius A. *Flavio Biondo, sein Leben und seine Werke*. Leipzig: B. G. Teubner; 1879.
17. Brunner O, Werner C, Reinhart K, editors. *Geschichtliche Grundbegriffe*. Stuttgart: Klett-Cotta; 1978.
18. Edelman N. Other early uses of *moyen âge* and *moyen temps*. *Romanic Review*. 1939;30:327-30.
19. Vesalius A. *De humani corporis fabrica*. Basel: A Operinus; 1543.
20. Copernicus N. *De Revolutionibus orbium coelestium*. Norimbergae: Johannes Petrium; 1543. 6 v.
21. Schorske CE. *Fin-de-Siècle Vienna*. New York: Alfred Knopf; 1985.
22. Baron H. The querelle of the ancients and the moderns as a problem for Renaissance scholarship. *J His Ideas*. 1959;20:3-22.
23. Lorimer JW. A neglected aspect of the 'querelle des anciens et des modernes'. *Modern Language Review*. 1956;51:179-85.
24. Latreille A. *L'Église catholique et la révolution française*. Paris: Hachette; 1948. v. 2.
25. Vovelle M. *The Revolution Against the Church*. Trans Alan José. Columbus: Ohio State University Press; 1991.
26. Secher R. *A French Genocide: The Vendée*. Trans George Holoch. Notre Dame (IN): University of Notre Dame Press; 2003.
27. Mathiez A. *Les Origines des cultes révolutionnaires*. Geneva: Slatkine; 1977.
28. Hofmann HH, editor. *Quellen zum Verfassungsorganismus des heiligen römischen Reiches deutscher Nation*. Darmstadt: Wissenschaftliche Buchgesellschaft; 1976.
29. Eichendorff JF. *Werke und Schriften*. Stuttgart: Cotta'sche; 1958.
30. Laforgue J. *The impossible*. Trans William Jay Smith. Garden City (NY): Doubleday; 1958.
31. Gildea R. *Children of the Revolution: The French, 1799-1914*. Cambridge (MA): Harvard University Press; 2008.
32. Reclus Maurice. *Jules Ferry*. Paris: Flammarion; 1947.
33. McConnell MW. Establishment and disestablishment at the founding, Part I: Establishment of religion. *William & Mary Law Review* 44.5: 2105-208; 2003.
34. Perry MJ. *Under God? Religious Faith and Liberal Democracy*. New York: Cambridge University Press; 2003.
35. Wilson J. Common religion in American society. In: Rouner LS, editor. *Civil Religion and Political Theology*. Notre Dame (IN): University of Notre Dame Press; 1986. p. 111-24.
36. Huntington SP. *Who Are We: The Challenges to America's National Identity*. New York: Simon & Schuster; 2004.

37. Oleksa M. *Orthodox Alaska*. Crestwood (NY): St. Vladimir's Seminary Press; 1992.
38. Hutchinson WR, editor. *Between the Times: The Travail of the Protestant Establishment in America, 1900-1960*. New York: Cambridge University Press; 1989.
39. Roof WC, McKinney W. *American Mainline Religion: Its Changing Shape and Future*. New Brunswick (NJ): Rutgers University Press; 1987.
40. Turner J. *Without God, without Creed: The Origins of Unbelief in America*. Baltimore (MD): Johns Hopkins University Press; 1985.
41. European Court of Human Rights. *Lautsi v. Italy*, Second Section, November 3. 2009.
42. Andreescu G, Andreescu L. The European Court of Human Rights' Lautsi decision: Context, contents, consequences. *J Study Religions Ideologies*. 2010;26(9):47-74.
43. European Court of Human Rights. *Lautsi v. Italy*, Grand Chamber, March 18. 2011.
44. Leigh E, Haydon A, editors. *The Nation that Forgot God*. London: Social Affairs Unit; 2009.
45. Hegel GWF. *Faith and Knowledge*. Trans Walter Cerf and H. S. Harris. Albany: State University of New York Press; 1977.
46. Hegel GWF. *Jenaer kritische Schriften*. In: *Gesammelte Werke*. Hamburg: Meine; 1968. v. 4.
47. Wilson AN. *God's Funeral*. New York: WW Norton; 1999.
48. Cumper P, Lewis T, editors. *Religion, Rights and Secular Society: European Perspectives*. Cheltenham (UK): Edward Elgar; 2012.
49. Zucca L. *A Secular Europe*. Oxford (UK): Oxford University Press; 2012.
50. Wiedemann R. *Der Streit um das Schulkreuz in Deutschland und Italien*. Berlin: Duncker & Humblot; 2012.
51. Puppincck G. The case of Lautsi v. Italy: A synthesis, *Brigham Young University Law Review* 873, issue 3. 2012. Available from: <http://digitalcommons.law.byu.edu/lawreview/vol2012/iss3/7>.
52. Puppincck G, Kris JW. Legal memorandum, ECHR – Lautsi v. Italy, European Centre for Law and Justice. 2010. Available from: [eclj.org/pdf/ECLJ-MEMO-LAUTSI-ITALY-ECHR-PUPPINCK.pdf](http://eclj.org/pdf/ECLJ-MEMO-LAUTSI-ITALY-ECHR-PUPPINCK.pdf).
53. Kallscheuer O. *Das Europa der Religionen*. Frankfurt am Main: Fischer; 1996.
54. Marauhn T. Die Bewältigung interreligiöser Konflikte in multireligiösen Gesellschaften. In: Lehmann H, editor. *Koexistenz und Konflikt von Religionen im vereinten Europa*. Göttingen: Wallstein; 2004. p. 12-29.
55. Rendtorff T. Die Beziehung von Kirche und Staat – zur Wirklichkeit der Volkskirche. In: Klaus Wegenast, et al, editors. *Trennung von Kirche und Staat?* Hamburg-Bergstedt: Herbert Reich Evangelischer Verlag; 1975. p. 50-60.
56. Schreiber M. *Kirche und Europa*. Berlin: De Gruyter; 2012.
57. British Management Data Foundation. Preamble. In: *The European Constitution in Perspective: Analysis and Review of 'The Treaty Establishing a Constitution for Europe'*. Edinburgh: British Management Data Foundation; 2004.
58. Sajó A. Preliminaries to a concept of constitutional secularism. *Int J Constitutional Law*. 2008;6(3-4):605-29.
59. Pera M. *Why We Should Call Ourselves Christians: The Religious Roots of Free Societies*. Trans L. B. Lappin. Jackson (TN): Encounter; 2011.
60. Gottfried PE. *Conservatism in America: Making Sense of the American Right*. New York: Palgrave Macmillan; 2007.
61. Zucca L. The crisis of the secular state – A reply to Professor Sajó. *Int J Constitutional Law*. 2009;7(3):494-514.
62. Bernstein R. Continent wrings its hands over proclaiming its faith. *New York Times*, November 12; 2003.
63. Cvijic S, Zucca L. Does the European constitution need Christian values? *Oxford J Legal Studies*. 2004;24(4):739-48.
64. Weiler JHH. *Un'Europa Cristiana. Un saggio esplorativo*. Bologna: Biblioteca Univ. Rizzoli; 2003.
65. Weiler JHH. *The Constitution of Europe: 'Do the New Clothes Have an Emperor?' And Other Essays on European Integration*. Cambridge: Cambridge University Press; 1999.
66. Uitz R. The pendulum of church–state relations in Hungary. In: Cumper P, Lewis T, editors. *Religion, Rights and Secular Society: European Perspectives*. Cheltenham (UK): Edward Elgar; 2012. p. 189-214.
67. Rawls J. *The Law of Peoples*. Cambridge (MA): Harvard University Press; 1999.
68. Antony LM, editor. *Philosophers without Gods*. New York: Oxford University Press; 2010.
69. Meng-Kin L. Values and health care: The Confucian dimension in health care reform. *J Med Philos*. 2012;37(6):545-55.
70. Meng-Kin L. Shifting the burden of health care finance: A case study of public-private partnership in Singapore. *Health Policy*. 2004;69:83-92.
71. Fan R, editor. *The Renaissance of Confucianism in Contemporary China*. Dordrecht: Springer; 2011.
72. Fan R. *Reconstructionist Confucianism*. Dordrecht: Springer; 2010.
73. Li J, Jue W. Individuals are inadequate: Recognizing the family-centeredness of Chinese bioethics and Chinese health system. *J Med Philos*. 2012;37(6):568-82.

74. Fan R, Xiaoyang C, Yongfu C. Family-oriented health savings accounts: Facing the challenges of health care allocation. *J Med Philos.* 2012;37(6):507-12.
75. Solomon D, Ping-Cheung L, Ruiping F, editors. *The Common Good: Chinese and American Perspectives*. Dordrecht: Springer; 2014.
76. Alora AT, Josephine ML, editors. *Beyond a Western Bioethics: Voices from the Developing World*. Washington (DC): Georgetown University Press; 2001.
77. Rawls J. *A Theory of Justice*. Cambridge (MA): Belknap Press; 1971.
78. Smith SD. *Foreordained Failure: The Quest for a Constitutional Principle of Religious Freedom*. New York: Oxford University Press; 1995.
79. Kant I. *Foundations of the Metaphysics of Morals*. Trans Lewis White Beck. Indianapolis: Bobbs-Merrill; 1959.
80. Owen JJ. *Religion and the Demise of Liberal Rationalism*. Chicago: University of Chicago Press; 2001.
81. Clement of Alexandria. *The Stromata*. In: Roberts A, Donaldson J, editors. *Ante-Nicene Fathers*. Peabody (MA): Hendrickson Publishers; 1994. v. 2.
82. Laertius D. *Protagoras*. In: *Lives of Ancient Philosophers*. Trans R. D. Hicks. Cambridge (MA): Harvard University Press; 2000. p. 321-67. v. 2.
83. Rorty R. *Contingency, Irony, and Solidarity*. New York: Cambridge University Press; 1989.
84. Sigfusson S. *The high one's lay*. In: Anderson R, editor. *The Eddas*. Trans Benjamin Thorpe. London: Norroena Society; 1906.
85. Kuehn M. *Kant: A Biography*. Cambridge: Cambridge University Press; 2001.
86. Insole CJ. *Kant and the Creation of Freedom*. Oxford: Oxford University Press; 2013.
87. Stuckenberg JHW. *The Life of Immanuel Kant*. Bristol: Thoemmes; 1990.
88. Kant I. *Opus Postumum*. Ed. Eckart Förster. Trans Eckart Förster and Michael Rosen. Cambridge: Cambridge University Press; 1993.
89. Anscombe GEM. *Modern moral philosophy*. *Philosophy*. 1958;33(1):1-19.
90. Kaufmann W. *Hegel: A Reinterpretation*. New York: Doubleday Anchor; 1966.
91. Heine H. *Heinrich Heine's Memoirs from his Works, Letters and Conversations*. Ed. Gustav Karpeles. Trans Gilbert Cannan. London: Heinemann; 1910.
92. Pinkard T. *Hegel: A Biography*. New York: Cambridge University Press; 2000.
93. Hartmann K. *Hegel: A non-metaphysical view*. In: MacIntyre A, editor. *Hegel*. Garden City (NY): Anchor Books; 1972. p. 101-24.
94. Hartmann K. *Hegels Logik*. Ed. Olaf Müller. Berlin: Walter de Gruyter; 1999.
95. Hartmann K. *Studies in Foundational Philosophy*. Amsterdam: Rodopi; 1988.
96. Hartmann K. *Politische Philosophie*. Munich: Alber; 1981.
97. Hartmann K. *Die ontologische Option*. Berlin: Walter de Gruyter; 1976.
98. Hartmann K. *Die Marxsche Theorie*. Berlin: Walter de Gruyter; 1970.
99. Hartmann K. *On taking the transcendental turn*. *Review Metaphysics*. 1966;20(2):223-49.
100. Engelhardt Jr HT, Pinkard T, editors. *Hegel Reconsidered*. Dordrecht: Kluwer; 1994.
101. Kreines J. *Between the bounds of experience and divine intuition: Kant's epistemic limits and Hegel's ambitions*. *Inquiry*. 2007;50:306-34.
102. Versenyi L. *Socratic Humanism*. New Haven (NJ): Yale University Press; 1963.
103. Kant I. *Critique of Practical Reason*. Trans Lewis White Beck. Indianapolis: Bobbs-Merrill; 1956.
104. Hegel GWF. *Elements of the Philosophy of Right*. Ed. Allen W. Wood. Trans H. B. Nisbet. Cambridge: Cambridge University Press; 1991.
105. Hegel GWF. *Grundlinien der Philosophie des Rechts*. Frankfurt / M: Suhrkamp; 1986.
106. Lyotard JF. *The Postmodern Condition*. Trans. G. Bennington and B. Massumi. Manchester: Manchester University Press; 1984.
107. Dann GE. *Philosophy, religion, and religious belief after Rorty*. In: Rorty R. *An Ethics for Today*. New York: Columbia University Press; 2011.
108. Vattimo G. *The End of Modernity*. Trans. Jon R. Snyder. Baltimore: Johns Hopkins University Press; 1988.
109. Engelhardt Jr HT. *Kant, Hegel, and Habermas: Reflections on 'Glauben und Wissen'*. *Review Metaphysics*. 2010;63(4):871-903.
110. Rawls J. *Political Liberalism*. New York: Columbia University Press; 1993.
111. Dikötter F. *The Tragedy of Liberation: A History of the Chinese Revolution 1945-1957*. New York: Bloomsbury; 2013.
112. Dikötter F. *Mao's Great Famine: The History of China's Most Devastating Catastrophe 1958-1962*. New York: Walker & Company; 2010.

113. Dworkin R. *Religion Without God*. Cambridge (MA): Harvard University Press; 2013.
114. Fan R, Xiaoyang C, Yongfu C. Family-oriented health savings accounts: Facing the challenges of health care allocation. *J Med Philos*. 2012;37(6):507-12.
115. Fan R. Which care? Whose responsibility? And why family? A Confucian account of long-term care for the elderly. *J Med Philos*. 2007;37(5):495-517.
116. Raz J. Facing diversity: The case of epistemic abstinence. *Philos Public Affairs*. 1990;19(1):3-46.
117. Fan R, Li B. Truth telling in medicine: The Confucian view. *J Med Philos*. 2004;29(2):179-94.
118. Kant I. *The Metaphysical Principles of Virtue*. Trans. James Ellington. Indianapolis: Bobbs-Merrill; 1964.
119. Engelhardt Jr HT. Moral obligation after the of God: Critical reflections on concerns from Immanuel Kant, G.W.F. Hegel, and Elizabeth Anscombe. *Social Philos Policy*. 2010;27(2):317-40.
120. Engelhardt Jr HT. Kant, Hegel, and Habermas: Reflections on 'Glauben und Wissen'. *Review Metaphysics*. 2010;3(4):871-903.
121. Kant I. *Immanuel Kant's Critique of Pure Reason*. Trans. Norman Kemp Smith. New York: Macmillan; 1964.
122. Kant I. *Critique of Practical Reason*. Trans. Lewis White Beck. Indianapolis: Bobbs-Merrill; 1956.
123. Habermas J, Ratzinger J. *The Dialectics of Secularization*. San Francisco: Ignatius Press; 2006.
124. Habermas J. *Religion and Rationality*. Cambridge (MA): MIT Press; 2002.
125. Engelhardt Jr HT. *The Foundations of Bioethics*. New York: Oxford University Press; 1986.
126. Engelhardt Jr HT. *The Foundations of Bioethics*. 2nd ed. New York: Oxford University Press; 1996.
127. Hegel GWF. *Elements of the Philosophy of Right*. ed. Allen W. Wood. Trans. H. B. Nisbet. Cambridge: Cambridge University Press; 1991.
128. Lim MK. Shifting the burden of health care finance: A case study of public-private partnership in Singapore. *Health Policy*. 2004;69:83-92.
129. Lim MK. Values and health care: The Confucian dimension in health care reform. *J Med Philos*. 2012;37(6):545-55.
130. Ferrara CA, Woods Jr, TE. *The Great Façade: Vatican II and the Regime of Novelty in the Roman Catholic Church*. Wyoming (MN): Remnant Press; 2002.
131. Scalfari E. The pope: how the church will change. *La Repubblica*. [access Oct 3 2013] [http://www.repubblica.it/cultura/2013/10/01/news/pope\\_s\\_conversation\\_with\\_scalfari\\_english-67643118/](http://www.repubblica.it/cultura/2013/10/01/news/pope_s_conversation_with_scalfari_english-67643118/).
132. Engel R. *The Rite of Sodomy*. Export (PA): New Engel Publishing; 2006.

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