Bioethics and Secular Humanism:

The Search for a Common Morality

H. Tristram Engelhardt, Jr.

Wipf and Stock Publishers 199 W 8th Ave, Suite 3 Eugene, OR 97401

Bioethics and Secular Humanism
The Search for a Common Morality
By Engelhardt, H. Tristram
Copyright©1991 by Engelhardt, H. Tristram
ISBN 13: 978-1-62032-07-6
Publication date 3/1/2012
Previously published by SCM Press and Trinity Press International, 1991

Bioethics and Secular Humanism:

The Search for a Common Morality

The Park Ridge Center exists to explore the relationships among health, faith, and ethics. In its programs of research, publishing, and education, the Center gives special attention to the bearing of religious beliefs on questions that confront people as they search for health and encounter illness. It also seeks to contribute to ethical reflection on a wide range of health-related issues. In this work the Center collaborates with representatives from diverse cultures, religious communities, health care fields, and academic disciplines and disseminates its findings to professionals and others interested in health, religion, and ethics.

The Center is an independent, not-for-profit organization supported by grants, foundations, private and corporate contributors, and subscribing Associates. Additional information may be obtained by writing to The Park Ridge Center, 676 North St Clair, Suite 450, Chicago, IL 60611.

An meine Eltern

- O curas hominum!
- O quantum est in rebus inane!

Lucilius

Contents

Acknowledgments Introduction		ix
		xi
I	Secular Humanism, Bioethics, and the	
	Post-Modern World	1
	1 Secular Humanism: A Critical Reception	1
	2 The Weakening of Traditional Religious Controls	
	on Western Society	4
	3 Post-Modernity	5
	4 Bioethics and Secular Humanism	9
	5 Pluralism: An Embarrassment of Riches	12
	6 Towards a Common Bioethics	15
II	The Secular as a Neutral Framework	20
	1 The Concept of the Secular	20
	2 Seven Senses of Secularity	22
	3 The Secular as a Neutral Moral Framework	
	for Health Care	31
	4 The Yuppie as Prophet of a Secular Tradition	
	for Health Care	33
	5 Towards a Secular Vision of Health Care Delivery	40
Ш	Humanism, Humaneness, and the Humanities	43
	1 A Cluster of Visions	43
	2 Human Thought and Human Form:	
	The Historical Roots of Humanism	52
	3 Zeal for the Divine versus Zeal for Humanitas:	
	Competing Bases for Heath Care Policy	61
	4 Human Well-being in Human Terms	69
	5 The Medical Humanities	80
IV	Competing Foundations for Bioethics and	
	Health Care Policy	87
	1 The Two Secular Humanisms	87
	2 The Particular, the Parochial, and the Universal:	
	Competing Visions of Human Well-being	98

V	A Secular Health Care Policy: Of This World	
	but not Opposed to the Other	102
	1 The Secular and the Religious	102
	2 The Death of God, the Death of Man, and the	
	Death of Nature	111
	3 The Will to Morality: Coming to Terms with	
	Nihilism and Relativism in the Post-Modern Era	118
	4 Health and Medicine in a Secular Humanist	
	Perspective	126
	5 Secular Humanism After the Death of Man	138
Not	es	141
Inde	ex.	196

Acknowledgments

For years this volume refused to come about. It has finally gained reality by the grace of the muses in Athens on the Spree, in particular through the heuristic atmosphere and library services of the Institute for Advanced Study of Berlin (Wissenschaftskolleg zu Berlin), where I was a Fellow during the academic year 1988–89. I am indebted also to the Institute and to the Center for Ethics, Medicine, and Public Issues, Baylor College of Medicine, which supported me during my sabbatical. Because of the administrative and other vexations he shouldered during and on behalf of my absence, I am in special debt to Baruch A. Brody. Gratitude is as strongly due and felt to His Magnificence, the Rector of the Wissenschaftskolleg, Wolf Lepenies, for giving intellectual harbor to an unreconstructed Texan.

This volume took shape through conversations and discussions with many colleagues and from the inspiration of many friends. Fellows at the Institute for Advanced Study, directly and indirectly, made suggestions that were important in its writing. Indeed, many of the themes explored in this volume were first articulated years ago in conversation with Gunther Stent, a permanent Fellow of the Institute. Numerous individuals read through this volume in great detail and provided a multitude of helpful suggestions, not all of which I have taken. In many respects, I am an old mumpsimus. The strengths of this volume must therefore be attributed to them, but none of its weaknesses. In this regard, I want to acknowledge my special gratitude to Thomas J. Bole III, Gunther Albrecht-Bühler, Corinna Delkeskamp-Hayes, Edmund L. Erde, Robert H. Haynes, George Khusf, Emilio Lledo, B. Andrew Lustig, Gabriel Motzkin, Michael A. Rie, Kurt Schmidt, Stuart F. Spicker, Stephen Wear, Becky C. White, and Kevin W. Wildes, S.J. But I must in particular underscore my debt to Edmund Erde and Laurence B. McCullough, who helped me rephrase whole sections of this work. Thanks are due also to Elissa Linke, Firooza Kraft, Ulla Moni gatti, Regina Plaar, and Andrea Will,

who worked with the manuscript and the computers that harbored it. Most importantly, the book would never have taken on reality without the love, encouragement, inspiration, and patience of my wife Susan.

Finally, I must thank the scholars associated with the Park Ridge Center for the Study of Health, Faith, and Ethics. It is because of their original support and encouragement through their Project X aimed at publishing volumes laying out issues concerning health and medicine in the faith traditions that this volume was undertaken. In particular, it was Kenneth Vaux who first induced me to write a slim volume of this character and focus. This volume has subsequently benefited from suggestions provided by the Park Ridge Center. Most especially, I am in enduring debt to the President of the Park Ridge Center, Laurence O'Connell, for his help and guidance.

Introduction

I begin with a confession. This volume is meant as much to address the fundamental philosophical and cultural challenges of the postmodern age as to give an account of bioethics or to explore the significance of secular humanism. Bioethics has a claim on our attention because it is the critical expression of our interest in properly employing the powers of medicine and the biomedical sciences to provide health care. Secular humanism has a claim on our attention because it is central to our contemporary moral and cultural challenge: justifying a moral framework that can be shared by moral strangers in an age of both moral fragmentation and apathy. But the challenge is defined by the failure of religion or reason to establish a canonical account of justice or morality. Because of the diverse character of traditional, especially religious, moral accounts, and their conflicting implications for health care (e.g., regarding the morality of abortion, the allowability of euthanasia, or the definition of death), there is a natural hope that we may share enough together simply as humans in order to justify a common bioethics. Secular humanism is the attempt to articulate what we as humans hold in common without special appeal to religious or other particular moral or metaphysical assumptions. Secular humanism plays a special role in our culture because it promises to provide the background for much of our contemporary understandings of health and medicine. As we will see, this promise cannot be kept in a content-full fashion.

The problem of articulating a justifiable health care policy will be examined against the background of our major intellectual and moral limitations. First, human reason is not able to provide for morality and political theory what we long took for granted: a rationally justified content-full moral vision. Second, the contemporary world is characterized by moral fragmentation and polarization on the part of some and a moral apathy on the part of others. The moral apathy is in part a socio-anthropological consequence of the limits of moral reasoning, which is an ontological infirmity. The experience of the finitude of human reason, along with the moral

fragmentation of the contemporary world, characterizes the age, for which I will use the somewhat ambiguous term "post-modern".

In the post-modern age one has neither the institutions of religious totality that marked the Middle Ages nor the convictions of rational totality that marked the modern age. For over a thousand years the West was Christendom. Despite venality and cynicism, it was consecrated to a concrete, religiously-based moral vision that was sustained, guided, and guarded by an ecclesiastical structure. Though the men and women of the Middle Ages made robust assumptions concerning the capacities of reason, their goal was to make the kingdom of grace incarnate in the social and political institutions of their time. The modern age emerged as these aspirations to totality that had directed the medieval Western mind fragmented. There was no longer Christendom, but Christendoms. The hope of reunion between schismatics at the Council of Florence (1439) was followed by the separation from heretics articulated at Trent (1543-1563). Against the background of religious division, and finally bloody warfare, the modern mind turned to reason for a framework of universal scope that all could recognize as authoritative, as speaking for their true selves.

Such a framework was and is necessary because morality is tied to power. People search out the meaning of the good, not just to live their lives as pious anchorites, but as citizens in societies with others who, among other things, establish health care institutions. As a result, moral discussions must inevitably consider under what circumstances who should conform to whose moral vision. Moral visions provide the foundation for political theory, for the justification of political authority, for the framing of political structures, for the establishment of health care policies. To articulate a moral theory is in the end to select a political structure. To select a political structure, and to hold it to be intellectually justified, is to presume a moral theory. Bioethics justifies health care policy and a justified health care policy presupposes a foundational bioethics. Moreover, integral to giving an account of health and medicine is determining when that account may be realized through coercive state force. The lineaments of permissible political action are central to a secular bioethics which must indicate what moral views may be imposed on whom, by whom, and in what circumstances.

As a result, it will not be enough to react to the post-modern condition by abandoning the encompassing aspirations of reason.

One might be tempted to characterize the difficulties as the result of the totalizing aspirations of medieval Christianity. One might think: why not acquiesce in a world framed by numerous competing visions of rationality, morality, and justice, somewhat as contemporary Christian sects now live side-by-side without the Inquisition or writs for the burning of heretics? The answer is indeed that it is possible, as long as there is no attempt to form a common government. But the framing of a common government (along with, for example, the establishment of particular health care policies) requires deciding what should be (may be) imposed by force.

If one cannot justify public policy imposed by an appeal to a rational argument which shows that all (i.e., as rational beings) should endorse the policy, or the process that produced it, then the policy must in principle be as alien a moral imposition on those who do not share its premises as would be the imposition of a particular religion. When there are numerous unmediateable senses of morality, rationality, and justice, each will have a status analogous to a religious vision of the world; each will depend on special premises not open to general rational justification. As religions depend on endorsing particular understandings of the Ultimate, theories of justice depend on endorsing particular thin theories of the good (e.g., John Rawls' thin theory of the good) or their analogues. What will be the difference, then, between imposing a Rawlsian theory of justice and a Roman Catholic contraceptive policy? What will be the difference between appealing to the divine right of the Pope or to the right of a democratic majority? Why should not the divine right of kings count as much as (or more than) the claims of a 51% majority? If there is no rational perspective that should on rational grounds govern across conflicting moral visions, then the moral fragmentation of the post-modern world is an inescapable element of our ontological condition, not just a sociological fact. There will not be a common moral framework available to be shared by moral strangers.

I use the term "moral strangers" to signal the relationship people have to one another when they are involved in moral controversies and do not share a concrete moral vision that provides the basis for the resolution of the controversies, but instead regard one another as acting out of fundamentally divergent moral commitments. When one meets another as a moral stranger, one meets in circumstances where there is no communality of moral commitment that could in principle resolve the difference and allow the

disputants to regard cooperation in the matter at issue as warranted in terms of content-full moral principles. Instead, one regards the other's actions as morally unjustifiable or, worse, as morally reprehensible. Imagine a group of Basque Americans who wish to establish a private school that will admit only children of Basque ancestry and within which the courses will be taught only in Basque, confronting individuals who hold such an endeavor to be racist. Imagine individuals who wish to organize a for-profit surrogate mother service, confronting individuals who hold such an endeavor to be an instance of the exploitation of women. Imagine a group who hold that requiring sexual favors as a condition of employment is not morally different from requiring service in the Armed Forces as a condition for citizenship, discussing such matters with the American Equal Employment Opportunity Commission. Imagine Rawlsians and Nozickians disputing over proper governmental health care policies. Imagine Catholics and committed atheists disputing over proper abortion policies. In some cases of dispute there will be enough shared in common to resolve the controversies. In other cases there apparently will not be sufficient moral premises commonly shared. Is this indeed the case? Do individuals on opposite sides of such controversies in principle share enough simply as rational individuals for one in ideal circumstances to be able to show who is right and who is wrong, or at least how public policy may be established with moral authority that should have a claim on moral strangers? Or will they face each other in such controversies as moral strangers, reciprocally and incorrigibly regarding each other's position as morally misguided and perhaps offensive? Is it in the end just a matter of whose religious, moral, or political vision has power, in the end no definitive moral judgment being possible one way or the other? To be a moral stranger to another is not to share enough of a concrete morality to allow the common discovery of the basis for the correct resolution of a moral controversy.

I use the term "post-modern" to characterize this fragmented character of practical reason. The post-modern age is the age of moral strangers. The modern age had been marked by a faith in reason, by a faith that those who appear to be moral strangers are in fact bound by an implicit web of content-full moral rights and duties. What the Christian faith had failed to provide by grace, the modern age sought through reason. First looking back to the ancient world and then looking towards a future confirmed by

scientific and political progress, the modern age assumed that reason could provide a general justification of a moral vision and political power. By demonstrating what is rational to do, one could (1) show in concrete, contentful terms what is rational to accept, (2) dismiss protests to the contrary as irrational, and (3) render the morality imposed by political power implicitly congenial, not alien to, the true nature of those individuals who are forced to conform. The post-modern age is defined by the implausibility of these assumptions. With the loss of the centripetal forces of a concrete moral vision, the moral fabric shatters into disparate moralities.

Still, there is the hope that something can be saved. Secular humanism can be understood as the core of the modern hope to provide a common content-full moral framework for moral strangers. By appealing to human nature, humanism hopes to disclose what men and women share simply as humans. This should cut across religious, ideological, and philosophical communities. Moreover, the adjective "secular" reminds us that the interpretation of humanism, of human nature, which we are seeking, is not that of a particular religious, philosophical, or ideological perspective. It is sought from the most neutral, most secular, most immanent perspective possible — from a perspective that we share in terms of our common world of reality. Though there are good grounds to suspect that the endeavor is doomed to failure (at least insofar as it aspires to establish a single content-full canonical moral vision), the intellectual and cultural stakes are so great that the labor is still worth the undertaking. Against the post-modern moral fragmentation and the consequent concerns regarding the moral legitimation of power, I offer an account of secular humanism with reference to bioethics and health care. Bioethics and health care provide an ideal occasion for this undertaking because they are the source of a wide range of important moral debates involving the interpretation, manipulation, and refashioning of human nature. In addition, health care is important because it consumes large amounts of resources in most industrialized countries, i.e., between five and over eleven percent. To explore bioethics and health care in the secular humanist traditions is to explore the possibility of disclosing a fundamental and implicitly common understanding of human nature and the human condition.

This volume explores the possibilities of understanding bioethics and health care in a secular humanist tradition. Towards this

end, an intellectual and a historical account of secularity and humanism are provided. These are elaborated against the background of a diagnosis of the intellectual infirmities of the postmodern age and towards the goal of justifying a secular bioethics. The first chapter introduces the controversial nature of secular humanism and indicates its relationship to the moral fragmentation and apathy of post-modern times. The problem of mediating the diversity of bioethics is then explored. This chapter also introduces the problem of providing an intellectual foundation for a secular bioethics, a bioethics open to moral strangers. The second chapter examines the meanings of secularity and the third chapter the meanings of humanism. The third chapter also scrutinizes the recent interest in the medical humanities. These substantially historical chapters demonstrate the complex character of secularity and the intricate interplay of the ideas and forces that have shaped our understandings of humanism. Against these explorations of secularity and humanism, the fourth chapter analyzes the differences between two key meanings of secular humanism (i.e., secular humanism as a body of content-full moral propositions and secular humanism as a content-less perspective for peaceable negotiation among moral strangers) and their implications for bioethics. The final chapter then shows how a secular humanist bioethics, a secular appreciation of health and medicine, can indeed be secured with intellectual warrant. The intellectual journey is from a background of problems (i.e., the intellectual difficulties of a post-modern age) and an account of two cardinal concepts (i.e., secularity and humanism) to a defense of a secular bioethics.

There is urgency in all of this. The energies and possibilities of medicine must be given direction. We stand on the threshold of new biomedical possibilities from genetic engineering to fetal tissue transplants. We also face well-established challenges such as containing health-care costs and enabling people to control the effects of medical technology in their lives. These are major practical challenges which can only be met by a foundational intellectual response. Yet such a response appears impossible. We are living in a period with similarities to the Renaissance and the Reformation: old belief systems, both Christian and Marxist, are losing their political hegemony and their cultural force. It is unclear how, or indeed whether, we will ever again be able to assemble what appeared in the past to be a seamless fabric of morality and public authority. Much is tearing apart that once

seemed quite solid. Unexpected possibilities are becoming real. I do not pretend to like all I see. The conclusions I affirm are not necessarily those I celebrate. Moreover, though faith in reason is largely lost, I have not lost the Faith.

Houston, Texas June 3, 1990 H.T.E., Jr.



I Secular Humanism, Bioethics, and the Post-Modern World

1. Secular Humanism: A Critical Reception

To call someone a secular humanist can be to use fighting words. For many, secular humanism is antagonistic to established traditions and religious commitment. Mincing no words, Bob Sutton characterizes humanism as "satanic in origin." The cardinal sin of humanism is human self-exaltation:

Humanism is the worship or recognition of man's claim to sovereignty and lordship. Humanism does not always deny the existence of God. In fact, the tempter, the founder of humanism, made no attempt to deny the reality of God. Instead, he held that God seeks to prevent man's self-realization; man must be his own lord or sovereign, choosing, knowing, or determining for himself what constitutes good and evil in terms of his own self-interest.²

Humanism is "a rejection of the ultimacy of God's throne and its replacement by the thrones of men." Though humanists are acknowledged as having "promoted the myth of neutrality," this is regarded only as "a facade for the elimination of Christianity." Humanism is "the summation of all anti-Christianity," and is seen as antithetical to all religion. "The doctrine of humanism is antitheistic; that is, it denies the existence of God, the inspiration of the Scriptures, the divinity of Christ, the existence of the soul, life after death, and the biblical account of creation." Humanism has become for many "the dominant religion of our time, a part of the lives of nearly everyone in the 'developed' world and of all others who want to participate in a similar development." In addition, secular humanism is opposed not just because of its putative hostility to religion, but also because of a supposed hostility to patriotism and nationalism.

Those who oppose humanism need not do so on religious grounds. Many view humanism as displacing the central, decisive, and insightful role of the emotions in favor of a belief in reason. Reason, they hold, has led to a false attempt to overrationalize life. Humanism is regarded by these critics as the source of a disproportionate reliance on technology, a failure to respect the environment, and a reluctance prudently to acknowledge the limited nature of the world's resources.

. . . we come at once to the core of the religion of humanism: a supreme faith in human reason — its ability to confront and solve the many problems that humans face, its ability to rearrange both the world of Nature and the affairs of men and women so that human life will prosper. Accordingly, as humanism is committed to an unquestioning faith in the power of reason, so it rejects other mythologies of power, including the power of God, the power of supernatural forces, and even the undirected power of Nature in league with blind chance. . . Because human intelligence is the key to human success, the main task of the humanists is to assert its power and protect its prerogatives wherever they are questioned or challenged. 9

Humanism is regarded as arrogant in placing humans at the center of value and moral considerations.

Though humanism or secular humanism is decried as a dangerous religion, its organized membership is so small that it would appear insignificant.

Although the American Humanist Association has only 3,500 members after forty years of effort, other groups have not done any better. The American Ethical Union has only 3,500 members after a hundred years, the Society for Humanistic Judaism 4,000 adherents, and the Fellowship of Religious Humanists 300 — and these figures may be on the generous side. Within the Unitarian Church, which is declining in members, humanism is beleaguered and is losing its influence. ¹⁰

Considering the actual number of formal adherents, humanism and secular humanism in particular have evoked reactions fotally out of proportion to their numbers. This stark contrast between the paucity of members and the magnitude of the reaction against secular humanism can be explained by the influence of the members of Humanist groups. It can also be explained by the role secular humanist ideas and images play in much of contemporary

culture. The so-called religion of humanism, the celebration of human capacities and abilities along with a faith in the powers of reason, became the bedrock of the modern age.

To understand the diverse influence of secular humanism. a distinction is needed. In this volume, I will generally use "Secular Humanism" to identify beliefs or opinions associated with organized humanist movements, especially Secular Humanism. In this respect, I will accept "A Secular Humanist Declaration" as the articulation of some of the core commitments of Secular Humanists. 11 In contrast, I will use "secular humanism" to identify the cluster of philosophical, philological, moral, and literary ideas, images, and commitments, which have been associated with the historical phenomenon of humanism in dissociation from particular religious or ideological commitments. As such, secular humanism comes to identify that body of moral, political, and philosophical claims that can be rigorously justified as integral to a moral language for moral strangers. The term "moral strangers" identifies individuals who in small or large areas do not share a common concrete religious, moral, or philosophical viewpoint. People meet as moral strangers when (1) they have different views regarding the morality of a particular endeavor, such as euthanasia, surrogate motherhood, or justice and health care, and (2) have no common content-full moral or philosophical framework, which would allow a rational, morally content-full resolution of the controversy at issue. People can be both moral friends and strangers to one another, depending on how well embedded they are in their particular moral frameworks. On the West Bank, Hassidic Jews and Shiite Muslims will likely meet as moral strangers under most circumstances. On the other hand, secularized Yuppies may confront one another as moral friends, even when they are nominally separated by confessional differences. When moral strangers meet and cooperate, the question is: what basis can exist for cooperation, other than force and coercion? To find a basis for amicable cooperation, moral strangers must look for some neutral framework (i.e., some secular framework) in terms of which they can discover what they share in common (e.g., perhaps an understanding of what it is to be human) despite their other differences in moral vision. Where useful, through the differential use of upper and lower case letters I will contrast the ideas and images associated with Secular Humanism as a formal organization with the ideas and images associated with secular humanism as a set of phenomena embedded in the last two and a half millennia of the development of Western notions of humanism.

Secular humanism (i.e., as the attempt to ground culture and public policy in non-religious terms by appeal to what we share as humans) has set the tone for much of recent moral reflection. It underlies most contemporary understandings of bioethics and health care. It will be the focus of this volume. The principal concern of this work is to understand the historical and conceptual phenomena that have shaped secular humanism in this broad sense and to give an account of its influence on the character and significance of contemporary health care.

2. The Weakening of Traditional Religious Controls on Western Society

Secular humanism is the result of two major phenomena: the development of secularity and the development of humanism. The first, secularity, evokes much of the reaction against the term secular humanism because of the distress felt by traditional Christians who have experienced the radical secularization of this century. If one understands secularization as the process that occurs "when supernatural religion — that is, religion based on belief in God or a future state' — becomes private, optional and problematic," then Christianity is becoming secular. This secularization has led some Christians to a feeling of cultural crisis. For others, the central structures of their traditional belief are now dubious.

The Christian revelation, in the form in which it has been handed down to us, clearly no longer provides any valid answer to the questions about God asked by the majority of people today. Neither would it appear to make any contribution to modern man's meaningful understanding of himself in this world and in human history. It is at once evident that more and more of these people are becoming increasingly displeased and dissatisfied with the traditional Christian answers to their questions. ¹³

With the collapse of traditional belief structures, there has also been a dramatic transformation of the ways in which the world, society, and the authority of political and social structures are regarded.

Probably for the first time in history, the religious legitimations of the world have lost their plausibility not only for a few intellectuals and other marginal individuals, but for broad masses of entire societies. This opened up an acute crisis not only for the