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THE PUBLIC DEBATE ON THE RELIGIOSITY OF THE PUBLIC DEBATE OF BIOETHICS IN THE USA

Despite the fact that bioethics is, basically, an interdisciplinary scientific field, it is deeply intertwined with less objectivistic, yet important, threads of morality and religion. From the beginning, in the United States, the language of bioethics has been shaped by theologians and people who do not neglect the religious approaches of particular scientific issues. This paper examines the possibility of using religious and nonreligious terminologies in the bioethical discourse, paying close attention to the American bioethical debate. I shall argue that no democratic, pluralistic societies of today should favor only one jargon of a sole moral tradition, as this attitude leads to the discrimination of others that are also affected by such discourse. Mutual tolerance is the way that can provide a violence-free territory for the discussion about different value-based moral systems and traditions (such as Christianity and Islam or, in a broader perspective, religion and irreligious humanism).

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There was (and still is) a lurking fear of religion, often seen as a source of a deep and unresolvable moral conflict as well as single-minded political pressure when arouse. For that matter, ours is a society extraordinarily wary of provoking fundamental debates about basic worldviews and ethical premises.¹

Introduction

Although the term „bioethics” was coined by an American biochemist called Van Rensselaer Potter, and despite the fact that this recently emerged field of Applied Ethics has had many of its contributors and shapers from the United States of America and Canada alike, nowadays, it has devolved into a world-widely acknowledged realm of public policy issues of vital importance. Bioethics, as “the study of ethical issues arising from the biological and medical sciences”,² deals with moral dilemmas that basically are in contact with medical practice and human life (abortion, euthanasia, reproduction, and transplantation), as well as with the experimentation of human and nonhuman body, the profound investigation of the potentials involved in modern genetic technologies, etc. Yet, bioethics, viewed as a renewal of traditional medical ethics, has also gained sufficient authority, in terms of its usage, as the modern

professional ethics of medicine. Nevertheless, its diversely rooted public attention has been maintained mostly by the dia-, or rather multi-logue that has been going on in North America. Initially, the majority of the matters that became essential parts of the so-called universal stands of international organizations such as UNESCO, was considered and brought into the bioethical discourse by American ethicists, theologians, or MDs.

The bioethical discourse came into sight in the 1950s, was *ab ovo* stimulated by religiously motivated thoughts, and emerged in a Christian context of human values and a distinctively religious understanding concerning the role of medicine. In the very beginning of this half-century ongoing story, in 1954, Joseph Fletcher, the pioneer of bioethics, published the first comprehensive account on ethics with regard to medicine, titled *Medicine and Morals*. However, he was an Episcopal priest who had challenged the traditional moral absolutism of the organized Christian religion, as he emphasized the relevance of the notion of „quality of life” opposing the absolute „sanctity of life” doctrine. His basic idea was that a „Situation Ethics” is in need what would concentrate on each and every moral dilemma as something entirely differing from any other individual case; not as a something for which the general principles could be mechanically applied. However, Fletcher was not the only Christian thinker who formed the bioethical way of thinking. From the ‘70s until today there have been many distinguished theologians and Christian ethicists who voiced their opinions on this matter. One could mention here Protestants like Paul Ramsey, Stanley Hauerwas, or James Gustafson, as well as Roman Catholics like Richard McCormick and Charles Curran.

Is there a place for religion and, in particular, for religiosity in the public bioethical discourse?

The inalienable domains of human biology and procreation should be regarded no differently than the social and political arenas. Religious bioethics is full of inherent problems and inconsistencies.³

No matter how obvious it is that scholars with a religious background are amongst the characteristic figures of bioethics, it still cannot be considered as evidence that religion has a great impact on the direction and the preferences of public discourse. As a matter of fact, there are numerous pros and cons in this discourse in terms of willing to include or exclude religion and religious approaches. As Daniel Callahan puts it: “The most striking change over the past two decades or so has been the secularization of bioethics.”⁴ In parallel with other civil rights movements in the United States at that time, bioethics was struggling to develop its “own” rights that were in connection with autonomy-based self-governing patient rights. This struggle to move away from a stand point that was grounded in paternalistic autocracy held over patients by medical society

regarding health issues, to a point where “human dignity” and the patient’s right to choose or refuse his treatment is respected, was rather effective. However, in return, a fundamental change has occurred. As soon as the individualistic and modern human rights jargon appeared, the “old” ways of emphasizing social obligations and values underpinned by the community were diminishing. Furthermore, since Christian churches were the foremost opponents of the alienation of man from his community, they were opposing the basic trend of separation of the individual from his narrower or broader community. Gradually, this brought aversion to the usage of Christian narrative that stresses values and principles that can be tied only to the Bible and often can not be reconciled with the human rights concept.

Although the use of distinctive theological arguments in the bioethical debate can reveal much to the members of the Christian community and, in general, to those who “understand” the narrative of Christianity (whether they have a faith in Jesus or not), at the same time, it excludes other nonreligious and religious communities. U.S. has one of the most multicultural nations in the world. Hence, in the US there are both tiny and large communities with entirely different cultural background, religious beliefs, and moral codes than those with basically European and Christian heritage. Therefore, a strong demand has appeared to construe a “tradition free” language, a moral terminology that is not monopolized by only one tradition. Rather, it can serve as a “purely rational” nexus within which “a matter of life and death” moral arguments with significance for bioethics could be argued without referring to any external authority. However, this “moral Esperanto”, as Jeffrey Stout calls it, does not and can not exist, in principle.⁵ The notion of a secularized language “encourages a form of moral philosophy for use in the marketplace that aspires simultaneously to a kind of detached neutrality (what Thomas Nagel has called the »view from nowhere«), and a culture-free rationalistic universalism.”⁶ Still, a culture-free universalism is utopic simply because the meanings of each word in a language are always intertwined: they cannot function without a reference to one another and, in general, to the whole cultural milieu where they came into being.⁷ So I have to agree with Lisa Sowle Cahill, who records: “an ethics without tradition does not exist”.⁸

So then, how should society shape that common language on which bioethics can be debated, once it’s been acknowledged that it cannot be tradition-free? Perhaps, it could still be more or less rationally founded on the mutual concerns of different communities. Philosophy and, in particular, moral philosophy might be helpful contributors with regard to this task in terms of clarifying and making an effort to translate and harmonize the moral terms characteristic of such a discourse, in order to attempt to avoid, as much as possible, every confusion, misunderstanding, and/or misinterpretation between different traditions. This would

certainly imply that unreasoned moral premises should be kept out of discussion. However, Richard Neuhaus, the prominent Catholic priest and author, poses the following difficulty:

Yet there are those who would contend that such popular attachments [the concept of dignity of the human person] are prejudices or unreflective biases that have no legitimate place in authentically public discourse.⁹

Neuhaus points out that there are a relatively small number of people who would want to influence the way of thinking and expression in means of manipulating “what is to be excluded from public discourse”.¹⁰ In a pluralistic society, where different groups of people with diverse cultural background have to share the public discourse, the least oppressive way to do so is to give place to every tradition to use their heritage, in the name of the democratic debate, for the purpose of the most widely acceptable consensus. Albeit, as Neuhaus notices, comprehensive accounts are attempted to be proscribed from the public discourse and this “gives a monopoly on the public square to accounts that are nonreligious or antireligious in character.”¹¹ Those who want to eliminate religion from the public bioethical discourse argue and accept others as they were “methodological atheists”. That is to say: “Only those arguments that proceed as if God did not exist are to be admitted to public deliberation.”¹²

By way of dispossession of the public policy discourse, one group can take unfair advantage of others. Then, pluralism undergoes an inadequate change, as one group begins to oppress the others in the very name of the fight against oppression. The secularization of bioethics goes hand in hand with the vain promise of “rationalizing” and refining the public language from the “irrational” religious deposit that had settled on it. Religion is often blamed by nonreligious thinkers of using their prestige of tradition as unquestionable and virtually absolute. George Dvorsky, the infamous sustainer of transhumanism, has shaped the following condemnation on Leon Kass’s religious based ethical point of view:

At the heart of his [Kass’s] argument, and in true arrogant ultraconservative fashion, what Kass is really proclaiming is that the current cultural norm, or more specifically, the norm that has been established by longstanding religious traditions in the West, is the only true gauge to help us determine what is moral or immoral.¹³

Since Leon Kass was the chairman of The President's Council on Bioethics, in 2004, when Dvorsky wrote his article, he called attention to

the mere fact that someone with a strong religious background who, indeed, opposes the scientific investigation of stem cells and human cloning, can naturally make an enormous impact on the decisions concerning bioethics. The truth is that the council mentioned above has been, in fact, very well provided with ethicists who – without any doubt – have had massive religious convictions. Current chairman Edmund D. Pellegrino and other members like Robert P. George, Gilbert Meilaender, and others argue from an utterly Christian perspective. The latter is a highly recognized author of Christian ethics who, in his book: *Bioethics – A primer for Christians* points out that the process of secularization of bioethics tends towards “a minimal, lowest-common-denominator ethic capable”. He appreciates that:

In this process, reflection upon the moral meaning of health and medicine becomes increasingly secularized – driven by the view that public consensus must exclude the larger questions about human nature and destiny that religious belief raises.¹⁴

But is forgetting about these “larger questions” necessary, indeed? What lies under all these questions? Well, it is nothing less than anthropology: the way we think of mankind as it is and as it should be is what is, truly, at stake. In his article about bioethics in Christianity, Nigel Cameron states that: “The core question of which every bioethics issue is ultimately derivative is that of human nature.”¹⁵ For example, the proponents of the natural law theory support the idea that mankind, as such, has an intrinsic sense so that it can find the absolutely – that is, independently from the individual – existing universal values. As far as Christianity (and Judaic religion along with the Muslims, as well) is concerned, man has been created as an image of God. This suggests that the nature of mankind can scarcely develop or simply alter from this archetype. On the other side, there are those who insist on development or rather enhancement of man, like the modern biotechnology. In this sense, it is worthy to cite Dvorsky once more:

Technologies are forcing us to redefine and rethink previously established conventions and practices. (...) while once reasonable and even helpful, many such religious beliefs are of little value today.¹⁶

So, Dvorsky reproaches religion on that is being reluctant to rearrange its “antiquated” ideals and blames it even more for hindering

the progression of biotechnology, thus causing such big harms to mankind throughout history.

In the past, Christianity, in particular, has played no small part in the perpetuation of not just racism and anti-homosexual bigotry (including heterocentrism and the insistence on monogamy), but has also contributed to misogyny, sexual repression, and an ongoing struggle against biotechnology, in general, and reproductive freedom, in particular.¹⁷

As one may notice, Dvorsky is extremely radical in judging the role of religion so one should better distance from his stance. Although he can provide some interesting points where nonreligious criticism could possibly find its way through the living flesh of the body of the religious teachings. However, apart from his critique, he does not really convince us that he would be hiding some better idea of how to handle more fairly the public moral debate of bioethics. Still, as much as he strives to embrace the “objective” point of view, he fails. The reason for this can be found in the words of Neuhaus: “Conflicts that are described as being between reason and tradition are typically conflicts between different traditions of reason.”¹⁸ Christianity has its own tradition of reason that, sometimes, invokes God or some of the Sacred Texts. As long as the first usage of reason that reflects upon the inner tradition of a Christian community does not reach behind its own borderline, there is no problem with it. Christians and others belonging to different moral traditions can anytime go back to their very distinctive moral heritage. As Cahill puts it: no one “marches into the contest armed only with the sharp sword of reason, stripped naked of the costume of any moral culture”.¹⁹ We all carry our cultural background and education that formed and – hopefully – still form our moral sense and ethical judgments. Frankly speaking, a public debate is truly open if the contributors have “open ears” for the arguments of the others. In a public debate like this, as Neuhaus writes:

(...) proponents of this position or that will make the arguments that they think will be most effective in persuading. This is inevitable, and those who have a problem with it have a problem with democracy.²⁰

Rationality, as mentioned before, can have different aspects. It is as rational as in any other matter, for instance, to argue that, by reason of accepting the belief in the dignity of a human being, this dignity can never be ignored. The only limitation is that the one who argues this viewpoint

has to apply his/her arguments in a community – real or virtual– that shares the same beliefs. On this condition, I believe, theologians have the authority to think over and work out the way how their congregations ought to behave and even think about issues on bioethics, with respect to their own tradition. Cameron thinks there is a twofold challenge regarding theology:

The challenge to Christian theology is both to articulate the distinctive implications of the Christian understanding of human nature for Christians themselves, and then, with equal vigor, to translate that understanding into public terms, drawing on the common language and values of our cultural tradition and engaging in arguments from natural law.²¹

As we now see, the main reason why it is so hard to find a common ground for those who believe in the Christian God and for those who do not is that Christians would normally relate to the „commonly accepted” moral notions, while nonreligious would rather not. According to Neuhaus, most Americans “believe it is a great deal more rational to proceed as if God did exist.”²² But, on the other hand, there are those, however far less than the majority of the society, who would presumably seek not specifically Christian, yet widely respected values. It is a generally recognized attitude to deal with science as something objective that is above or beyond personal beliefs. This is, certainly, not the case of morality regarding which the majority of people feel they have the capability to judge whether this or that is morally right or wrong. After all, trusting the moral judgment of a spiritual leader (a priest, the Pope, the Dalai Lama, etc) is also a form of self-confidence that helps one to make the proper judgment when choosing the right teachings and the right leader. Bioethics is found at the intersection of science and morality. That is why people are so confused whether they themselves, their minister, pastor or rabbi, or the scientists should form the norms on the divergent issues of bioethics. However, in the end, it is most probable that politicians will set the minimum standard of morality of our law.

Conclusions

After this brief review of the difficulties that different religious approaches to public bioethical discourse in the United States encounter, I will conclude my paper by embedding this debate into a broader, more global dialogue. Today, even though it has appeared in the United States where it still refers primarily to the meeting place of ethics and medicine, bioethics embraces – in global terms – a more complex and extensive

intellectual area with extremely various issues, diverging interests, and competing powers. Suffice it to say that, due to the emergence of bioethical awareness of other influential religions such as Islam, Judaism, Hinduism, or Buddhism, along with the direct consequence of viewing bioethics as one of the most important and palpably up-to-date discipline of ethics, these days, the field contains much more elements and agents than ever before. To picture the difference between the European and American conceptions of bioethics with regard to religion, Cameron writes the following:

(...) in Europe, the continuance of the idea of bioethics as an interdisciplinary field, in which theology is a legitimate participant, can be observed; this stands in marked contrast to the increasing specialized and reductionist approach to bioethics in the United States as a secularized quasi-discipline of its own.²³

UNESCO set up a Universal Declaration on Bioethics and Human Rights in 2006 from which I would like to quote. Thus, some of the major aims of the declaration relating to our subject are these:

(a) to provide a universal framework of principles and procedures to guide States in the formulation of their legislation, policies or other instruments in the field of bioethics

(e) to foster multidisciplinary and pluralistic dialogue about bioethical issues between all stakeholders and within society as a whole (UNESCO Declaration, Article 2)

Accordingly UNESCO undertakes the following premises:

- it is possible to work out a unified and universal framework of principles
- bioethics dialogue can bear multidisciplinary
- pluralistic public debate is what would be advisable

The following is another point that deserves one's attention:

The importance of cultural diversity and pluralism should be given due regard. However, such considerations are not to be invoked to infringe upon human dignity, human rights and fundamental freedoms. (UNESCO Declaration, Article 12)

Different religious approaches, as manifestations of cultural diversity, are consequently legitimate participants to the global (and let me add the local dimension, as well) dialogue – as long as they do not attempt to ruin the human dignity as well as the human rights and freedom. Thus:

The autonomy of persons to make decisions, while taking responsibility for those decisions and respecting the autonomy of others, is to be respected. (UNESCO Declaration, Article 5)

The respect for autonomy and integrity of the individual is one of the cornerstones of the ethic offered by UNESCO. In the very first two principles one may clearly observe that these basic characteristics of the human individual bear an outstanding position over other considerations:

1. Human dignity, human rights and fundamental freedoms are to be fully respected.
2. The interests and welfare of the individual should have priority over the sole interest of science or society. (UNESCO Declaration, Article 3)

To sum it up, there is a big need of wary but honest conversation between different moral traditions. Without being naive, the keyword in this conversation should always be tolerance. This is tolerance towards the unfamiliar, fortified with the conviction that common concerns need our most profound moral experience that would help us solve our mutual problems together. I believe Callahan is right when he accentuates the importance of „the accumulated wisdom and knowledge that are the fruit of long-established religious traditions.”²⁴ Tolerance towards given communities' internal affairs is also necessary. Though, most of all, we need tolerance towards every personal belief that shares the primal moral axiom of respecting other's inalienable dignity and basic human rights.

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Universal Declaration on Bioethics and Human Rights. 2006. UNESCO

Notes

¹ Daniel Callahan. "Religion and the Secularization of Bioethics" In *From Christ to the World: Introductory Readings in Christian Ethics*. (Grand Rapids, MI, USA: William B. Eerdmans Publishing Company, 1994, 369.

² *Bioethics: An Anthology*. (Malden, MA, USA Blackwell Publishers Inc., 2001), 1.

³ George Dvorsky. „The Separation of Church and Bioethics” <http://www.sentientdevelopments.com/2006/03/separation-of-church-and-bioethics.html>.

⁴ Callahan, 368. "Past two decades", however, has doubled since Callahan made his remark nearly twenty years ago.

⁵ Lisa Sowle Cahill. "Can Theology Have a Role in »Public« Bioethical Discourse?" In *From Christ to the World: Introductory Readings in Christian Ethics*. (Grand Rapids, MI, USA: William B. Eerdmans Publishing Company, 1994), 373.

⁶ Callahan, 370.

⁷ Just as translation, the definition of meaning and to give a net of references, is always a loosening of the original authenticity of the word that is to be translated.

⁸ Cahill, p. 376.

⁹ Richard John Neuhaus. „The Politics of Bioethics” *First Things* (2007 November), 26.

¹⁰ Neuhaus, *ibid*.

¹¹ Neuhaus, *ibid*.

¹² Neuhaus, *ibid*.

¹³ Dvorsky, *ibid*.

¹⁴ Gilbert Meilaender. *Bioethics. A Primer for Christians*. (Grand Rapids, MI, USA: William B. Eerdmans Publishing Company, 1996.), x.

¹⁵ Nigel M. De S. Cameron. "Bioethics in Christianity" In *Encyclopedia of Bioethics*. 3rd edition. (MacMillan Reference Books, 2003.) 402.

¹⁶ Dvorsky, *ibid*.

¹⁷ Dvorsky, *ibid*.

¹⁸ Neuhaus, 26.

¹⁹ Cahill, 376.

²⁰ Neuhaus, 27.

²¹ Cameron, 405.

²² Neuhaus, 26.

²³ Cameron, 403.

²⁴ Callahan, 370-371.