

# A Hermeneutic Approach to Natural Law: theological moral reasoning and the contribution of the natural sciences

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# **“A Hermeneutic Approach to Natural Law”**

**Theological moral reasoning and the contribution of the natural sciences**

Thesis Submitted in Partial Fulfillment  
of the Requirements for the S.T.L. Degree  
from the Boston College School of Theology and Ministry

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## Introduction

Each of us has the responsibility to put our world together. The first step is getting ourselves put together. These last days of my STL degree at the Boston College School of Theology and Ministry were laboriously spent in writing this thesis. I was trying to put my world together, I started first grade in school in 1972, and now in 2010, I am still a student sitting in school benches. Besides years of elementary school, I have walked through a high school professional degree in chemistry, a college degree in agricultural engineering, a research training period in biotechnology, a PhD in genetics and molecular biology, one baccalaureate in philosophy and one in theology, and finally, one hopes, a license in “sacred theology!” How can I put this together? Well, I did it through ethics and moral theology, which make for a “mirror of thoughts” that concerns who I am now, a Jesuit, a priest, a science enthusiast, and a concerned global citizen.

Therefore, we are here on the grounds of the dialogue between science and religion. I am a believer and a scientist, and I find no conflict between these worldviews. However, I have sometimes been asked how I can believe in a creator God having an understanding of how life really works through the knowledge of genetics and molecular biology; not to mention the interpellation of those who deem evolution and faith incompatible, or about the possibilities of miracles. The questioners wanted me to answer their questions with factual proofs and contra-arguments, but I only could say that one has to experience faith and God, and then see how things could be held together. Pretty early on, I came to an un-thematized “solution” that it must be some sort of interpretation of reality, and that it was possible to experience reality “with” God. Somehow it was about the meaning of nature and of life, and not about facts and proofs exclusively. I used to say that the human dimension of love could be open to the possibility of God, remaining the creation to be discovered by the works of science. I think this was my natural inclination for

hermeneutics already at work. Thus, this also explains why I have set the present research through hermeneutics. In addition, two other circumstances led me to think about science and moral theology as I do. The first one was that, living in a country with so many disparities between rich and poor, educated and non-educated, I questioned at whose service was the science I was practicing. The second one is that, as a Jesuit and a scientist, I have struggled with the moral instruction of the Church based on natural law arguments. Although they are seen by the Church as a possibility for the universal communication of the moral law, in the way they are interpreted now, they tend to be criticized in ontological and epistemological terms, as well as by the historical considerations of the evolution of scientific and moral knowledge and the moral context of individuals and societies.

I have titled this thesis “A hermeneutical approach to natural law,” and I want to investigate the making of moral theology in accounting for the contributions of the natural sciences. Thinking in terms of the theological and scientific discourses, one realizes that both render distinct interpretations of nature, and natural law arguments emerge from these interpretations in the sphere of ethics. Thus, a hermeneutics of the scientific activity and of moral reasoning delineates a major field of the dialogue between faith and reason. A given interpretation is also the product of the interactions, discoveries and reflection of historically situated persons; therefore, hermeneutics belongs to a historical mindset, as opposed to a metaphysical or a theological one. Modern hermeneutics plays an important role in moral reasoning when moral systems face unstable conditions due to new social, political and cultural challenges, as happens presently with the dynamics of scientific and technological development, moral pluralism and cultural diversity in a globalized world. Historical analysis, in ethics, reflects the imaginative and creative impulse of moral reasoning in the face of new challenges. It connects, throughout time, human choices and actions in relation to the conditions of knowledge, both as human self-understanding and the knowledge of the world. The hermeneutical approach relates to such historical mindset, revealing that the human presence in the world

is marked by activity and intentionality not only in terms of our actions, but in the way we observe, interpret, understand, and organize the world according to the possibilities offered by our perception. Since knowledge is a cumulative process, the terms of our perception also change accordingly, generating a historical dynamic that changes scientific and philosophical knowledge, the culture, and also moral reasoning. Thus, hermeneutics is especially important in this ongoing search for new meanings to the world and of social and individual self-understanding. The use of hermeneutics in philosophical and theological discourses can respond to other reductionist interpretations of the human being that may emerge, for instance, from scientific rationality.

Many public debates nowadays revolve around scientific and technological issues, from human sexuality and marriage, to genetics and medicine, nuclear proliferation and global warming. Indeed, scientific rationality, in defining modern culture, affects individuals and communities, their ideas, symbols, and practices in such a way that natural law moral arguments can no longer make sense to a large number of people, unless they are reinterpreted and its language re-signified in a new context. If moral theology, and particularly natural law argumentation, is to retain any public relevance, it must take part in the interdisciplinary exchange that constructs academic and public opinions. In modern societies, especially concerning scientific and technological issues, this cannot be done without an awareness of the relevance of scientific results for moral reasoning. In this case, the major question concerns the normative status of nature. From an ethical perspective, nature is not immediately normative, but the interpretation of scientific results acquires normative meaning through their diffusion and acceptance by society. For those arguing in terms of natural law arguments, their position should clearly state that ethical propositions are not identical to the descriptive laws of nature, which are the object of scientific disciplines. Yet, the latter cannot be ignored by moral theologians under penalty of losing contact with social and cultural realities and fall into abstraction and formalism. Therefore, my quest is for the best way to arrive at a language and

understanding that would bring the contributions of natural sciences and moral reasoning closer. I believe that as a scientist, a religious person, and as someone trying to think theologically, this experience enables me to have a particular perspective upon these interacting elements of the debate, and I hope to identify it and see if there is any theoretical benefit that I could draw from it.

I believe that this quest is an echo of the long natural moral law tradition, which displays historical motivations that are linked to the awareness that Christian revelation alone does not specify the contents for certain moral questions that arise in history, and for which neither revelation nor Scripture had explicit answers. How true is this for a rapidly changing globalized and pluralistic world where the scientific and technological dynamism plays a major role? Also, within the tradition and throughout history, there have been various understandings of the natural moral law, a subject that contains within itself the possibilities and incentives for new theoretical insights. Today, this task would represent a theory of natural law that would honestly and coherently address the issues raised by the scientific culture. Already outlined in a long historical line of Church documents, the natural law tradition invites new interpretations in a rapidly changing social, philosophical and epistemological context.

For all these reasons, the thesis that I want to defend is that the repeated moral questioning of the results of the natural sciences demands changes in terms of moral reasoning, particularly affecting natural law arguments. I believe that the struggles over the meaning of nature between the natural sciences and ethics reveal the cultural process whereby the social dynamism of this struggle allows us to envisage the historical development of moral reasoning and the actualization of natural law arguments. In the first chapter, I will develop the connection between empirical sciences, hermeneutics and ethics. The use of hermeneutics is fundamental to the historical account of the development of the scientific rationality in its interaction with moral reasoning. Historical events and epistemological elements have affected, challenged and changed moral reasoning by the development of the scientific and technological culture. The

hermeneutical perspective is shown to be present at the origins of the scientific rationality, as revealed by the historical events of the differentiation of modern reason and epistemological implications for moral reasoning. The historical and hermeneutical analysis of the interaction between natural sciences and moral reasoning will provide new elements to deal with natural law arguments that can improve the dialogue across areas. Therefore, in the second chapter, I will use the work of three theologians dealing with distinct hermeneutical approaches in moral theology in order to search for some hermeneutical keys that may be applied to expand further the theological reflection. Finally, in the third chapter, I will outline a hermeneutical framework in order to analyze the contributions of the natural sciences for moral reasoning and to verify a basic assumption underlying this study, that is, the claim that the normative status of nature is better approached by hermeneutics. With this approach, the disputed elements of the dialogue between science and moral theology are shown to rely on language and communication, which represents a way to circumvent traditional problems represented by the metaphysical drive of moral theology. Moreover, the historical and communal process of language reveals that the theological and scientific interpretations of nature are subject to changes, which imply moral change and new possibilities to deal with natural law arguments. To test the results of this study, and in particular the usefulness of the hermeneutical framework, I will apply it to the case of the research with human embryonic stem cells.



## Chapter 1

### Moral reasoning and the interpretation of Science

Theology, as a comprehensive discipline, not only discourses about God, but about all things in relation to God. For the theological mindset concepts like “reality,” “nature,” “environment,” or “humanity” are perceived through the idea of Creation. Thus, the knowledge of Creation is by analogy also knowledge of God.<sup>1</sup> Accordingly, theology benefits from reasonable descriptions of natural processes that shape human nature, but only conditionally, for it must discern interpretations pervaded by materialism, reductionism or determinism that would obliterate its reflection and that sometimes may reflect scientifically-charged ideological agendas. Since its origins, moral theology has had a role in bridging the diverse theological fields with practical questions. The task of moral theology is connected, thus, with the formation of consciences, which always takes place in a given historical context. Therefore, facing the increasing importance of the scientific worldview, moral theology seeks interpretations of science that can best open up communication channels with theological and moral concerns. In other words, it seeks the proper language to address science and scientific issues from a moral perspective. The dialogue between faith and science, then, revolves around a conflict of interpretations where the hermeneutical rationality plays a major role in bringing about the importance of an ethical rationality that focuses on the crucial question of a normative and teleological reading of the human universe of meaning.

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<sup>1</sup> See Thomas Aquinas, ST, I q. 8, a1, in *The Summa Theologica of St. Thomas Aquinas*, Second and Revised Edition, 1920. Online Edition Copyright © 2008 by Kevin Knight, <http://www.newadvent.org/summa/> (accessed February 20, 2010). This brief definition of “theology,” to be honest, matches more specifically the Catholic and Thomistic conception, however, it is best suited to a contemporary cultural reality which is based on the explanation and transformation of nature.

In this chapter, in order to develop the connection between empirical sciences, hermeneutics and ethics, I will address the use of hermeneutics for a historical account of the development of the scientific rationality in its interaction with moral reasoning. The pertinence of hermeneutics will be shown by concisely demonstrating its metaphysical connection with scientific rationality, by addressing the historical events regarding the differentiation of modern reason, and by analyzing some epistemological implications for moral reasoning. Historical analysis can unveil the persistence of the metaphysical question, which requires a study of the relationship between ontology and the language of scientific and moral discourses. A new metaphysical approach will be studied in terms of the role of metaphor on the constitution of scientific and moral knowledge. This approach explains how nature is fashioned in a normative sense throughout history, which, in turn, provides elements to explain changes in moral reasoning.

### **The role of hermeneutics in approaching the natural sciences and moral reasoning**

A historically-minded analysis of modern science shows that the development of the techno-scientific rationality inflicted an instrumental and operational interpretation of reality that was followed by the emergence of the hermeneutical rationality, which brings forth the problem of meaning, and the need for an explicitly anthropological reading of human beings and their world.<sup>2</sup> Moreover, the reason that creates a system of objects and technically encodes the world (the worldwide expansion of modern science and techniques associated with globalization), is the same that ponders its ways and purposes: when techno-scientific rationality appears to be elevated to the level of the rationality of meanings, it seems to enter a phase of dialectical resolution by the development of an ethical rationality focused on the crucial question of the “ought to be” and committed to a normative and teleological reading of the human universe of meaning. For instance, several ethical approaches explicitly try to address the ethical concerns of technologically

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<sup>2</sup> See Paul Ricoeur, “The Model of the Text: Meaningful Action Considered as a Text,” *New Literary History* 5 (1973): 91-117; Charles Taylor, “Interpretation and the Sciences of Man,” *The Review of Metaphysics* 25 (1971): 3-51.

advanced societies, ranging from the more technically oriented forms, found in utilitarianism and prescriptivism, to the more anthropologically oriented discourse ethics and ethics of responsibility.<sup>3</sup>

### *The metaphysical connection between hermeneutics and scientific rationality*

As briefly stated above, the origins of modern hermeneutical rationality relates to ontological and epistemological issues elicited by the development of scientific rationality within the process of the differentiation of modern reason. In this sense, "rationality" refers to the peculiarity of the object and the appropriate method for its explanation, being distinct from "reason," which is universally referred to human subjects and their rational capacity.<sup>4</sup> The term rationality ends up designating the various figures of reason that, in modern culture, occupy the space of rational knowledge (empirical-formal, technical, economical, political, historical, hermeneutical, etc.). The hermeneutical key that most concerns the present work is the development of the perception of the world in connection to the historical development of modern science. The modern concept of nature is derived from the joint activity of the physical and life sciences, and it consists not only of the unveiling of the structures of matter, but also of an evolutionary understanding of its internal causal relations (physical, chemical, and biological evolution).

The scientific method consists of an analysis that allows for the construction of mathematical models capable of expressing the laws operating in nature. Scientific knowledge proceeds by hypothesis and deduction, verified by experimental procedures, characterizing the so-called empiric-formal sciences. The image of nature, in comparison with the classical view, has changed from something that was given for contemplation (*theorein*) to something that can be represented and secured by experimental control and

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<sup>3</sup> Taking this approach I am in debt to the thought of Fr. Henrique Claudio de Lima Vaz, a Brazilian Jesuit and philosopher who published numerous books on ethics and philosophical anthropology. For a synthesis of his position, see Henrique C. de Lima Vaz. "Ética e Razão Moderna," *Síntese* 68 (1995): 53-85.

<sup>4</sup> See Harold I. Brown, "rationality," *The Oxford Companion to Philosophy*, Oxford University Press 2005, <http://www.oxfordreference.com.proxy.bc.edu/views/ENTRY.html?subview=Main&entry=t116.e2127> (accessed February 25, 2010)

verification (*empeiria*). Nature, then, came to be defined precisely in terms of the empiric-formal objectivity, whose intelligibility is given by the measure (mathematical formalism) and by the operative character of the method towards nature (empirical verification through the experiment). In the vision thus constructed, nature is dissected into scientific objects that are constituted by an observing subject's conditions of possibilities to measure space, time, and derived measurements. Both, subject and object, are thus included in a relationship of production of reality as representation (or, a world picture). This rational process is clearly a hermeneutic operation, for it is an interpretation of nature through the scientific method, which was constituted by a previous decision on the essence of the beings; thus, an ontological interpretation.<sup>5</sup> This metaphysically-based decision and its concomitant interpretation of nature have been historically described by philosophers and historians of the western thought.<sup>6</sup>

#### *Other events on the history of science affecting morality*

Besides the achievement of the mathematization of the world, another major event in the history of science that modified the perception of the world was the emergence of evolutionary thought. It developed simultaneously but independently both in cultural studies and natural history: in the former, through the work of authors describing how cultures and societies have developed over time, in the later, it proceeded by means of naturalists gathering empirical data around the world. Gaining scientific and cultural momentum from the body of evidence and the theoretical consistency provided by Darwinism, evolutionary thought became a revolution within modern thought, and came to complete the modern worldview as we see it today. By the early twentieth century, evolutionary thought had inspired a new cultural environment that led to drastic changes in anthropological conceptions: studies of biological evolution concerning the

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<sup>5</sup> This is my underlying conception of the modern science. See Martin Heidegger's essays "*The question concerning technology*" and "*The age of the world picture*," in: Martin Heidegger, *The Question Concerning Technology, and Other Essays*. (New York, London, Toronto, Sydney: Harper&Row, 1977)

<sup>6</sup> Like the classical works of Alexandre Koyré (*From the Closed World to the Infinite Universe*, 1957, and *Metaphysics & Measurement: Essays in Scientific Revolution*, 1968), and Alfred North Whitehead (*Science and the Modern World*, 1953). For a more recent account see John Henry, *The Scientific Revolution and the Origins of Modern Science* (New York: Palgrave, 2002).

evolution of the human form questioned metaphysically grounded anthropological assumptions; results depicting cultural evolution and modes of cultural transmission over time and space questioned the immutable and abstracted grounds of morality (social and political life). All this drastically affected both classical (for those still holding it, like the Catholic Church in her anti-modernist disputes) and modern thought (in its positivistic and mechanistic perspectives), along with their ongoing struggle. The intelligibility of the immutable and of the final, that is, the teleological mindset, was severely questioned.<sup>7</sup> For mindsets grounded on the fixed and on the final (either as Platonic realism or as Kantian transcendentalism), evolutionary thought changed the logic of thinking, and then affected morality, religion and politics. The theory of evolution has become a mega-theory that integrates much of Western thought (the empirical sciences, that is, natural and social sciences, and its influence on philosophy as well).<sup>8</sup>

Starting from the second half of the nineteenth century and peaking around the second decade of the twentieth century, another major development was the emergence of contemporary science driven by quantum mechanics. It presented a different image of nature, appearing more relative and indeterminate, hardly prone to be inscribed in an objectivistic fashion, or described in univocal ways. In this view, nature is perceived as a complex and unfolding reality whose development, interactions and finalities are grasped only partially, though not arbitrarily, by human perception. Like evolutionary thinking, it becomes difficult to envisage any fixed determination of the truth, but a changing reality grasped through probabilities and statistical approximations influenced by the observer's position and interpretation. Such perspective

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<sup>7</sup> The philosopher John Dewey, in 1910, gives a good perspective on this subject: see John Dewey. "The Influence of Darwin on Philosophy," In: *The Influence of Darwin on Philosophy and Other Essays*. (New York: Henry Holt and Company, 1910):1-19. [http://books.google.com/books?id=XJYAAAAMAAJ&printsec=frontcover&source=gbs\\_v2\\_summary\\_r&cad=0#v=onepage&q=&f=false](http://books.google.com/books?id=XJYAAAAMAAJ&printsec=frontcover&source=gbs_v2_summary_r&cad=0#v=onepage&q=&f=false) (accessed February, 26, 2010).

<sup>8</sup> Hermann Häring, "The theory of evolution as a megatheory of western thought". *Concilium, International Journal for Theology* (2000:1): 23-34.

decisively affects moral conceptions and the way we relate to nature, for its objectivity ends up linked to the dynamism of human subjectivity.<sup>9</sup>

The historical-hermeneutical analysis that I have been presenting is mostly based on the modern conception of the natural sciences, and I do recognize that this account can be rightly criticized by pointing to the contemporary conception of science. However, I want to argue that most of the technological apparatus and the use of nature as source of energy and transformable raw materials still follows the canons of a kind of science that objectifies nature; and this brings us one more historical event, the construction of the “modern ideology.”

Human beings have the power of objectifying. The measurements of inputs and outputs, the storage and circulation of materials, and the transformation of goods and energy pretty much follow mechanistic patterns worldwide. In other words, as Heidegger understood in addressing this point precisely, contemporary physics cannot renounce the fact that “nature reports itself in some way or other that is identifiable through calculation and that it remains orderable as a system of information.” Because we have the power to encode nature (through numbers and measures), modern technology must employ exact physical science.<sup>10</sup> The idea here is that the human power of objectification is also linked to our subjectivity and is charged with willpower, which expresses itself as moral and political will over nature and human beings alike to encode or “enframe” the world. This encoding of the world is secured by the operational power of the production of reality (objects, beings, and nowadays virtual reality) given by objectification, because it holds the power of a certain truth (the correctness of the truths revealed in such a

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<sup>9</sup> See James F. Keenan and Thomas R. Kopfensteiner, “Moral Theology out of Western Europe,” *Theological Studies* 59 (1998): 113-114. The wave–particle duality of energy and matter at the atomic scale, which is the central finding of quantum mechanics, would transfer to the observer an interpretive capability, affecting data collection, interpretation and hypothesis formation. Thus, the objectivity of the world is connected to the subjective aspects of the knower. In other words, say Keenan and Kopfensteiner, “the normative meaning of nature is not found in nature itself.” Interestingly, this looks like a scientific evidence for moral claims. Could we take it as far as to say that it supports moral realism?

<sup>10</sup> Martin Heidegger, *The Question Concerning Technology, and Other Essays*, 23.

way). In the political realm and through a politics of knowledge, this power seems to have created and sustained the modern ideology. Endorsed by the efficacy of the modern empiric-formal sciences in the transformation of the world, this modern ideology was established from the seventeenth century onward in Western and westernized societies. Ideology is hereby defined as a given rational foundation for an established order, and this precisely corresponds to the modern ideal of material progress, individual freedom, democracy, and universal peace enlightened by reason and sciences. This ideal of human existence finds in market capitalism a form of economy that is best suited to the individualistic understanding of human nature, just as it finds in liberal democracy a form of political submission of the persons that is presented as the best match for their interests.<sup>11</sup> The general panorama at the beginning of the twenty-first century is that we end up living and justifying a market-oriented culture in which the bulk of scientific activity is clearly market-oriented.<sup>12</sup>

The denunciation of the modern ideology and the current ethical questioning of the scientific and technological dynamics have a common origin. Both were triggered by the force of catastrophic historical events of the first half of the twentieth century – the horror of two world wars, the crushing powers of state totalitarianism, the atomic bomb and the advent of the nuclear era, and the holocaust. The last two decades of the twentieth century and the first decade of the twenty-first show a different face of this criticism, with the pronounced effects of economic globalization and an evolving planetary environmental crisis. We find ourselves interconnected in a global society, but frustrated over widespread poverty and inequalities, oppression and injustice, an environmental crisis aggravated by aggressive competition for resources and

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<sup>11</sup> See Richard Stivers, "Freedom and Equality as the Modern Ideology," in Stivers, Richard, *The illusion of freedom and equality* (Albany: State of New York University Press, 2008), 29-62; Nicholas Boyle, "After enlightenment: Hegel, post-modernism and the State," In *Who are we now? Christian humanism and the global market from Hegel to Heaney* (Notre Dame-IN: University of Notre Dame Press, 1998), 147-180; David E. Ingersoll, Richard K. Matthews, *The philosophic roots of modern ideology: liberalism, communism, fascism*, (New Jersey: Prentice Hall, 1991), 42-107.

<sup>12</sup> It is a commonplace in the academic world that instead of using internal scientific motivations and data, market-oriented sources of motivation and knowledge are preferred to develop research strategies, from the laboratory level upwards, to the definition of national science policies. See, for instance, Cédric Schneider, "External knowledge sourcing: science, market and the value of patented inventions," *Managerial and Decision Economics* 30, (2009: 8): 551-560.

new markets, and a global financial crisis with a global economic downturn. In a world that has shrunk due to the integration of economic activity together with the use of information technology and communication, cultural diversity and moral pluralism become more noticeable. In this environment, the quest for identity becomes more acute, to the point that some think that “who we are now?” becomes the question which most concerns our time. Anthropological, cultural, ethical, political and religious questions make up the quest for “the people we think we are and the nations or groups we think we belong, the ultimate purpose we think we have and the ultimate constraints upon us that we acknowledge.”<sup>13</sup> Looking at the globalized world, our cultural and moral self-understanding begs for new interpretations that can no longer be contained by the modern ideology. However, certain members of the scientific establishment and policy makers seem not to be ready to acknowledge this yet.

In fact, the current cultural stage shows a constant expansion of the techno-scientific rationality whereby it becomes quasi-elevated to the level of giving meaning to all spheres of human life. Interpolation of scientific results and morality issues in fields like evolutionary psychology, neurophysiology or cognitive ethology, for instance, suggest a struggle for symbolical hegemony. Books authored by preeminent scientists that depict this struggle achieve significant popularity. They usually set to uncover the biological roots of morality, which are then plotted against commonsense morality. It is interesting to note, however, the use and misuse of the experimental method in such publications.<sup>14</sup> Theologians, as we will see in

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<sup>13</sup> Nicholas Boyle, *Who are we now?*, 3.

<sup>14</sup> Examples of such contributions are David M. Buss, “The evolution of desire: strategies of human mating” (1994), Frans de Waal, “Good Natured: The Origins of Right and Wrong in Humans and Other Animals” (1996), and Antonio R. Damasio, “Descartes’ Error: Emotion, Reason, and the Human Brain” (1996). In Buss’ book, for example, while he talks about men’s preoccupation with young, healthy, fertile females, he holds that “whereas modern conditions of mating differ from ancestral conditions, the same sexual strategies operate with unbridled force.” However, at the same time he argues that the purpose of his research is the “understanding [of] our evolved sexual strategies” so we can “hope to change our present course.” Moreover, he says by the end of the book that “we are the first species in known history of three and half billion years of life with the capacity to control our destiny.” It is not clear how sexual strategies of “unbridled force” would be integrated to the “control of our destiny” (see David M. Buss, *The evolution of desire: strategies of human mating*, [New York: BasicBooks, 1994], 14-15; 222). The eventual mixing of evolutionary questions with teleological ethical questions does not seem to be of much concern for those who are overreaching competence fields. One should acknowledge, however, that this kind of position receives some criticism in



chapter two, are concerned about this crossing between areas of competence and have an important role in questioning the strategies of scientific research and the use and interpretation of results.

*Some important epistemological elements affecting moral reasoning in relation to scientific rationality*

The hermeneutics of scientific rationality reveals new epistemological elements for moral reasoning. Hermeneutics brings forth the problem of the human significance of scientific propositions and their interpretation. Scientific knowledge not only triggers moral debates, but it also contributes to a better understanding of reality in moral terms. Scientific results from both natural and social sciences, plus epistemological and ontological considerations from philosophy and hermeneutics, show that “reality” is not “out there” given only objectively, but it is also intertwined with human self-understanding. Any question that we may raise, scientific, philosophical or theological in nature, implies our self-understanding, because reality cannot be experienced outside our personal and social dimension. Therefore, it is important to specify not only the historical events affecting moral reasoning, but also some epistemological elements of the scientific knowledge that have the capacity to change our self-understanding.

The first epistemological issue is the *differentiation of modern reason* in several rationalities: the empiric-formal rationalities, which comprise the natural sciences and formal sciences like mathematics and statistics, and the rationality of the social sciences, such as the historical, sociological, psychological; hermeneutical, ethical, etc. These rationalities may have different ontological and epistemological implications for moral reasoning, and their results also reflect on the cultural and social perception of the scientific and technological dynamics. Each kind of rationality is circumscribed by its method and constitutes of its own object of study,<sup>15</sup> thus, the production of knowledge displays a pattern of constant

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the scientific circle, as with Augustine Brannigan, *The rise and fall of social psychology: the use and misuse of the experimental method* (New York: Aldine Transaction, 2004), 138-139.

<sup>15</sup> For example, the constitution of measurable objects for the natural sciences, the object “psyche” for psychology, or the objects “society” or “group” for sociology, and so on.

auto-production and auto-reference within each discipline.<sup>16</sup> The extent to which the results of such processes of thought are or may be integrated as human self-understanding is unknown. One can always point out their fragmentation; others can point out the recent flourishing of multidisciplinary studies and other modalities of integration. Regardless, the plethora of approaches and results affect moral reasoning by constantly scrutinizing and changing our perception of the world, nature, and the human being, offering insights ranging, for instance, from our cosmic (in)significance to the genetic origins of certain behaviors. It seems that things are held together in the symbolic sphere of culture by an ongoing conversation of possible interpretations that is somehow stabilized by the accepted scientific paradigms and by the pre-theoretical anthropological conceptions harbored within the living moral traditions. Hermeneutics plays a major role in theoretically and objectively addressing such processes.

The second epistemological element concerns the *empiric-formal rationality of the natural sciences*, whereby knowledge becomes “productive”, that is, new material and symbolic objects are constantly being produced, suggesting an unlimited technical potential that reflects on the symbolical dimension of society. Because of its undeniable functionality and productivity, empirical-formal rationality assumes, then, the image of what is rational, where the culture tries to check and amalgamate all the other rationalities. Affecting ethics, one major outcome of this cultural phenomenon of understanding and interpreting reason is the erosion of metaphysics. Once it is assumed that there is no other intelligibility beyond what can be measured and verified, metaphysical questions are eroded of their meaning, with severe consequences for the justification of several moral systems that rely on non-measurable realms (religions, virtue, respect, happiness). The eclipse of metaphysics tends to frame ethics in a utilitarian

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<sup>16</sup> For instance, while the biological sciences cannot account for any purposefulness for human life that not explained in terms of natural selection and adaptation, psychology finds it unavoidable to conceive that meanings and ends create and sustain the life of this organism as “human”. The “solution” is to concede to a “psychological” teleology, but not to extend it to the realm of evolutionary biology; the produced knowledge should be circumscribed within one of the two disciplines. Later, to attenuate scientific contradictions raised by teleological issues, a new field of psychology emerged, evolutionary psychology, which attempts to explain psychological traits such as memory, perception, or language as functional products of natural selection or sexual selection; the same traits that give rise to the human dimension of meanings and ends.

paradigm, in which the justification of the right action is given in relation to the production of the most intrinsic good either to the agent or to the group. The problem, then, is that goodness is characterized in terms of what can be measurable, verifiable, and comparable, and policy making becomes more and more technocratic to achieve the distribution of such goods.

The third element also relates to the natural sciences and represents a further nuancing of the previous one: the natural sciences have formalized themselves into *several kinds of operative knowledge*, where the production of technological devices and the transformation and control of nature account for an important cultural assertion.<sup>17</sup> It strongly contributes to the symbolical hegemony of the scientific rationality in shaping the world and human agency. This operative way of being in the world and knowing it deeply reflects the way we pose and discuss ethical issues: the possibilities and feasibility of the technical powers at hand, the productive demands, the increasing need of rapid responses, etc. Facing all these, hermeneutics, as a critical stance, can reveal a major tension between the immanence, encoding and control of the phenomena, and the various ways of conceiving human transcendence. The plurality of conceptions and expressions of what we mean by truth and knowledge, associated with the constant changes in the status of knowledge, all point to the need to recognize that there are, after all, ways of conceiving human transcendence that go beyond the immanence of the phenomenon as it is given to the perception of the finite human mind. Hermeneutics can at least point out that calculations and projections may not be sufficient to address ethical and political issues in the society, that is, to avoid exacerbation of technocratic responses.

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<sup>17</sup> Some philosophers call them “technosciences” (Gilbert Hottois, Bruno Latour), but this notion has been disputed recently due to the increasing development of inter-, multi-, or trans-disciplinarity. Critics advocate that the development of science as a whole is not so naïvely objectivistic. Technological devices can be of material, like objects, instruments and new substances, and of immaterial nature, like information gathering and processing, economical processes, management techniques, and scientific or financial or social networks; some currents of psychology, like behaviorism; and claims of social engineering in sociology and political science, for example.

The development and institutionalization of technosciences play a major role in the obsolescence of metaphysics: they offered a specific way to access reality determined by operative rationality and the resulting technical activity and production. Thus, to the extent that the world of beings has been constantly translated into the language and structure of technical objects, the exercise of metaphysical thought lost its referent.<sup>18</sup> If only that tension would be recognized, there is no reason to dismiss any historically given moral tradition that, in its own language, gives substantive conceptions of the Good that can be accounted for in the ethical debate and submitted to rational critique through the criteria of philosophy and hermeneutics, as well as historical, sociological, and the scientific rationalities.<sup>19</sup> In fact, through the work of certain philosophers, such as Charles Taylor and Paul Ricoeur, one cannot avoid noting that the tension immanence-transcendence points to the persistence of a “metaphysical question” in the reflection upon ethical and cultural issues regarding technology. Looking at the history of science, one has the clear feeling that the metaphysical question has been disregarded mostly due to historical, cultural and ideological influences than by a complete theoretical dismissal. Hermeneutics has an important role in searching for new ways to address the metaphysical question, as we will see elsewhere.

The fourth epistemological issue concerns the *image of nature*. The empirical-formal rationality that constitutes the natural sciences produces an image of nature that has implications for natural law arguments and many other ethical issues. The modern theoretical frame leads to an understanding of nature as a stock of measurable, calculable and projectable beings, which is completely alien to the ancient

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<sup>18</sup> See Henrique C. de Lima Vaz, *Raízes da modernidade*, Escritos de filosofia VII (São Paulo: Loyola, 2002), 286.

<sup>19</sup> However, it is well known that for some philosophers, like John Rawls, for example, who holds a powerful version of liberal public reason, our substantive conceptions of the good, religious or not, should not ground the principles of justice (See John Rawls, *Political liberalism* (New York: Columbia University Press, 2005), 173-211). I would answer that Rawls' understanding of the scientific-technological dynamics is rather instrumental, in which practical reason is left untouched to rule over it. As I stated above, scientific rationality emerged from a historically grounded decision over a certain interpretation of Being (the correctness of the measurement). Thus, Western thought operates under a certain mode of revealing that does not leave practical reason untouched (the Heideggerian conception of *aletheia*, truth as un-concealment; “*Techne* is a mode of *aletheuein*.” See Martin Heidegger, *The Question Concerning Technology, and Other Essays*, 12-13). Hence, a great part of the efforts to search for a global ethics in the technological era run into modes of utilitarianism and procedural constructivism.

classical and biblical metaphysical concepts of *physis* and creation, pertinent to many moral systems. Through those concepts, nature was understood in terms of a purposeful nature in which being is endowed with goodness. Particularly with Christianity, nature was understood in relation to the goodness of a free and transcendent God, creator of the universe. As it is empirically conceived, the measurable and calculable data retrieved from nature show a logical coherence, but do not display any purpose, any goodness or badness. Once again, no metaphysical reality is able to be known beyond what can be empirically grasped by the senses; that is, there is no knowledge of the good which is associated with being.

The fifth element is that, by virtue of its own internal processes and coherence, *modern reason ended up viewing itself as very close to logic in what it deems to be rational*. In other words, this corresponds to a high level of formalization of reasoning. Under this pressure, modern philosophical thought sought to guide itself within its own method and find its particular epistemology that will give the form and limits of the philosophical discourse (methodic doubt, critique, critical-dialectical, philosophical formalism, analysis of language, hermeneutic philosophy, etc.). The concepts of rationality that follow this line are conceived within a conceptual matrix that supposedly allows for the definition of a common ground with scientific rationality in discoursing about the world, the human being and history. This resulted, on the one hand, in a conception of philosophy as a technique of reasoning or discourse, with the sole function of clarifying language, particularly the language of scientific propositions (modern formal logics and analysis of language). On the other hand, refraining themselves from the enthusiasm of scientism, other philosophical positions maintain that in any human experience of thought and knowledge, philosophical arguments cannot be divorced from the textual and contextual conditions of its historical emergence.

Emerging from this philosophical textual and contextual consciousness, hermeneutical rationality interprets human reality in the contexts of space and time, language, culture, and history. Even if its roots

can be traced back to ancient biblical and classical times, modern hermeneutics arose within the context of the development or differentiation of modern reason; thus, it is profoundly marked by its engagement with the scientific knowledge. Hermeneutics has emerged not only as an interpretation of the empirical-formal rationality- that is, the historicity of rationality, and the quest for meaning -but also in dispute with the former, trying to think philosophically about that which has been thought in the rich heritage of traditional interpretations of the human being.<sup>20</sup> In doing so, modern hermeneutics lies in a scientific thematization of the human experiences and the forms of its expression. This thematization accounts for human experiences that cannot be studied or that are not properly understood under the scientific method of the natural sciences; it indeed questions the ontological and epistemological claims of the natural sciences.<sup>21</sup>

Grounded in the facticity of human existence and the experience of such existence that comes to language, hermeneutics studies the reality consigned by the symbolic realm of human expression. Something is behind what the symbol communicates. In making this assumption, hermeneutics considers the conditions for the possibility of the symbolic communication of those realities. However, the symbolic realm is not instrumentally related to human communication alone. Human life and existence as such is created, sustained and recreated by symbolic interaction; therefore, hermeneutics, as a form of interrogation into the conditions for that symbolic interaction that creates culture, provides a critical horizon for many current philosophical questions. Hermeneutics interprets the expression of human inner life- words, gestures, historical actions, codified laws, rituals and works of art or literature -in such a way that what is given objectively in history is not one particular human life or another, but human symbolic nature in

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<sup>20</sup> That is, what has been thought in the biblical, classical, and medieval philosophical traditions and in literature as well, through the works of Schleiermacher and Dilthey during the nineteenth century, followed by the contributions of Heidegger, Gadamer and Ricoeur in the twentieth.

<sup>21</sup> See Richard E. Palmer, *Hermeneutics: Interpretation theory in Schleiermacher, Dilthey, Heidegger and Gadamer*, (Evanston, IL: Northwestern University Press, 1969); Terrence N. Tice and Thomas P. Slavens, *Research guide to philosophy*, (Chicago: American Library Association, 1983), 285-301.

general. In this manner history can be considered as the medium for the exertion of human transcendence, as I have pointed out above.<sup>22</sup> What is behind the symbol reaches beyond the interpreter.

*The role of hermeneutics in discovering a new metaphysical basis for the dialogue between science and ethics*

Because they rely on such a difference - the immanence of science and the transcendence of metaphysics - the direct engagement of science through metaphysical questions may not be very productive, if productive at all, in terms of the dialogue between science and ethics or faith and science. Perhaps it would be critically fundamental in a second approach, according to the hermeneutical one. Indeed, it is hard to escape the problem of the meaning of the universe, of human life and history in a civilization of production, utility and consumption that threatens to consume itself along with the world where life is possible. However, in a scientific culture, how can we pose the problem of meaning if we are not able to build a language that engages the epistemological and theoretical procedures of science? Consequently, there are further developments of the critique of the modern notion of science to be explored. Recent studies in the history and philosophy of science will help us clarify the position of moral reasoning in this context.

In the previous sub-sections I have tried to show some historical events and epistemological elements that affected, challenged and changed moral reasoning throughout the development of the scientific and technological culture. Now, we must initiate an ontological investigation in order to bring science and moral reflection closer. For this, we keep track of the historical ideal of science, as it reflects on the relationship between ontology and language, which is especially useful in making a bridge to moral

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<sup>22</sup> See Paul Ricoeur, "The Model of the Text: Meaningful Action Considered as a Text," *Op. Cit.*, and Charles Taylor, "Interpretation and the Sciences of Man," *Op. Cit.*

reasoning. Recent studies of the role of metaphor in the constitution of scientific and moral knowledge will play a key role in bridging them.

Historical epistemology has implications for ontology. A critical examination of fundamental aspects of the scientific worldview shows the philosophical and social interests of the historical actors within the history of science. It scrutinizes the principles of justification and evolution of hypothesis testing, and the place and meaning of scientific evidence within a particular social context. Therefore, historical and sociological investigation shows that the context of discovery is no longer independent but constitutive of the context of justification. According to Thomas Kopfensteiner, the hermeneutics of science shows that we see the world “as something and not another,” and this is not separable from the method because there is no pre-theoretical observation. The perspectives and values of the scientific community determine the progress and validate the results.<sup>23</sup> As the justification is given in language through scientific propositions, there is a mutual influence of both the experience of the world and what is already given in the language as it,

does not merely report what is in the world, it is the medium through which we have access to the world. The things of the world are presented or disclosed through language. This means that the world is not given in an immediate or naively objective way; rather, we interact with the world by means of interpretations.<sup>24</sup>

There is a link between ontology and language in the sense that the world is not given in an immediate objective way, but through language. However language is not exactly a picture of reality, because when reality comes to language it has been already interpreted. Nor is language a mere instrument of communication. More than an instrument, language is a communal life experience, an “environment” where human existence happens. Hence, as a communal creation, language is subjected to

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<sup>23</sup> Cf. Thomas R. Kopfensteiner. “Science, metaphor, and moral casuistry” In: Keenan, J. F. and Shanon, T.A. (eds.) *The context of casuistry*. (Washington: Georgetown University Press, 1995), 208.

<sup>24</sup> Kopfensteiner, “Science, metaphor, and moral casuistry,” 209.



historical and social creation, recreation and changes of meaning, depending on the experience of the world and of the communicative community.

In the next section, I will explore this connection between language and ontology that is revealed through hermeneutics. I do so in relation to natural law arguments, as they emerge from the interpretation of nature by the communication community. Because the interpretation of nature is also a task undertaken by the community of natural scientists, we will have then delineated a major arena of the debate between science and ethics and, by extension, between moral theology and science.

### **Addressing the natural moral law within a historical and hermeneutical notion of science**

In the previous section I have established the connection between hermeneutics and scientific rationality, and shown the pertinence of using hermeneutics to historically address the moral debate concerning scientific-technological development. This pertinence was shown in terms of historical events on the differentiation of modern reason, their epistemological implications for moral reasoning, and the persistence of the metaphysical question which requires a study of the relationship between language and ontology. To develop the last point is the major goal of this section.

Hermeneutics aims to reach an objectively valid interpretation of concrete and historical life experiences that are not merely confined to the realm of subjectivity, but that can also make ontological and epistemological claims against any objectivistic, positivistic or reductionist interpretations of nature by the instrumental rationality of the natural sciences. Here lies not only the possibility for the discovery of communication channels between science and ethics, as well as an interpretative key for analyzing the meaning and pertinence of natural law arguments in the context of a scientific worldview. To reach a fitting interpretation of natural law arguments, certain moral epistemological assumptions, like the naïve epistemology of traditional natural law theory, for instance, should be criticized. This entails the search for

new epistemological elements that are to be found in the common language that grounds the debate between science, ethics and theology. A promising alternative for advancing this research would be hermeneutical studies centered on language and metaphor. According to Kopfensteiner, they reveal the “metaphorical structure of normativity,”<sup>25</sup> which is an analogue to the metaphorical ways in which scientific knowledge proceeds. In these terms, we may be able to deal with competing interpretations of nature. The moral fashioning of nature given in language depicts the cultural struggles for meanings that, in turn, reveal the evolution of moral reasoning.

A theological account of this process has been partially developed by Catholic moral theologians Klaus Demmer and Thomas Kopfensteiner. As they envisage it, the human significance of our agency, knowledge, and practical activities- like doing science -ultimately concern human flourishing, that is, the actual living of, and the process that leads to, a good individual and communal human life. Human flourishing is historically fashioned by a social dynamic that can be partially explained by empirical sciences (both natural and human sciences) and partially comprehended through hermeneutics, to be incorporated into historically minded philosophical and theological reflections. Within this panorama, any argument accounting for the naturalness of human beings is framed in relation to human flourishing. Natural law arguments do not depend on nature itself, but on the community’s expectations of freedom, which redefine nature in a normative sense. These expectations of freedom are given by the competing “ideologies of human fulfillment,”<sup>26</sup> which are constructed around the moral debate and upon human self-understandings (non-explicit anthropological conceptions). Moral change is a function of anthropological, social and cultural struggles for meaning, which is possible through the revelatory and creative nature of metaphorical language, present in both scientific discovery and moral reasoning. Since historical agents are human

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<sup>25</sup> See Thomas R. Kopfensteiner, “The metaphorical structure of normativity,” *Theological Studies* 58 (1997): 331-346

<sup>26</sup> This is a concept from Gibson Winter adopted by Kopfensteiner.

beings, history becomes a “progressive mediation of the meaning” of the world and of ourselves, in which scientific knowledge and moral reasoning play a major role for development narratives.<sup>27</sup>

*Studies of metaphor elucidate the relationship between language and ontology*

The work of Kopfensteiner draws on the tradition of hermeneutic phenomenologists like Heidegger and Gadamer, and mainly Paul Ricoeur, from whom he outlines his studies on the role of metaphor in moral reasoning: philosophical and linguistic studies of metaphor elucidate cognitive effects of metaphor in the sense that it creates new knowledge by affecting the way we interpret the world. Through these studies, summarized by Kopfensteiner, we find that metaphor (1) determines our perspective on the world and how we situate ourselves in it; (2) it unites situations, phenomena, or experiences by relevant similarities and differences; (3) it helps us see and interact with the world in a certain way that changes according to context (social, historical, epistemological); (4) it introduces us into an ordered network of cognitive relations; (5) it gives us access to an epistemic horizon from which to reason and talk about a particular phenomena through its plastic character, (6) it changes the topography of the epistemic horizon; (7) it provides a direction of inquiry and research and (8) it poses problems in different ways (problem setting precedes problem solving). Language grows and changes through metaphor; this affects human experience and communication. As it changes the symbolic interaction, human life and existence is recreated by constant symbolic interaction demanding a constant labor of interpretation. The effects of metaphor in language question the conditions of the symbolic interaction that creates culture, instituting one of the means by which cultures change through time.<sup>28</sup>

From the perspective of the philosophy of science, Kopfensteiner works on the historical and hermeneutical accounts of the development of the scientific knowledge provided by Thomas Kuhn.

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<sup>27</sup> Thomas R. Kopfensteiner, “Historical epistemology and moral progress,” *Heythrop Journal*. (1992): 45-60.

<sup>28</sup> See Thomas R. Kopfensteiner, “Science, metaphor, and moral casuistry,” 207-220.

According to Kopfensteiner, Kuhn holds that metaphors are not merely pedagogic and heuristic, but substantive and constitutive of the theories that they express. Metaphors establish the links between scientific language and the world, in a mutual accommodation between experience and language, allowing scientists to speak about the world anew. Rationality, therefore, reveals the concomitant adaptation of our language to our expanding world, as “world” comprises objective reality, our knowledge of it and our self-understanding as knowers.<sup>29</sup>

In its classic conception – the *comparative theory*, found in Aristotle and others - metaphor is the “transposition or transfer of a name from one context to another. This transfer introduces an element of incongruity into language in a way that metaphor displaces the common usage of a name.”<sup>30</sup> The equivalence between the literal and metaphorical senses should be maintained in order to make sense. Differently, with the *semantic interaction theory of metaphor*, metaphors create a semantic tension between the literal context and the figurative expression. This tension helps to organize the experience, to see new connections, to exploit potential similarities, and to designate appropriate ways of speaking and reasoning about the world. Metaphorical expressions reorganize and re-describe experience, which grows in complexity with each new purpose. Reality is reinterpreted by the discovery of new similarities, providing new boundaries for reason and discourse.<sup>31</sup> Important for moral reasoning is the reconciliation and development of the two previous theories of metaphor provided by Paul Ricoeur: metaphorical language not only organizes reality in a different way, as if being merely expressive, but it “also discloses a way of being and dwelling in the world, which is brought to language thanks to semantic innovation.”<sup>32</sup> Metaphor discloses something new, for

it would seem that the enigma of metaphorical discourse is that it “invents” in both senses of the word: what it creates, it discovers; and what it finds, it

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<sup>29</sup> Kopfensteiner, “The metaphorical structure of normativity,” 334.

<sup>30</sup> Idem, 333.

<sup>31</sup> See Kopfensteiner, “The metaphorical structure of normativity,” 333.

<sup>32</sup> Idem, 335.

invents. (. . .) Reality brought to language imitates manifestation and creation. (. . .) Metaphor is that strategy of discourse by which language divests itself of its function of direct description in order to reach the mythic level where its function of discovery is set free.<sup>33</sup>

Thus, besides a comparative sense, metaphor has an ontological one, creating the meaning given in language, which is used to check and uncover reality.

*New insights for moral reasoning: the metaphorical integration of freedom and nature*

The studies of metaphor render epistemological results that address a major dichotomy experienced within modernity, that is, the value of personal freedom and the determinism of nature, increasingly described by the evolving empirical sciences.<sup>34</sup> According to Kopfensteiner's interpretation of Ricoeur's theory of metaphor,<sup>35</sup> two features are important for new insights into moral reasoning that contribute to a hermeneutical understanding of the relationship between science and moral reasoning. One of the features is the *revelatory mode of discourse* allowed by metaphor, which reveals "a proposed world" (Ricoeur), a world wherein we can project our own possibilities. The "proposed world" would be, thus, in dialectical tension with the scientifically "described world". The second feature is that metaphor has a creative and imaginative role whereby a new epistemic access to the world is achieved. Through this, significant features of the world are carried over, appropriated, and transformed in light of another. Both aspects of metaphor are illustrated by Kopfensteiner by looking at the relationship between person and nature. The same kind of concern has been recently shown by the Vatican's International Theological Commission through its "new look at the natural law."<sup>36</sup>

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<sup>33</sup> Paul Ricoeur. *The rule of metaphor: multi-disciplinary studies of the creation of meaning in language* (Toronto: University of Toronto, 1984), 239 and 247, *apud* Kopfensteiner, "The metaphorical structure of normativity," 335.

<sup>34</sup> I am bearing in mind the results of disciplines like genetics, evolutionary psychology, and neurosciences.

<sup>35</sup> See Kopfensteiner, "The metaphorical structure of normativity," 334-340.

<sup>36</sup> The International Theological Commission of the Congregation for the Doctrine of the Faith, *A la recherche d'une éthique universelle: nouveau regard sur la loi naturelle*, October 2009. [http://www.vatican.va/roman\\_curia/congregations/cfaith/cti\\_documents/rc\\_con\\_cfaith\\_doc\\_20090520\\_legge-naturale\\_fr.html](http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_con_cfaith_doc_20090520_legge-naturale_fr.html) (accessed March 9, 2010).

The concepts of nature and person play an important role in the Roman Catholic context, where they have been used explicitly in fundamental and special questions of morality, mostly with a neo-scholastic connotation and with a personalist emphasis.<sup>37</sup> This is due to the Catholic conception of the unity of the human being in soul and body, which does not allow for any division between freedom and nature. The individual body (nature), according to a biblical anthropology, is the place of concretization of freedom, whence comes about the personalization as the body acquires his/her uniqueness. However, the “nature” of the individual body should not be read in modern terms, as a biological and mechanical entity, even if it is also this. Rather, nature “signifies the real dynamic principle of the development of the subject and of its specific activities.”<sup>38</sup> Then, in its uniqueness, in virtue of the free relationship with God, other human beings and the world, he or she becomes impersonated, that is, in possession of his/her identity. Under this light, nature and person, bound together, presuppose the normative nature defended by natural law theory.<sup>39</sup> This normativity, however, should be clarified in order to distinguish it from the laws of nature as those interpreted by theories and hypotheses of other sciences. The natural moral law is not identical to the descriptive laws of nature, even though the empirical sciences contribute to what is meant by normative nature.<sup>40</sup> This interaction should be further qualified by the moral theologian.

In moral theology, the understanding of the natural moral law has a distinct religious emphasis showing an embedded moral evaluation of “being” and existence: the goodness of being is particularly articulated as the goodness of the human existence. Central to Roman Catholic moral theology, it assumes a “human nature” that has to do with our common origin in the goodness of Creation (the goodness of being originated in the goodness of a transcendent, free, willing, loving God). The common origin implies

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<sup>37</sup> See Kopfensteiner, “The metaphorical structure of normativity,” 336, and Klaus Demmer, *Shaping the moral life: an approach to moral theology* (Washington, DC: Georgetown Univ. Press, 2000), 5 and 9.

<sup>38</sup> A la recherche d'une éthique universelle: nouveau regard sur la loi naturelle, § 64. This corresponds to the inspired corporality of *Genesis 2 :7*.

<sup>39</sup> See A la recherche d'une éthique universelle: nouveau regard sur la loi naturelle, §§ 64-75.

<sup>40</sup> See Kopfensteiner, “The metaphorical structure of normativity,” 336.

also a common good and common human end. In the words of Pope Benedict XVI, our knowledge of the world and of ourselves should not prevent us from ignoring the natural law:

The capacity to see the laws of material being makes us incapable of seeing the ethical message contained in being, a message that tradition calls *lex naturalis*, natural moral law.

This word for many today is almost incomprehensible due to a concept of nature that is no longer metaphysical, but only empirical. The fact that nature, being itself, is no longer a transparent moral message creates a sense of disorientation that renders the choices of daily life precarious and uncertain.<sup>41</sup>

The theological-bound notion of a common origin and destiny of humankind corresponds, in the order of nature, to natural law principles that encompass and give moral value to every human activity: in its relationship with the others (personal and social), with the world (production of goods and sustainability of life; environment) and with God (acknowledgement of our ultimate origin and destination). Knowable separately from the divine law (order of revelation), the natural law principles (order of creation) are deemed by the Church to be accessible to every human conscience through our rational nature, hence, human conscience is obliged to recognize and respect this natural moral law. At first glance, this kind of argument seems sufficient to open up communication across diverse cultures and moralities. However, the strong metaphysical and neo-scholastic tones may lead to the risk of theological abstractions and formalities, thus condemning the whole aim of the natural law theory to irrelevance in the public sphere. Therefore, dealing with the empirical sciences in connection with such theological mindset requires further refinements.<sup>42</sup>

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<sup>41</sup>Address of his holiness Benedict XVI to the participants in the International Congress on Natural Moral Law. 12<sup>th</sup> February 2007. [http://www.vatican.va/holy\\_father/benedict\\_xvi/speeches/2007/february/documents/hf\\_ben-xvi\\_spe\\_20070212\\_pul\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/speeches/2007/february/documents/hf_ben-xvi_spe_20070212_pul_en.html) (Accessed in March 2, 2009).

<sup>42</sup> At first, the argument of obligatoriness seems a reasonable and an easy solution for the moral issues of a multicultural and pluralist world. It has been, perhaps uncritically, propelled by a certain theological mindset in recent magisterial documents like the "Compendium of the Social Doctrine of the Church" (2004) of the Pontifical Council for Justice and Peace, and "À la recherche d'une éthique universelle: un nouveau regard sur la loi naturelle" (2009), from the International Theological Commission of the Congregation for the Doctrine of the Faith. However, the argument has also encountered philosophical resistance, theological reticence, or just deemed irrelevant in the public sphere. The promptness of this assumption of obligatoriness may be questioned in terms of the hermeneutical, historical and epistemological considerations of the evolution of scientific and moral knowledge and of the moral situation of individuals and societies. Klaus Demmer shows that the

Also looking to establish the correspondence between reason and nature, scientific propositions encompass observations about the natural world that can be measured and quantified, and the results and theories based thereon can be tested, verified, falsified, or modified. Even if provisional, those propositions have, indeed, a direct reference to reality and human nature in particular. Thus, empirical sciences are ontologically, epistemologically and socially justified in their pursuit of an objective truth. To deal with empirical sciences from a theological perspective is to think within a tradition. Kopfensteiner finds the connection with the theological mindset by using the anthropological and ethical idea of “natural human inclinations,” a long-standing concept in the Christian tradition and also in rationalist philosophy, though scorned by empiricists in the epistemological debate. In this line, empirical sciences are assumed to contribute to the description of natural human inclinations, except that they are not sufficient criteria for the determination of normativity.<sup>43</sup> The normative meaning of natural inclinations is variant and undetermined. Nature, however, is more than raw material for normativity: “while not immediately normative, nature is a limit in the sense that freedom and reason are always *in* nature. Nature is an indispensable condition of freedom and reason; we cannot be freed from nature.”<sup>44</sup> Freedom does not happen in the abstract, but is realized in nature. “As indispensable nature is, however, normativity is not a property of nature.”<sup>45</sup> Nature requires interpretation. Nature is important as the place for the realization of freedom, but this realization through normativity is not a property of nature; thus, reason is the sufficient criterion for normativity. Within a more critical epistemological context, normativity results from nature being understood and interpreted by reason in a mutually conditioning relationship. Wilhelm Korff states it clearly:

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hermeneutics of the natural law tradition can clarify the historicity of moral norms and of the theologically-driven moral propositions, so that it can, foremost, help theological moral propositions avoid falling into abstractions and de-contextualized absoluteness that result in moral rigorism, legalism and withdrawnness from reality. Moreover, the hermeneutical analysis can help to clarify in our current situation of moral and cultural diversity the values that the norms drawn from the natural law are trying to protect (see Klaus Demmer, *Shaping the moral life*, 68-69).

<sup>43</sup> See Klaus Demmer, *Shaping the moral life*, 72-78.

<sup>44</sup> Kopfensteiner, “The metaphorical structure of normativity,” 337.

<sup>45</sup> Idem. *Ibidem*.



All human behavior remains universally determined by conditions which may not replace reason, since they need interpretation and to this extent do not present themselves as ethical norms, but which nevertheless eliminate arbitrariness from this behavior in all its realizations.<sup>46</sup>

Within the natural law tradition, nature “acquires a moral significance in reference to the good of the person.”<sup>47</sup> The natural moral law, then, is apprehended through the rational and free nature of the person, whereby the idea of the good allows us to transcend nature while nature cannot be disregarded because reason and freedom unfold *in* nature. The mutual accommodation of nature and person expresses an integral vision of the human nature. This human nature is, then, of a metaphorical nature, where

the givenness of nature is carried over (*metapherein*), integrated into, and transformed by the order of freedom and reason. As a result, normativity emerges out of an act of transcendence, discovery, or creativity. The normative character of nature is discovered and created by moral reasoning in the way metaphorical discourse invents and discovers reality.<sup>48</sup>

The reality discovered includes “the reality of the good.” The ethical correspondence between reason and nature discovers reality in a moral way, which is, of course, quite different from the neutral empiricism of scientific propositions. In ethics, this correspondence between nature and reason is interpreted by some moral theorists as “moral realism:” a theory that holds that ethical sentences express propositions; some of these propositions are true, and they are made true by objective features of the world, independent of subjective opinion. Thus, common moral principles may be philosophically defined. The natural moral law tradition is in line with this kind of reasoning, in spite of different conceptions of nature that shape different lines of natural moral law reasoning.<sup>49</sup> According to William Schweiker, natural sciences, which encode the contemporary world in a neutral and logical way, affect our ability to perceive the “reality of the good.” In theory, to perceive it or not involves the dispute between moral realism and antirealism; in practice, it affects our sense of establishing a hierarchical order of values. In his opinion, the

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<sup>46</sup> Wilhelm Korff. “Nature or Reason as the Criterion for the Universality of Moral Judgment?” In *Christian Ethics: Uniformity, Universality, Pluralism*, ed. Jacques Pohier and Dietmar Mieth, *Concilium* 150 (New York: Seabury, 1981), 87. See Kopfensteiner, “The metaphorical structure of normativity,”337.

<sup>47</sup> John Paul II. *Veritatis Splendor* (1993), §50.

<sup>48</sup> Kopfensteiner, “The metaphorical structure of normativity,”338.

<sup>49</sup> For instance, the way it is understood through religious ethics – a markedly metaphysical notion - is distinct from other non-religious natural law ethics, such as those applied in laws and politics.

inability to contrast values leads to contemporary moral skepticism.<sup>50</sup> Therefore, natural law arguments antagonize the moral skepticism that affects the scientific-technological culture.

Kopfensteiner, building on the Thomistic tradition, Mahlherbe and Ricoeur elucidates the progressive discovery of moral reasoning concerning the normativity of nature: the metaphorical integration of nature and person imply that natural law arguments share in the revelatory nature of the metaphorical discourse. As the metaphorical discourse is constructed by a struggle over interpretations, the natural-law arguments, then, reveal the scope and the established limits of the community's interaction with nature. The metaphorical structure of normativity "allows natural-law arguments to be deconstructed to show all the tacit presuppositions that shape the freedom and reason of the members of the community" (1). This reveals that "the communities legitimate expectations of freedom" (2), in a way that "natural-law arguments promote and protect the community's conception of human flourishing" (3).<sup>51</sup>

The metaphorical nature of normativity sets up a struggle of interpretation over the meaning of nature in the community. Viewed through this perspective, the conceptions of human flourishing constitute "ideologies of human fulfillment" that mutually compete. In the cultural struggle for meaning, moral good and freedom are mutually conditioning: the ideology of human fulfillment sets the normative boundaries of freedom and moral insight, and these serve the attainment of the ideology. This dynamic of moral progress and changes in morality is in keeping with recent findings in the field of cultural anthropology that support the historicity of moral reasoning from another angle.<sup>52</sup>

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<sup>50</sup> William Schweiker. *Power, value, and conviction: theological ethics in the postmodern age* (Cleveland, OH: Pilgrim Press, 1998), 54.

<sup>51</sup> See Kopfensteiner, "The metaphorical structure of normativity," 338-339.

<sup>52</sup> The notion of cultures as "struggle around meaning" gives strong support to the idea of progress in moral reasoning through the idea of competing ideologies of human fulfillment. Of special interest for the present hermeneutical and theological perspective are the contributions of political science for cultural analysis. Kathryn Tanner, in *Theories of culture: a new agenda for theology* (Minneapolis: Fortress Press, 1997), accounts for the contributions of the neo-Marxist concept of ideology coupled with anthropological studies of culture. It helped to shift the discussion of ideology from the legal, religious and political discourse, according to Tanner, "to the common sense of everyday life, to the experiential meaning of common human affairs. The

*History operates in the fashioning of nature in a normative sense*

For Kopfensteiner, the “consensus on natural-law arguments does not depend so much on nature as it is in itself, but on the community’s shared expectations of freedom which sculpture, fashion, and redefine nature in a normative sense.”<sup>53</sup> This fashioning is historical, and its social dynamics follow the social and political struggles for meaning, as explained above. Those expectations of freedom are given by the ideologies of human fulfillment, and such ideologies are constructed upon the human self-understanding:

[this] sketches the genetic context for the perception and weighing of premoral but morally relevant goods, and predeterminates the criteria for the justification of the norm. New insights into human self-understanding are achieved, communicated and carried through into better alternatives of action; new possibilities for human freedom are opened.<sup>54</sup>

History, then, refers to the history of the open possibilities of human freedom, recounting a history of emancipation. Thus, “history is the progressive mediation of meaning in time.”<sup>55</sup> The anthropological element is an “ideology of human fulfillment” that affects the perception and the weighing of premoral goods that will give content to the moral norms. Thus, the moral norm is intended to safeguard the ideology of human fulfillment. When this ideology is shared, there is a communicative praxis. Praxis, then, “constitutes a common world and creates an identity among subjects, whose interaction contains the possibility for the critique and revision of their shared orientations.”<sup>56</sup>

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struggles for power in which ideology figures becomes in this way dimensions of all human activity, and are highlighted in importance since (...) power cannot be consolidated effectively through coercion alone but requires consent. Political struggle is therefore not focused on control of the state, and its military or policing apparatuses; political struggle is waged over the meaning of situations and culturally valorized terms (for instance, family, freedom, patriotism) (p. 40).” Moreover, an important contribution of such political notion of culture is that it helps to keep the hermeneutical rationality in check: an aesthetical and intellectualized idea of culture(s) and of moral consensus - like when it is assumed to be just a set of shared symbols, conventions, norms, texts and inter-texts, etc. – may hide the power dimension of meaning.

<sup>53</sup> Kopfensteiner, “The metaphorical structure of normativity,” 338.

<sup>54</sup> Thomas Kopfensteiner, “Historical epistemology and moral progress”, Heythrop J. (1992): 49

<sup>55</sup> Kopfensteiner, “Historical epistemology,” 50.

<sup>56</sup> Kopfensteiner, “Historical epistemology,” 51.

The community's interaction with nature, when it comes to normativity, is expressed in natural-law arguments, which can be "interpreted as a moral shorthand for the community's normative self understanding, or the community's way of being and acting with others in the world."<sup>57</sup> Our being in the world is interpretative, and so, the normative meaning of nature is disclosed through the hermeneutical process of reading it. The ways we disclose nature will bring new topics and new possibilities of freedom into moral reasoning, but this new interpretation will depend on the reader. In the act of reading nature, the reader is caught by its meaning. This hermeneutical insight, which is never isolated from the communal struggles for interpretation, "protects nature from being interpreted arbitrarily by freedom; it also protects freedom from being restricted by nature. The metaphorical structure of normativity, then, serves as an antidote to any sort of dualism between person and nature."<sup>58</sup> The indeterminacy of nature allows for active and creative readings as a function of the reader and its context. In a moral context, we find:

Behind the normative redescription of nature is the ideology of human fulfillment, so that what is reflected in the normativity of nature are our possibilities of being and acting in the world. The criteria by which nature is transcended and normatively redescrbed are the legitimate expectations of freedom that condition and guide insight. This means that the metaphorical structure of normativity provides a critical account of the natural law in that moral reasoning has an active, imaginative, and a creative role in fashioning human goods in the service of the ideology of human fulfillment.<sup>59</sup>

The metaphorical structure of normativity provides a critical account of natural law. The ideology of human fulfillment provides the ends that select all the individual human goods; and the ideology itself is checked by competing ideologies. Hence, the weighing of moral goods is never done in an abstract way, but always within the boundaries established by the legitimate expectations of freedom given by a social context in which the "texture" is knitted by threads of diverse colors. Natural law is not meant to refer to a context-free category; otherwise it easily becomes an ideological instrument of moralism, legalism and moral objectivism isolated from social and scientific reality.

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<sup>57</sup> Kopfensteiner, "The metaphorical structure of normativity", 339.

<sup>58</sup> Ibidem.

<sup>59</sup> Ibidem.

The “normativity of nature” reflects our possibilities of being and acting in the world, and such possibilities are effectuated in the historical realization of freedom. In this effective history of freedom, the dialectics of moral insight and experience brings new meanings of normativity (Josef Fuchs). Stable configurations of normativity can be disrupted followed by new ones arising from the interaction between freedom (person) and nature: “new similarities between the realms of freedom and nature are recognized, or new resemblances are invented by the creative power of moral reasoning (...) the limits and possibilities of nature and freedom are reconfigured in such a way that new alternatives of moral action emerge.”<sup>60</sup> In the contemporary context, natural law is understood most adequately under this cognitive-anthropological approach to knowledge. Whatever we know, we know through language that is acquired through the personal experiences. Language, however, is not a mere instrument of communication; rather, it is a communal and historical entity. The personal experiences that lead to moral or scientific knowledge acquire meaning when shared. The shared meanings are constantly checked through social and political struggles. An urgent question for our time, more evident at each fast and “revolutionary” new technological development, is whether the accelerated levels of circulation of information, people, and commodities will allow for any stable configuration of normativity.<sup>61</sup>

The historical and hermeneutical analysis of the interaction between natural sciences and moral reasoning provides new approaches to deal with natural law arguments that can improve the dialogue across areas. The search for new approaches is already underway in the research several moral theologians and philosophers. Hence, in the next chapter I will study the works of three theologians dealing with different hermeneutical approaches in moral theology. In doing so, I intend to search for some hermeneutical keys that may be successfully applied to the perspective that I have developed here.

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<sup>60</sup> Kopfensteiner, “The metaphorical structure of normativity”, 340.

<sup>61</sup> Paul Virilio’s concept of “dromocracy” advocates that those who can move fast, appropriate information faster, or have access to high speeds (information, communications, transport), are usually wealthy and powerful (see Paul Virilio, *Speed and Politics* (New York: Semiotext(e), 2007).

## Chapter 2

### The response of moral theologians

#### Klaus Demmer: Hermeneutics and fundamental moral theology

Klaus Demmer's *Shaping the moral life: an approach to moral theology*<sup>62</sup> is to date one of his few works that have been translated into English. A concise introduction to moral theology, the book represents a summary of his own approach to it, where "hermeneutic efforts" are constantly called in to better position the production of moral theology within the present social and cultural context. The results are hints, as he calls them, for a contemporary approach to moral theology, to the natural law theory within, and to the problems of the moral pluralism that characterizes modern societies.

#### *Moral conscience and faith community*

Demmer's starting point is the contemporary state of moral theology from an ecclesial perspective represented by the many challenges and invitations of the Second Vatican Council. Such perspective reflects one of his basic postures, that is, moral theology is a science of faith in relation to the Church. As there are many philosophical and theological perspectives, so it could be with moral theology. However, engaging in "a science of faith in relation to the Church" implies precisely the translation of the Christian faith – which expresses itself as a living Church - into moral action in a secularized and pluralistic cultural context. Thus, the challenges for moral theology as a science involve not only looking into normative issues, but also the reflection on the structures of thought and on the relevance of theoretical frameworks, both in theology and in culture, and their suitability for the solution of concrete moral issues (see KD, 66).

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<sup>62</sup> Klaus Demmer. *Shaping the moral life: an approach to moral theology*. (Washington, DC: Georgetown Univ. Press, 2000), hereafter cited in text as "KD."

Demmer's ecclesial perspective is both theological (ecclesiology and its relation with Christology) and historical. The former manifests Demmer's basic stance that moral theology cannot be done without explicit relation to Christology, the latter shows his deep scientific commitment to the challenges of our times. Christology must be understood "as a continuous process of interpretation by the Christian community." In this process, the living Church not only "witnesses the person's conversion and sustains her or his life as an imitation of Christ," but she is also the interpretive community that rethinks and expresses the meaning of Jesus Christ to the faithful and to the world in relation to the challenges of the times (see KD, 4). Demmer's concern about the role of history is manifested retrospectively by an account of the development of moral theology enlaced with Church history and the development of modernity, and by the concerns with its future relevance. Prospectively, moral theology will find its *raison d'être* if it is able to take seriously the interdisciplinary dialogue with contemporary empirical sciences and philosophical perspectives in order to improve our capacity for moral assessment of an evolving, complex and conflicted world reality.

The Second Vatican Council expresses the general lines of the Church's contemporary consciousness. For moral theology, it opens up exciting perspectives by bringing into focus anthropological elements as correlates to the faith experience, such as the dignity of the human person and the autonomy of the interpretations of world realities. The former is represented by categories such as autonomy (understood as "relational autonomy" or theonomy), the inviolability of the conscience, the valorization of personal responsibility and the formation of conscience. The latter implies the autonomous relationship between the truths of revelation and the historical search of the truth. This anthropological underpinning of moral theology has its roots in the correlation between anthropology and Christology, in the sense that Jesus "reveals humanity to humanity" (KD, 5). Within this frame, Christian moral life is conceived as a response to God's invitation coming from the historical person of Jesus Christ. According to Demmer, in the

spirit of the Council, “Christian morality is human morality brought to its perfection” (KD, 6), and the task of moral theology is to articulate that meaning. Behind what seems a pretentious statement, there is the Christian confidence that we have something to communicate to the ethical consciousness of humanity (see KD, 4-6; 29-35; 87). Thus, Demmer’s actual concern would be about the anthropological implications of the Christian faith and its relation to moral contents that can be universally communicated to all humankind. The ultimate horizon of this communicability is God’s self-communication in the radical Christian sense: revelation is inherent to humanity in the person of Jesus Christ.

From a moral point of view, the universal communicability has to achieve reasonableness not merely in the sense of a rational consensus that would justify moral obligations. Moreover, it should refer to the universal experience of the conscience that is bound to the self-understanding of the moral subject. Demmer sees that the appeal to conscience in moral theology not only fits the modern sensibility concerning the autonomy and the dignity of the person, but also provides an anthropological-theological framework that allows it to demonstrate its openness to a transcendent intuition, which, in turn, yields a spiritual interpretation that concerns the question of God (see KD, 16-19). Demmer insists, throughout the book, on a notion of conscience that is related to our common experience of what emerges and is also required when we act; that is, our capacity to judge and rely on moral insights (see KD, 2; 21). Given the evidence of the phenomenon, he emphasizes that conscience formation not only inspires competence in moral reasoning, but also improves self-understanding (of both individuals and communities) and morally mature persons who are able to realize what is meant by the “dignity of the person” and promote it. To act morally does not merely concern obeying rules, but “actions must flow from free insights into the good” (KD, 20), otherwise such action seems immature. Conscience formation is important for dealing with moral authority, facing our own prejudices and fostering an open attitude and dialogue, to support the onus of individual decisions in complex and pluralistic social realities, to promote social responsibility and prudence



in engaging the world (democracy and citizenship, social justice, environmental responsibility). Conscience formation can benefit from the dialogue with other disciplines helping us to “understand that moral action is as much an actualization of the person as it is of the norm” (KD, 20).

The connection between conscience and its role in the disclosure of God to persons ascribes to the Christian community a crucial role in conscience formation and the responsibility for inspiring competence in moral reasoning. From this perspective, Demmer brings up an interpretation of the Church that is consistent not only with that task, but fully consistent with the Church’s identity and mission. The anthropological basis is the understanding of human existence as communication: human existence happens essentially in community, which is the arena where accumulated moral experiences shape new actions and build knowledge that are transmitted as intrinsic conditions for the community’s own existence. In this sense, “human communities are communities of communication” representing “the primordial life-process of humankind” (KD, 29). Through language, “the progress of knowledge and thought discloses new perspectives and unknown points of view to the world, deepening and sharpening traditional insights” when “new concepts are continuously created, and existing concepts acquire different meanings” (KD, 30). As for the Church, Demmer argues in the same line that “before taking up a juridical and institutional form (*Gestalt*), the Church is the living *communio* of the believers” (KD, 30).

The community lives an experience of the salvific encounter with Jesus Christ whose memory allows for a constant elaboration of moral understanding. The experience is constantly re-interpreted in the face of social and cultural challenges, generating a tradition (“a communal thinking effort”) that has moral and normative implications. The interpretive moral *communio* is also a fraternal community, living and witnessing charity, which implies that all the participants of the tradition - “albeit in different measure”, Demmer admonishes - share responsibility in holding the memory and performing the interpretation of the encounter with Christ. The Church, thus understood, transcends the hierarchical structure, which is not

denied, but placed at the service of the community and its process of the discovery of the truth. Because this moral communication takes place within a visible, historical, and institutionalized Church, specific functions receive authority over moral matters in order to speak to the conscience of the faithful. This implies that the magisterium does not possess the tradition as opposed to the living faith community, but provides further articulation of meaning for its official expression within the framework of the proclamation of the Gospel (see KD, 30-31).

At this point, one should notice, the perspective on the *communio* ecclesiology entails two important elements concerning the interpretation of natural law. First, the communal process of memory, understanding and thought should not be perceived as isolated, as if concerning only a “narrative theology” around the person of Jesus Christ. The process of thought concerns also a “theology of world realities,” which implies that the moral imperatives issued by the *communio* should also conform to an accurate analysis of the phenomena that constitute the world, or “reality.” Believers have the onus of articulating their moral identity for its relevance in terms of the description and explanation of reality (see KD, 6). It follows that the interpretation of nature becomes a major element in the overall moral discourse, and the authority conferred on the magisterium in matters of faith extends towards the non-revealed moral truths and the interpretation of the natural moral law. In the perspective of the *communio* ecclesiology, however, the connection between natural law and the moral discourse centered on following Christ demands an open communicative process. As Demmer comments, “one cannot appeal to conscience, on one hand, and on the other step over that very conscience in the name of authority by failing to take seriously its critical function” (KD, 32). Thus, the magisterium is involved in the progressive task of clarifying its teachings in light of new challenges (as it has done, for instance, in the case of slavery or usury). There is a historical continuity in this process that should not be interpreted as a linear chain of (rather fixed) arguments and texts, but as a historical manifestation of the movements of the spirit (*Geistesgeschichte*) where corrections

are possible whenever they do not become contradictory with the *communio*'s faith experience and its associated teaching mission (see KD, 32). This brings us to the second implication, which concerns the historicity of truth within the dynamics of the *communio* and its historical forms and institutions.

For Demmer, the historicity of truth means recognizing the conditions for the discovery of truth and taking seriously their relevance in the elaboration of moral judgments. From this perspective, the genre, language and the context-associated presuppositions for issuing any Church document should be considered, as well as the degree of authority invested at the particular situation (see KD, 33). Another important issue is analyzing critically whether a particular structure of thought and its associated language is suitable to a specific content.<sup>63</sup> Even if the magisterium does not pay allegiance to any specific philosophical current, it cannot avoid using philosophical arguments; yet, the decisive argumentation has been based on the natural law (see KD, 33). Therefore, one of the basic premises of natural law arguments – that they are reasonable to all human beings – entails the possibility of a process of intellectual critique. This process would be enacted primarily as a constructive criticism entitled to the people of faith, who live “in close contact with the concrete moral experience of all areas of life,” and are “constantly challenged by the experience of moral success or failure” (KD, 34). The moral *communio*, retrieving and debating moral truths, constantly seeks alternatives for moral action, which are certainly provided by the source of its foundational experience, the good news of the Gospel.

Up to this point, we have seen how Demmer connects revelation – as God’s self-communication – to the development and formation of conscience in individuals and in the community, which is based on communication as the human life-process. In addition, we have seen how an authentic process of conscience formation depends on the ecclesiology of communion that is faithful to the tradition and the

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<sup>63</sup> Let us say, pretending to establish normative criteria for dealing with embryos and stem cell technologies while talking about the “infusion of the soul” and other categories associated with Aristotelian physics and metaphysics.

Church's mission. In the following section, we show how Demmer further expands the Christian anthropological presuppositions and its relation to moral contents that can be universally communicated to all mankind.

*Natural moral law, universal communication and the role of hermeneutics*

Natural law holds a central place in Demmer's view of moral theology due to his anthropological interpretation of revelation. Yet the conception is nuanced, for it is not about an abstract human nature, but it rather builds on the universal experience of the conscience. The faith experience and the truths of faith are recast in a Rahnerian fashion as the self-interpretation of the believer in anthropological coordinates that shape a Christian horizon of meaning (see KD, 12; 24; 25). The person experiences him- or herself as a believer, yet his or her self-understanding as a moral subject is bound to the universal experience of the conscience. This "unity of humankind's moral consciousness" upholds a "universal capacity of moral judgment" that, in terms of natural law, binds all persons and seeks the reasonability of natural law arguments by a "dialectic effectual history between faith and reason" (KD, 24).<sup>64</sup> In a pluralistic world, natural law is conceived as a common ground for agreement on moral issues, that is, "a basis of universal communication" (KD, 36). Communication, as a life-process aims at and expresses the idea of a meaningful and generally successful human life wherever the conscience (person) may be situated. Communication is the link by which the community of believers recognizes the whole of mankind, as Demmer says:

The horizon of the spirit encompasses all peoples of good will. A progressive fusion of horizons takes place between believers and non-believers, originating a universal ethical dialogue in which all peoples (...) participate. This fusion of horizons explains why we can understand each other and agree on the ethical evaluation of a particular issue if we do not share the same religious convictions (KD, 2).

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<sup>64</sup> "eine dialektische Wirkungsgeschichte," the idea of "a maieutic function of faith toward reason." Demmer builds on Alfonse Auer's idea that "faith exercises a threefold function in relation to moral reason: it criticizes, stimulates, and integrates the moral natural law that is logically prior to faith."

This drive towards communication was the initial reason for the Christian community to embark on the long natural law tradition, developing it from the “awareness of the insufficiency of Christian revelation with regard to its content” (KD, 36). In the same line, Demmer envisages further development of the tradition if new theoretical efforts are made through the engagement with contemporary scientific culture and philosophical trends. How he sees contemporary issues in natural law theory and his hermeneutical approach will be addressed next.

Hermeneutics is about understanding a tradition, the meaning of moral and theological assertions in their historical context. In the case of the Christian tradition, the content of natural law reasoning is codetermined by the theological mindset that generates it. Therefore, the more clearly the historicity of moral norms and of theologically-driven moral propositions is recognized, the easier it becomes to establish in the present time the values that they were trying to protect. Hermeneutics helps moral theology to avoid to retreat into an “exaltation of uncontrolled absoluteness,” which results in moral rigorism and withdrawal from concrete life issues with the subsequent danger of losing touch with reality (see KD, 68-69).

Because natural law, as a moral system, connects the domain of the scientific description of reality to that of interpretation, it requires that its upholders perform an accurate analysis of the phenomena that constitute reality and articulate their interpretation-bound moral identity to its relevance in terms of the description and explanation of the reality. In this aspect, natural law seems to hold an epistemological niche in moral theory, and it can behave like “an open system that not only permits but even requires a constructive dialogue with contemporary philosophical trends” (KD, 37) and empirical sciences. Awareness of the tradition’s historical development helps us to understand the variety of forms of natural law theory

that developed as a response to challenges and mindsets at different moments in history (classical-cosmological, medieval-theological, and modern-anthropocentric).<sup>65</sup>

To engage in the development of the natural law tradition, Demmer identifies crucial points in contemporary debates that would benefit from new interpretations: the first point concerns the articulation of the relationship between nature and person (human freedom). A responsible moral life requires freedom, which, in turn is concretized in the individual natural body. If freedom and nature are bound together, there is a normative nature (natural law), which implies a flexibility of biological nature in relation to moral judgments. Moreover, in a scientifically hegemonic environment it becomes inevitable that one recognizes that nature provides essential elements for moral consideration. The integrative point would be to understand how the biological dimension would contribute to the formulation of moral judgments in such a way as to avoid “extremes of a personalism that is forgetful of nature (...) and a naturalism that is inattentive to the person” (KD, 41). That biological nature is relevant for ethics does not entail that it is immediately normative; the point is, then, to find the criteria for its normative relevance. As for the matter of valuing and interpreting empirical information about nature, the anthropological options that constitute the pre-comprehension level of the interpreters become evident, for the data themselves do not provide more than their own facticity. The second point refers to the issues raised by the historical awareness of the moral and scientific constitution of truth and the notion of moral absoluteness, that is, moral judgments do receive different applications according to specific historical challenges. The third point would be the clarification of the relationship between a presupposed anthropological unity that grants the possibility of

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<sup>65</sup> As an illustration, let us consider what happened with natural law theory between the sixteenth and nineteenth centuries, when the modern empirical sciences were developing: at that time, physical materialism and biological positivism were played against a purely metaphysical understanding of human nature, engendering a rigid, abstract and objectivistic system that was quite different from the style of moral reasoning embodied within the realm of natural inclinations seen in the previous centuries. Prospectively, it also caused the critical reaction in the nineteenth century, including the turn to hermeneutics (see KD, 13; 40; 78).

natural law arguments, and the diversity and dignity of cultures and moral systems that differ in their interpretation (see KD, 40-42).

The three points above refer to morally relevant interpretive tasks regarding nature, history, and the phenomenon of conscience, that reveal Demmer's hermeneutic approach to moral theology and his characteristic attentiveness to natural law moral arguments. These interpretive tasks play anthropological presuppositions against each other to discern whether and how the scientific data are relevant in the discussion of categorial norms - for example, the meaning of biological structures for retrieving norms related to sexuality or reproduction (see KD, 47;75).

In Demmer's view of the natural law, there is a certain degree of flexibility in retrieving moral judgment that is related to the whole of the practice of moral theology. Moral theologians are expected to search for the knowledge that would improve their conditions for moral judgment. Hermeneutical tools are crucial for this task. An open search for the truth implies that moral reasoning benefits also from interdisciplinary exchange with scientific disciplines. The favorable conditions for the communicability and validation of scientific data display the already-ethical ground from which the theologian operates and confronts the ability of natural-law-based arguments to integrate new corrections (see KD, 72). On the contrary, putative corrections would be hardly relevant if they display an empirically reduced understanding of the human being.

#### *The dialogue with the empirical sciences*

The empirical sciences are decisive for humanity's self-understanding because our conscience, reason and freedom are embodied in nature. Failing to appreciate their contribution to moral reasoning represents the demise not only of reality as such, but also of what is theologically implied in natural law theory (a theology of creation). Demmer is concerned that if theology abandons reality, "it inevitably creates

gaps that the natural sciences can promptly fill in – thus extending, unobstructed, their already hegemonic influence” (KD, 72). Moral theology is, thus, inevitably close to the empirical sciences and its practice represents the origin of many different forms of this encounter, as learned from recent and past history. In broad terms, Demmer advocates, in keeping with the Catholic tradition, that there is no conflict between faith and science, assuming the unity of the truth. Interestingly, accounts of reality demand epistemological and ontological actualizations in order to keep moral reasoning at pace with its time, which reflects the historicity of moral thought (progress in moral reasoning, changes in moral judgments; see KD, 9; 42; 72).

As Demmer puts it:

The results of natural sciences are ambiguous and therefore cannot immediately determine moral judgment; only moral reason can provide the additional meaning that empirical data always need to ground moral judgments. Yet moral reason as well undergoes a historical progressive discovery that brings about new points of view and may eventually lead to a different interpretation in moral terms (KD, 78).

This constructive approach towards empirical sciences does not come without some admonition: both theologians and scientists must be aware that the conflict is not about faith and science, but it can occur between theological and scientific theories; they have to be aware of exceeding their own areas of competence; they take part in the same stance against interests and pressures operating in their fields. Theologians, in their turn, can criticize the interests operating under a certain research enterprise, as well as the moral questions entailed by the research objectives, but they do not have competence to criticize the method; they acquire an improved judgment capacity; they should check their scientific presuppositions and currency; their conceptions of metaphysical nature should also be open and checked; classical metaphysics should be criticized, but a reduced metaphysics (empirically reduced ontology) is also not accepted; they can bring into the dialogue different perspectives that can help scientists be aware of interpretations and evaluations of the data that may result from prejudices and that cannot be experimentally secured; they can denounce the use of scientific data for ideological purposes; they can criticize research strategies based on inadequate anthropological views; they should be critical in accepting



unproven results, or dealing with theories and hypothesis that are not well established by the scientific community. Scientists, finally, should be aware of the influence of their anthropological presuppositions on their research strategies and the interpretation of the phenomena, for research strategies may be slanted to gather data that only support previous prejudices; they should avoid jumping to moral conclusions for newly discovered data without further elaboration; they should develop an awareness of the ambivalence of nature; and to acknowledge that they rely on many presuppositions that belong to other areas of competence (for example, the anthropological, sociological or psychological presuppositions that affect biological research) (see KD,72-77).

*At the end, a mature conscience*

The goal of moral theology is to develop moral competence in the agent. Taking Demmer's panorama into account, we find moral theology configured in a cross-cultural dimension encompassing the experience of the conscience (i) of individuals and communities, Christian or not; the interconnection with a distinct, hegemonic and globalized scientific culture (ii) that produces a different and at times antagonistic worldview; and the imperative theological task of rethinking the question of God (iii), and its meaning for moral life, at each turn in history. With respect to this last point, the confrontation with natural sciences questions the foundations of moral theology in addressing the root of its metaphysical conception and questioning of moral theology's intellectual construction around the meaning of life. A real struggle for the delimitation of what "reality" is all about is taking place. Meanwhile, the reality-oriented type of moral reasoning "bespeaks a mentality that is more congruent with a society driven largely by a scientific model, even in its understanding of morality itself" (KD, 22). Science, as a human activity, however, is also constructed upon shared convictions and values of the research community, which ultimately determines its progress and results (see KD, 78). Scientific activity, as a cultural and ethical enterprise, is also inclined to open new cultural horizons throughout the history of scientific problems, hypotheses and results. A

competent and open theological production can certainly participate in these new horizons. Moreover, wondering how this production can take place, Demmer asks whether the work of moral theology, like the production of science, does not also take place “within an established cultural horizon that is continuously moving and occasionally undergoes qualitative shifts” (KD, 78).

Inspiring moral competence is a major task for contemporary moral theology. For Demmer, the corresponding normative theory that can possibly address human agency in such context should be more sensitive to the deep dimensions of moral decisions, moral character and conscience formation. Moral decisions cannot be understood and evaluated in isolation or in abstract (objectivism of duties and rules), but they should be the expressions of their agent, connected to his or her life history, in the larger context of a person's life experience. They should reflect the particular level of personal and moral maturity. Demmer's sensitivity to the historical dimension of moral judgments is at the basis of his hermeneutical approach to moral theology. In his vision of the present moral situation, if the unity of the world is now fragmented by diversity and pluralism and by distinct points of access to reality (pre-scientific, scientific), the personal experience of conscience acquires a major role. If persons lose their apprehension of the world because of its complexity, they retreat into the inwardness of their conscience and look at reality on the basis of their self-consciousness. Moral theologians and Christian people are bearers of an identity that can make them strive for the formation of self-understanding and morally mature personalities (see KD, 11; 25; 52-54).

## William O'Neill: Hermeneutics and the reconstruction of prudence

In his work, *The Ethics of Our Climate: hermeneutics and ethical theory*,<sup>66</sup> O'Neill addresses the impairment of modern morality and criticizes some of the assumptions of modern ethical theories. He is concerned with the kind of moral skepticism of many postmodern theorists. Moral skepticism is the result of successive deconstructions that have been characteristic of the trajectory of modern reason in which the form of reason may be present in many ethical discourses, but the content is cryptic; where everyone is cautious with affirmations of duty and precepts, and values are leveled to an extent that everything is interchangeable. Morality becomes an open system of hypothetical imperatives, deriving its justification from the subjectively and conditionally necessary aims of quite particularized social lifestyles. Universal moral reasons for human action seem to fade away; and different moralities are presumed to be constructions of the circumstances of individuals and communities. For O'Neill, this skeptical instance would be decisive only if we assume that morality must be justified beyond the world where we live, think, make our choices, act, and express ourselves in moral terms. In engaging Kant, the paradigmatic figure of modern reason, O'Neill questions his assumptions that pure reason alone, independent of all experience, can justify moral judgments. For O'Neill, the moral action of the concrete, particular, agent cannot be abstracted from his lifeworld, as ethical life is inextricably based on prudential judgments that concern the whole life and thought of the agent and his or her community.

In Part One, O'Neill is interested in the recovery of a notion of ethics that could be distinguished from the theoretical (logical and formal knowledge) or technical (empirical-formal knowledge) modes of reasoning that have prevailed in the variegated quest for a modern ethical theory. O'Neill finds his way arguing through the rescue and interpretation of the Aristotelian conception of practical reason (*Phronesis*)

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<sup>66</sup> William O'Neill. *The ethics of our climate: hermeneutics and ethical theory*. (Washington, DC: Georgetown Univ. Press, 1994), hereafter cited in text as "ON."

and a comparative critique of Aristotelian and Kantian moral theories. He argues that Kant misconstrues Aristotle and his interpretation of autonomy fails to offer a necessary and sufficient justification of morality. *Phronesis* involves moral sensitivity, perception, imagination, self-knowledge, and judgment informed by experience that not only gives the moral agent expertise for acting virtuously, but represents a state of fruition. Kant's *Moralität* is a philosophical and technical construction, emphasizing reason and logic wrapped in formal deductive procedures to determine the right action in itself, independently of any experience or subjective state. *Phronesis*, as practical knowledge, is distinct from theoretical knowledge and technical expertise. It concerns neither the apprehension of concepts, nor the perfection of an art, but the perfection of the moral agent through virtuous action. O'Neill's critical reconstruction of *Phronesis* suggests that a theory of practical truth need not entail a methodical abstraction from the lifeworld to seek refuge in purely conceptual constructions.

The Aristotelian moral agent intends virtue for its own sake, as an excellence of the perfect community (see ON, 5). The "perfect community" is an ongoing social and cultural project, aiming at a fully realized, complete human community, which is by itself sufficient to support what is required for human flourishing. In this way, the final good for each person depends essentially upon his or her willing and active participation in a common life. Virtue, then, is the agent's internal fruition of *Phronesis* that expresses itself as practical wisdom in the service of the perfect community. The communal dimension, in turn, demands a stance for truth in order to describe the morally relevant actions that express a virtuous life. This understanding of the Aristotelian moral agent and community repels accusations of egoism and hedonism made, for instance, by Kant. In Aristotle, the morally relevant description of action is specified in terms of a "perception" of moral action as an "ultimate particular" pertinent to the agent's "situational appreciation" of the relevant circumstances of action. Such situational appreciation acknowledges distinctive interpretative traditions that illumine the context of acting where the sense of virtue, instead of being grasped in

abstraction, is shared by those who are referring to it along with the action (moral community). In this way, through habituation of the character, education and training, one comes to “see” morally relevant features of action (see ON, 140). The process creates values and evaluates goods, where the meaning of each virtuous action is given by the common process of self-knowledge. It expresses the connaturality of virtue as common knowledge (see ON, 16). It is essential for O’Neill’s argument that the “ultimate particularity” of moral action should not be “abstracted from our ethical (*sittlich*) traditions – the ‘stream of life and thought’ in which ‘what I do’ has meaning” (ON, 144). In Kant, by contrast, the moral law rests in the transcendental freedom of abstract, practically rational agents, comprising a “kingdom of ends” that the philosopher has imagined in a thought experiment (see ON, 42-43).

For O’Neill, Kant performed a “technical reduction of prudence,” and redefined the concept of practical reason: the perfection of prudence became a deductive knowledge and a calculative skill, not implicated anymore in the perfection of the agent but in the fulfillment of objective obligations. Under Kant’s analysis of categorical imperatives, Aristotelian eudaimonism was dismissed as a form of “producible end” (*poiesis*), thus, falling under the category of hypothetical imperatives that do not command, but merely recommend an action (without enough prescriptive force; see ON, 23-24). O’Neill defends Aristotelian ethics by showing that the distinction of hypothetical and categorical imperatives in Kant is one of mode, instead of logic. Many hypothetical imperatives, become, in certain circumstances categorical ones, showing that moral action is not determined by law and duty only (see ON, 30-32). O’Neill concedes that Kant has a very positive conception of freedom in the way he sees the autonomy of the moral agent, but he fails to show the practical necessity and sufficiency of the universal prescription of the moral law (see ON, 39): “practical legislation does not necessarily imply that maxims be given the universal form of the law, nor does the formal stipulation of universalizability suffice to discriminate moral from immoral maxims” (ON, 3). Kant’s moral agent is abstractly personal, but we have to see the concrete, personal, and historical agent

as the source of law if we are to take his conception of autonomy seriously. O'Neill elegantly shows Kant's failure: he assumed that, being derived from its autonomy, the dignity of the will "would be logically antecedent to its expression in the formal universalization of one's maxims, precedence being ceded thus to the 'material' rather than 'formal' expression of the categorical imperative" (ON, 43). Kant invokes the "dignity of human nature" but fails to show in his deductive and logical scheme that "the 'reverence for a mere idea' (the dignity of humanity) must 'function as an inflexible precept of the will'" (ON, 44). Comparing this to the Aristotelian perspective, O'Neill shows how the pure formalization cut us off from the very stuff of morals. This insufficiency in pure formalized moral prescription means that formal, "deontological constraints are not generated 'independently of experience', but, rather, imposed upon ethical (prudential) judgment, such as intersubjective redemption of practical validity claims" (ON, 120). Following Kant's depiction of prudential judgments, formalized and procedural moral reasoning becomes a paralyzed force for moral action noticeable, for example, in the struggle of Kant's heirs, like Richard M. Hare (1919 – 2002) and John Rawls (1921 – 2002).

In his conception of *Moralität*, Kant expresses the modern ethical struggles in terms of the separation between the reflected morality and the ethical life. This state of affairs was sustained while the proclaimed triumph of "Reason"—endorsed by the development of the modern empiric-formal sciences—incited the historical process of formalization of moral reasoning. In Part Two, O'Neill provides strong elements for a hermeneutical critique of Kant and his heirs and opens up the perspective in which by returning "to our moral experience and, in particular to our phronetic self-knowledge as members of a moral commonwealth" (ON, 121) our practical claims are redeemed. According to O'Neill, Kant had, in fact, introduced a material criterion in the formulation of categorical imperatives by referring to the ideal of "respect for persons" and the "mere dignity of humanity" (see ON, 43; 145). Modern normative theories, in dealing with Kant's abstract formalism, end up considerably dependent upon Kant's material formulation of

categorical imperatives (see ON, 75; 81): to construct the supreme moral law, the normative theories proposed by Hare and Rawls, for example, stipulate metaethical constraints upon prudential judgments, regulating the moral discourse by scavenging from the moral prejudices of ordinary language (see ON, 3; 49; 62). In doing so, they limit the relevant preferences of agents as a function of theoretical exigencies. Hare's "universal prescriptivism" searches for formal rules of impartiality imposed upon his "prescribers" dealing with a prudential choice, while the "Kantian constructivism" of Rawls aspires that its rational "choosers" will act based on the ideal of "pure, procedural justice" (see ON, 49; 51; 62). However, O'Neill notes, the normative interpretations of either theory, "depend less upon the formal, metaethical stipulations of impartiality or universalizability than upon their differing interpretations of moral experience" (ON, 3). In their case, hypothetical choices underlie the material formulation of the moral law, and varying conceptions of moral experience are invoked in the material specification of universal maxims.

In Part Three, O'Neill works on the critical retrieval of the conception of prudence that would lay down the normative implications of prudential (rational) action. The modern, Kantian-like, critique of prudential judgments disputes that the objectivity of prudential judgments is relative to the "experience" or moral "self-knowledge" of the prescriber. O'Neill argues that formalized and procedural ethics account only for an objectivity that derives from an abstract conception of positive freedom and autonomy. Rather, autonomy should be conceived in the practical realm of concrete, situated agents. Therefore, he sets out to demonstrate that (i) prudential judgments are an expression of rational autonomy (see ON, 11; 79; 106); and (ii) that rational prescribers do not need to abstract from "interest" and "prejudice" because autonomy, in the practical realm, presupposes their affinity to the moral community (see ON, 4; 102). Finally, as a moral theologian, he appends (iii) an application of his hermeneutical interpretations that, giving the logical and epistemic independence of moral justification, would be consistent with the Christian specificity (see ON, 79; 130; 136).

O'Neill starts with an analysis of the normative implications of prudential action in the light of his previous criticism of Kantian hypothetical imperatives: the subject acts rationally (prudently) when he acts in accordance with his best reasons, all things considered. The content and sense of a particular action reflect the agent's intention and interest. Being intentional and moral, the practical judgment leading to a choice (and action) bears in itself a propositional attitude. The moral proposition concerns the justification of the moral judgment. It consists in showing that the action is fittingly described in terms of a moral maxim, and that the intention of the agent in performing the action under a specific moral description satisfies the agent's best reasons, all things considered. Such prudential judgments reflect "reason's pure, practical interest" inasmuch as "I prescribe that the intention of practically rational agents be conformed to their best reasons, all things considered" (ON, 106; see 90-94; 106-107). In this way, prudential prescriptions exhibit the pure, practical interest in the formation of rationally coherent intentions. My interest sets up the intentional context for the formation of the reasons rationalizing my action; thus, my reasons are antecedently governed by my interest in, or respect for, the moral community of rational (prudential) agents (see ON, 3-4; 106). If my best judgment is fittingly predicated of me as a rationally autonomous agent, then my disposition is to respect the rational autonomy of others as well (see ON, 107). In this, the various sort of prudential judgments, representing the internal fruition of prudence, account for a moral teleology in which "my prescriptions show forth my relation as a rationally autonomous prescriber to a possible kingdom of ends as the ideal, internal fruition of prudence" (ON, 107). In other words, the final good of each person depends essentially upon his willing, active and rational participation in a common life. This implies that the phronetic "self-knowledge" (as citizens of a possible kingdom of ends) governing the formation of our rationally coherent intentions belongs to a common process of self-knowledge where acting "accordingly with the best expectations" (or virtuously) expresses common moral knowledge. "Our 'self-knowledge' (and hence 'self-interest') is tempered by the regulative ideal of a kingdom of ends" (ON, 98) that is attained and



sustained by the communicative efforts of an inclusive and non-coercive discourse among free and equal partners (see ON, 122).

Prudential judgments are circumscribed by personal and communal historical understanding (rather than formally). However, to take them as an expression of rational autonomy, O'Neill argues that "the objectivity of practical judgments need not imply our abstraction from the interest or "prejudice" characterizing rational prescribers" (ON, 4). Following Gadamer's hermeneutical critique, "prejudice", or pre-understanding, the author understands as "a constitutive element of historical understanding" (ON, 76). In hermeneutics, "prejudice" reflects an "affinity" of knower and known. Hence, argues O'Neill, assuming that moral judgments are not abstractly done, autonomy presupposes the affinity of rational prescribers to a possible moral community. Human understanding cannot be methodically abstracted from the situation of the interpreter (see ON, 108). For moral reasoning, it implies that our self-knowledge as autonomous prescribers and citizens of a moral commonwealth determines our "knowledge of the good" not in the abstract, but as it is expressed in our intentional action descriptions.

In the communal and historical understanding, moral claims do not rely on a formalized and abstract objectivity, rather they rely on the manner in which the interpretation proceeds in the language. The ongoing interpretation (knowledge of the good) is bound by the intentional action descriptions that seek to realize the final good of the individual in the intentional moral community. In this process, however, "the specter of linguistic (and by implication, moral) relativism" (ON, 107) is still present. In time, O'Neill performs an analysis of "effective reflection:" that is, the unfolding of an "illumination of language in language," where language constitutes a view of the world as a system of beliefs that expresses not only the truth "in the multiplicity of our ways of saying" (truth itself and truth for us), but also where language asserts itself (see ON, 113). The "infinite realm of possible expression" reveals the infinity of the act of

understanding that is “linguistically creative and world experiencing.”<sup>67</sup> In this process, it becomes possible to access the extension of “practical” truth in ordinary language and elucidate the role of prejudice in generating truth claims, as moral claims can be redeemed in the moral commonwealth. Up to this point, the hermeneutical appropriation of *Phronesis* proposed by O’Neill shows that prejudices “are already ‘performatively at play’ in the reflective illumination of language,” thus permitting “to understand our ‘common behavior’, so as to ‘envisage in a fundamentally universal way what always happens’” (ON, 118).

In O’Neill’s hermeneutical reconstruction of *Phronesis*, “prudential prescriptions do not descend from the empyrean as a form of episteme nor are they reducible to instrumental reasoning” (ON, 3). Rather, the affinity of our moral self-knowledge and our common knowledge of the good, as it was disclosed in the “effective reflection” analysis, justifies our search for objective moral judgment (see ON, 145). At this point, deliberation in order to attain consensus presumes “our common seeking of what is right” (*sunesis*; ON, 145). This search implies the recognition “of mutual respect of agents already citizens of a kingdom of ends” (ON, 122). Then, granted the principle of equal respect, the theory of practical truth becomes also a theory of rights that allows for the identification of illusory and coerced consensus. Because this theory is not derived from “prudential self-regard but, rather, from our self-knowledge as citizens of a moral commonwealth” (ON, 102), the fruition of prudence becomes also the fruition of rights. Since the maxim of respect implies the conditions of its application, “the basic, structural ideal of the common good is specified by a regime of basic rights” that give the structural conditions presumed for fair and impartial choice (see ON, 123). A phronetic theory of rights, as proposed by O’Neill, outlines a *via media* between the abstract formalism of Kantian *Moralität* and ethical (*sittlich*) interpretations of the common good.

In the final chapter, O’Neill’s renewed assessment of *Phronesis* sheds light on religious morality and on the question of the distinctiveness of Christian ethics. As a result of his investigations, he ends up

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<sup>67</sup> Hans-Georg Gadamer, “The universality of the hermeneutical problem,” 15-16, apud ON, 113.

upholding an anthropological universal morality based on the ethical ideal of respect for persons. His theory displays “a formal, pragmatic justification in which distinctive Christian reasons need not figure” (ON, 136). However, this formal independence or autonomy does not imply an ultimate independence of Grace, in the sense that “there is no inconsistency in denying the religious dependence of moral justification while affirming the ultimately religious character of our entitlement to moral judgments” (ON, 137). What we do as citizens of a kingdom of ends is to observe the ethical ideal of respect for persons, which will have different implications when we interpret and apply it to the actions of autonomous prudential agents across different traditions. For example, the formal requirements of moral justification can accommodate religious reasons that we may offer inasmuch they are predicable of all rational agents. This is possible because our phronetic self-knowledge (as citizens of a possible kingdom of ends) governs the formation of our rationally coherent intentions. Such intentions share an affinity with the knowledge of the common good. This affinity between self-knowledge and the common knowledge of the good justifies our entitlement to objective moral judgment in the common search for what is right (*sunesis*; see ON, 139; 145). Thus, Revelation does not become irrelevant in the formulation of prudential (rational) judgments. The transcendental justification for that, following Rahner, is that the Grace of God determines the agent’s intentional state (see ON, 138).

Ultimately relating creation (the natural order) and redemption, natural moral actions are contained within a non-objective and non-specific horizon of redemption in which everything moral and religious is ordered to its final end. Within this frame, natural law, in its universality, is a reliable part of prudential judgments and relates to Christian distinctiveness because of the theology of creation involved, that is, that everything is created in Christ (*Logos*; see ON, 138; 141). O’Neill’s methodology helps to clarify what constitutes a morally relevant description of the action that is distinctively Christian: it is not because moral reasons are logically and epistemologically dependent upon Christian belief, but rather because there is a distinction between “moral rules and maxims that may suffice to justify an action from the full set of reasons

(conative attitudes and beliefs) that rationalize it” (ON, 140). For, it is in the agent’s situational appreciation (perception; *aisthesis*) that one comes to discern the relevant features of an action. Thus, the way by which Grace determines Christian intentionality is not as a supervening transcendental reason in addition to the agent’s categorial reasons for acting. Rather, “my self-knowledge as a Christian is shown forth in my intentions” to do that particular action, “in the explication of which distinctive Christian beliefs may figure” (ON, 141). Autonomous moral justification is thus granted, while the many concepts and fundamental reasons (the formal realm), and the actual choices and practices (the content) will remain manifestly Christian. When a Christian deals with ethical concepts and practices in dialogue with multiple moral traditions, he or she seeks a common search for what is right and a common knowledge of the good. The exercise of this wisdom takes place in the fallibility of our phronetic judgment circumscribed by our earthly kingdom of ends (for everybody is involved, believers and non-believers), and in our understanding that proceeds through our language, as imperfect rational prescribers.

### **William Schweiker: Hermeneutics and a theological ethics of responsibility**

In *Power, Value and Conviction: theological ethics in the postmodern age*,<sup>68</sup> William Schweiker works within the horizon of a theological ethics of culture. He undertakes a diagnosis of the cultural and moral diversity characteristic of postmodern age, and suggests an approach to moral reasoning that expresses his conviction of the possibility and importance of the Christian tradition in this context. He sees religion as the core of cultures, but for him cultures express the human struggle to affirm the goodness of being (instead of not being: dying, and suffering). Thus, religion, affirming the goodness of God and the worth of human existence, is the very point of life, and not merely a sphere of culture. Morality deals with

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<sup>68</sup> William Schweiker. *Power, value, and conviction: theological ethics in the postmodern age*. (Cleveland, OH: Pilgrim Press, 1998), hereafter cited in text as “WS.”

the value of life and the power to create and sustain life (an interchange of divine and human power); therefore, the equation of value with power bears on the central question of morality. The theological task consists in demonstrating the “meaning and truth of Christian convictions for understanding and assessing moral worlds and thereby giving guidance for life” (WS, 5). In the author’s analysis, the imbalance of power and value threatens the integrity of life. Thus, Christian claims about the reality of the goodness of existence (and, by extension, the reality of God) have to be articulated in terms of cultural analysis and theological ethics. Pointedly, his positive perspective on cultural diversity and moral pluralism demands an interpretation of the Christian faith. This interpretation, he unpacks with the concept of conviction: traditions are interpreted and reconstructed around their deepest convictions and the reflexive interaction with others. Giving or strengthening identity, Christian convictions can speak to the moral sensibilities of our context by providing us with symbolic tools that deepen our understanding of the reality and of our moral commitment to the integrity of life.

Part 1, “morality and postmodernism,” provides an overview of our moral situation and opens up a theological ethical inquiry that can address in an original fashion the connection between power and value, and develop a deeper perception of the moral skepticism of our age.

Our current moral situation is described in terms of cultural and moral diversity interwoven with major planetary problems originated by the increasing human power over the environment and even over ourselves (ecological, economical, technological, political, etc). Throughout the book, technology serves as the icon of human power. More importantly, the integrity of life now, and its possibility in the future, is bound to the exercise of human power. Approaching diversity in a positive way (as postmodern), Schweiker sees humans as “travelers and interpreters of diverse moral worlds” (WS, 4), and seeks to compare moral worldviews. This diversity, he concludes, does not divest humanity of moral responsibility, but allows us to see that it is through our commitments to one another and by sharing values that we provide a framework

of responsibility in which “questions about how to live are assessed, criticized, revised, and, finally, answered (WS, 34).” To think ethically reflects our responsibility in searching for a direction for sustaining the integrity of life. And this opens up his search for a hermeneutical theological ethics of responsibility.

He next introduces a way of thinking ethically that contrasts the contemporary moral outlook - a post-theistic, technological construal of the world - with the biblical and Christian construal of the world. These moral construals are “axiologies of power”: in the technological one, human agency is based on a materialistic, value-neutral universe thereby creating value on its own. The human exercise of power aims at accomplishing values that seem dependent on that power, and thus power is the origin and content of value. In the biblical-moral construal, on the other hand, by identifying the ultimate power with God, power is also specified as the origin of value, but it is not portrayed as the sole content of value. The exercise of power in creating values happens within a context defined by the action and vision of God, depicting, thus, the transvaluation of power. For instance, the moral significance of “the Creator” or “God is love” implies that “power (creation, love) bestows value on another, but power alone does not define value” (WS, 36). Schweiker’s point is that this ethical hermeneutical perspective, in providing symbolic resources capable of transforming our perceptions of power, can examine the meaning and truth of Christian convictions, which, reinterpreted, will help us to understand and assess moral worlds, in order to provide needed guidance and to endorse the moral commitment to respect the integrity of life (see WS, 5; 49; 53).

Schweiker argues that if the thesis above is correct, the contemporary moral construal of the world “has no norm for evaluating the moral rightness of creation versus destruction or preferring viable future life over present interests” (WS, 55), so long as power is maximized.<sup>69</sup> Given this conclusion, it is necessary to

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<sup>69</sup> The circle of power, Schweiker describes, led postmodern societies to be dominated by “economic conceptions of value; strongly individualistic ideas of the self; the constant threat of meaninglessness and alienation from the value-creating centers of culture; unending conflict over access to social, political, cultural, and economic power; increasing violence and the glorification of destruction (WS, 35-36).”

characterize more precisely the postmodern technological societies and the way that our consciousness of the world and of ourselves is shaped by technological processes.

The way in which the contemporary world is framed affects our ability to perceive the “reality of the good.”<sup>70</sup> In theory, perceiving it or not implies a dispute between moral realism and antirealism; in practice, it affects our ability to distinguish one value as more important than another (see WS, 54). The inability to contrast values leads to moral skepticism. This rationale establishes a connection between goodness and contemporary consciousness that further nuances postmodernism and uncovers the skepticism of the technological age. For the author, moral skepticism rests on two claims: the belief that cultural and moral reality is socially constructed (antirealist position), and the fluid transformation of nature and of social and cultural life by the power of technology. Communication and information technology notoriously increase the human capacity to frame or encode the world. They not only confront us with the diversity of peoples, cultures and values on the planet, but also encode our consciousness and those of the diverse cultures present within a global context (see WS, 20). In one stroke, this overwhelming sense of complexity, diversity, and moral pluralism blurs our sense of values and weakens our expectations of the ultimate reality of the good, leading to moral skepticism. Crucial to this kind of skepticism, as an intellectual attitude and a pragmatic stance towards power-technology, is that it “makes power morally basic in a scale of values and threatens to diminish human dignity because of its focus on the activity of encoding the world” (WS, 67). This may sound rather technophobic; yet we must say in his defense that the author repeatedly denies a return to a pretechnological state. What he tries to show is that information age technology, by its symbolic power, may inscribe, but does not necessarily entail, a pervasive moral skepticism into our consciousness.

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<sup>70</sup> Framing, here, means that the world is enclosed in a technological frame and formulated in a particular language (an instrumental one) that reflects the power of human representation and the production of reality (of objects and values).

Part 2, “responsibility and moral theory,” explores issues in moral theory through a hermeneutical perspective, explaining “hermeneutical realism” and its relationship with the ethics of responsibility.

Moral skepticism seems also to be the result of a lack of moral self-knowledge (identity). To live a moral life in a context of moral diversity, it is crucial to understand others. The way we understand others presupposes a particular understanding of ourselves and our world. In the theological sense, living a moral life demands the perception of moral reality and commitment, for we live before God. Theological ethics, therefore, in order to meet the challenges of the contemporary world, must enable Christians to interpret our tradition according to the reality already defined by our faith in God, which creates the reality of our moral ideas (Christian moral realism).

Launching his project, Schweiker addresses two basic resources - hermeneutical realism and radical interpretation – that are hermeneutical components of an ethics of responsibility that focuses on the problem of understanding others and of critical self-imagination. Both components represent the author’s option in the face of current trends in theological ethics, such as narrative ethics and metaphorical ethics.<sup>71</sup> Schweiker argues that those theological approaches skew the Christian tradition and do not decisively avoid moral skepticism. Hermeneutical realism, consequently, is a decision, bound by our conception of God, on “how to interpret the world in order to respect and enhance the integrity of life.” As opposed to the two other theological perspectives, hermeneutical realism “focuses on commitments and forms of understanding and not on linguistic forms (narrative) or cognitive acts (imaginative construction)” (WS, 69). It articulates the connection between self-interpretation and the testimony to God, the source of value. That connection is a moral responsibility in the sense that our self-interpretation as Christians places us before

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<sup>71</sup> See WS, 65-66: In narrative ethics, “values are internal to the economy of meaning in the narrative that creates a community’s worldview and that the community struggles to embody in the world,” whereas in metaphorical ethics “our understanding of the real is always critically factored through the human imagination... (which) is simply the way we organize reality for moral purposes.” Behind these ideas there are serious theological assumptions, such as, for instance, that faith in God is reduced to a function of certain ideas in our moral lives, and that the human distinction between good and bad is more basic than claims about God.



basic claims of the faith – love of God and love of neighbor. Thus, the interpretations of the faith as a theological ethics of responsibility “ought to find a testimony to or a denial of those claims in all apprehensions of meanings” (WS, 89). Responsibility springs from the conscience of the other (others, God, world; i.e., the knowledge of the worth and dignity of others and of ourselves) through a radical act of interpretation. Schweiker explains that radical interpretation, taking place in the realm of conscience, “is the practice of hermeneutical realism in actual life (WS, 71).” He defines it as,

the activity of self-criticism in which the values and norms a person or community endorses as important to her/his or its life are transformed by some idea, symbol or event that rightly claims to guide conduct because it enables an insight into what founds the moral life (WS, 95).

Through the idea of radical interpretation, he connects the testimony to God to a necessary critical self-examination that prompts moral commitment. In clarifying which idea or symbol we are to interpret, Schweiker proposes that the name of God symbolizes the transformation of power. Throughout the book, he argues that “ultimate power” is identified in the Christian tradition as God, who creates the moral order through the goodness of creation, a covenant that demands fidelity and justice, and the redemptive power of love. Who God is, Christians interpret “through specific values, norms, and the person and works of Christ: God is identified as creator, sustainer, and, in Christ, redeemer” (WS, 108). His name symbolizes “the transformation of power with respect to a recognition of and regard for finite goodness and derivative claims of justice and benevolence” (WS, 108). This means that God as a symbol for interpretation does not come without those basic claims of the faith that imply commitment and responsibility. Thus, the call to conscience given by the act of radical interpretation enables the agent to accomplish the transvaluation of power and its responsible exercise. This stance towards human power is exercised through the norms of responsibility, i.e., norms of justice and benevolence in order to foster life in its integrity (see WS, 107-110).

The theological ethics of responsibility outlined above fosters the act of radical interpretation, which reminds us of who we are and who we ought to become. In the context of cultural diversity and moral

pluralism, it has the task of “enabling us to understand ourselves and the moral order in which we exist as constituted not only by our moral traditions or our participation in the biosphere, but also in response to God, who endows reality with worth and solicits our responsibility” (WS, 110). Thus, the goodness of creation implies the good of understanding others in our response to God. Responsibility, in a plural world, demands of theological ethics an account of comparative ethics. Schweiker calls our attention, then, to develop ethical tools that would enable us to understand other communities and traditions in order to promote a global understanding of the pressing issues of our times and threats to the integrity of life.

Granted that our moral situation is affected by the modern-postmodern encoding of the world (technology related issues; cultural diversity and pluralism; pervasive global culture), moral traditions are affected in one way or another by the resulting “symbolic erosion” (fading reality of the good, moral skepticism). This state of affairs gives rise to a moral situation lacking an appropriate normativity for our responsible existence together in the world. Instead of falling into moral relativism or debating between formalist and descriptivist ethical approaches, Schweiker argues that hermeneutical realism and radical interpretation give us an ethical perspective that acknowledges that given construals of the world shape human existence, and that we discover our moral world while actively participating in meaning making. This participation happens by moral commitment and responsibility across cultural worlds (see WS, 117; 131). In an ethics of responsibility, the ethicist, responding to the questions of our time, will perform a mimetic act of interpretation: engaging other traditions, his own reflection bears within it the good of understanding others. Insisting in their reality, “the interpreter struggles to understand how we should live. And this understanding emerges, if at all, within practices that enact the fragile claim of responsibility” (WS, 134).

Part 3, “morality and Christian commitment,” articulates understanding and moral responsibility through further explanations of hermeneutical realism and its distinctive claims about “the God of Christian faith.”

One's understanding of others, of self, of our moral situation, of the reality of values, and of the goodness of existence constitutes the hermeneutical horizon of this theological ethics of responsibility. In Schweiker's view, "the" moral question of our times is how we are going to respond to threats against the integrity of life. In a moral worldview, the answer concerns understanding the reality of values and its connection to our capacity for responding to and influencing reality, that is, as a distinct exercise of human power. The postmodern answer, assuming that values are invented, tends towards the maximization of power, which implies either the political checking of power with power (political realism), rampant utilitarianism in the outline of ethical norms and public policies, or a fragmented and fading defense of human rights facing the powerful dynamics of global markets. On the other hand, the Christian answer ought to provide a distinctive account of power. In both accounts power is the source of value; however, the Christian one can transvalue power by making realistic claims about the goodness of reality (goodness of existence, reality of the good; values are, thus, discovered) and redirect human power by the exercise of responsibility (see WS, 138; 150).

In search of the Christian account, Schweiker reinterprets Bonhoeffer's "Christological realism" through his own "hermeneutical realism": the revelation of Jesus Christ places the question of reality prior to self-knowledge, for it is in this revelation that the radical interpretation of self and world is possible. "Not only is Christ the real, but the action of Christ is the pattern for right action," as Christ "acted for and in behalf of other" (WS, 148). This rationale defines responsibility in a Christocentric manner, reinforces the relational understanding of human existence, and reassures the worth of finite reality (unity of God and humanity in Christ). The vision of power, the techno-power characteristic of our age, shifts from domination to a capacity to respond in accordance with reality, given the goodness of reality. Thus, the revelation of Christ is a donation of reality where "value is defined in terms of the divine power of self-revelation, since it is this power that constitutes, influences, and shapes reality" (WS, 149). However, in terms of the ethical

relevance, the above revelationalism of purely theological claims must be shown “to be basic to our experience of being agents who seek to understand ourselves and our world” (WS, 151). This basic anthropological premise means that in every act something is brought into being against nonbeing and a myriad of other possibilities of being. Self-consciousness as agents brings an intrinsic sense of responsibility to the goodness of being, as our own being is sustained into existence by a continuum of actions. The question is now whether this “ontological responsibility” could be “conceived without endorsing the reality of an unconditional good – that is, the divine” (WS, 152). Two ultimate powers are conceivable over us: God or death. What we identify as “God” is power “insofar as it respects and enhances finite reality,” that is, power as it is “transformed in relation to the worth of contingent reality (WS, 152).” The idea of God conjoins power and value. Before the idea of death, existence is terminated. Hence,

by interpreting human life and the world theologically, one articulates the most basic ethical claim: value is not reducible to power, and yet the capacity or power to act is a basic human good that ought to be oriented toward respecting and enhancing the integrity of life (WS, 152).

As a result, Schweiker can formulate his theocentric imperative of responsibility: “respect and enhance the integrity of life *before God*,” an imperative which endorses “the very condition of action and with it an affirmation of the being of God” (WS, 153). There is a sense of moral integrity here that concerns the Christian identity in its core. Through this sense, one can rightly assess and relate to the complexity of natural and social goods, as well as all sorts of cultural and moral understandings. This does not deny debates or conflicts, but fosters the commitment to respect and enhance life before God.

Schweiker continues his inquiry on power and value in terms of the place of the divine command in moral understanding. It further explores the proposed hermeneutical realism and the implications of its conceptual ideas of God. In divine command ethics, the affirmation of the absolute transcendence and omnipotence of God makes a strong counterpoint to those conceptions. In addition, it represents a critical distance of any conceptual scheme of interpretation of our moral being in the world. On the other hand, the

author is worried about the glorification of power and the fact that the insistence on the otherness of God may understate the value of finite existence. The author finds it important to keep this kind of theological discourse in an age of human power. However, to be plausible in terms of a theological ethics, it must be reconstructed in order to reconfigure the relationship that defines the good in terms of God's ultimate power: divine command ethics holds that what is morally right or wrong consists in the agreement or disagreement with God's will or command (see, WS, 158). The divine is the source of a morality of specific commands for humans. In this way, it does not specify the relationship between goodness and moral judgments about moral rightness or wrongness. Finite existence is subjected to God's commands that assert God's goodness. A theological ethics requires more than a discourse on divine commands; it requires a theory of values integrated with principles of right conduct (see WS, 156-158). More importantly, theological ethics, besides taking the perspective of the relationship with the divine, is concerned with the whole of human moral experience, moral understanding and ethical reflection (theory). In other words, theological ethics is "not simply concerned with the otherness of God, but also with the moral standing of what is other than God" (WS, 170) so that the considerations of power will always respect the worth of finite reality and integrity of life.

Christians confess that God is good. Goodness, the ultimate conviction of God's reality and power is understood in terms of the transvaluation of power. What does it say of our moral self-understanding when we pray by petitioning for God's kingdom "on earth as it is in heaven"? We say so because our testimony to God, "the Almighty, maker of heaven and earth, of all that is seen and unseen," refers to God's goodness as the sovereign concept by which we understand and guide our lives: in relation to others; in terms of what kind of life we want to live; the kind of person to strive to become; the kind of community we wish to live and the proper relation to the world/environment. The whole book provides the hermeneutical tools to reason in terms of the idea of the transvaluation of power, an idea that seems crucial to our self-

understanding in the current context of increasing human power and an important contribution of theological ethics to other moral positions. The author addresses one of the basic problems that faces contemporary ethics, the reality of the good; the outlined issues of power and value only reinforce this picture. In the final chapter, he questions Platonic forms of ethics and compares them to Christian realism (retrieved through hermeneutical realism). His conclusion is that taking the Good as ultimate reality obliterates the problem of power and value. Therefore, the Christian tradition has a specific contribution to the ethical debate through our testimony to the reality and power of God as we understand it in terms of transvaluation. Thus, "God is the best symbolization of the real in ethics"; his name is effective for transvaluation. Moreover, his hermeneutical research reveals that this symbolization can overcome the issues of power only through an ethics of responsibility, once we can demonstrate that the naming of God in Christian thought "manifests the divine being as value-creating power, but a power that respects and enhances finite reality as its other" (WS, 88).

## Chapter 3

### A framework to analyze the contributions of the natural sciences

In chapter 1, we sought an interpretation of science that would facilitate a closer interaction with moral theology. By using hermeneutics, we have historically addressed the development of modern science and its effects on morality and on the complex contemporary moral situation. In that analysis, the persistence of the metaphysical question led to the search for a new metaphysical basis, which was found in the relationship between language and ontology. These results were demonstrated specifically in terms of the natural moral law, because both the natural sciences and moral theology render competing interpretations of nature. There, we saw how both the scientific interpretation of nature and the community's conceptions of freedom may render new normative meanings for the community's interpretation of nature. In chapter 2, following the work of three theologians dealing with hermeneutical approaches in moral theology, we have discovered some hermeneutical keys that may be successfully applied to expand further theological reflection over the normative meaning of the results of the natural sciences: for instance, Demmer's non-abstract conception of human nature, based on the universal experience of the conscience and its relation to the universal communicability of the contents of the Christian faith (i), his reflections on the role of empirical sciences and their interactions with the theological mindset (ii), the need to recognize the historical conditions for the discovery of truth (iii), and his historical-anthropological perspective in natural law arguments that avoids formalism and abstraction (iv). Some of the features of the ethical theory laid out by O'Neill fit the historical-anthropological perspective of Demmer. For example, the theoretical rescue of prudential judgments (v), the possibility of access to practical truths in ordinary language through the hermeneutical device of "effective reflection" (vi), his elaboration of "prejudice" in relation to the

objectivity of practical judgments (vii), the established link between prudential (rational) judgments and the fruition of rights through the ethics of respect for others (vii), and, the proposed path to incorporate distinctively Christian moral judgments in the overall ethical debate (viii). Finally, Schweiker's contributions provide hermeneutical tools that strongly reinforce Christian identity (xix), reassure a healthy theological perspective that makes the distinction between the basic claims about God and the reduction of faith to moral ideals (x), provide a contemporary account of the imbalance of power and value that leads to moral skepticism and threatens the integrity of life (xi), and provide a theocentric hermeneutical critique of the metaphorical approach in moral theology (xii).

In this chapter, all those points should provide us with a hermeneutical framework in which to analyze the contributions of the natural sciences for moral reasoning and to support the basic claim laid out in chapter 1, that the normative status of nature is better approached by hermeneutics, and specifically through the metaphorical structure of normativity. It also can make more explicit some theological hermeneutical concerns, tools and results retrieved from Demmer, O'Neill and Schweiker in chapter 2, and help to integrate them into issues concerning the natural law. The framework should, thus, make explicit the shared metaphysical conceptions, the anthropology, aims, values and hermeneutical procedures that help to bring the two parts closer.<sup>72</sup> In order to test how it could handle a concrete discussion, by the end of the chapter I will try to apply it to an analysis of the case of embryonic stem cell research.

## **A hermeneutical framework**

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<sup>72</sup> In a recent analysis, Karl H. Reich listed these elements, and others, for a critical approach of the progress of the debate between science and religion. I am employing them here in a distinct and more restrict perspective than he did. See Karl H. Reich, "Progress with science and religion issues: critical questions and suggestions," *Theology and Science* 7 (2009): 225-244.



### *The metaphysical question*

We have seen the persistence of the *metaphysical* question extending from the onset of scientific and hermeneutical rationalities to the elaboration of moral judgments. Metaphysics concerns ultimate reality and the possibilities for its apprehension by some form of knowledge. The major divide between science and theology is that the former operates and constructs knowledge assuming a value-neutral reality, and the latter sees goodness in reality for the sake of the goodness of our own existence, which is then linked to the goodness of the Creator. Both can be epistemologically conceived as interpretations of reality, rendering a hermeneutical stance that leads to the agreement that, at least, “there is a reality independent from human beings, and which can be known to some extent, given the right methodology and effort.”<sup>73</sup> Granted this, moral reasoning should concede that natural sciences indeed say something about reality, and about human nature in particular, which is not to be taken lightly. On the other hand, even if it is not accessible to the scientific method, knowledge of the good can hardly be ruled out in ontological or epistemological terms. How can we integrate them today?

Classical metaphysics should be surely critiqued, but an empirically reduced ontology is also not acceptable. Moreover, we should be aware of the “naïve epistemology” it involves: to use “know” independently of “believe,” to treat knowledge as a successful representation of facts, crediting its objectivity more to a “belief” than to knowledge itself; to use knowledge without inquiring about its sources, and to use the power of objectivity of the correctness of such knowledge without a proper account of the reasons for knowing “objectively so”, or of the justifications for it. As we saw, the metaphorical approach renders a new metaphysics that demonstrates the link between language and ontology, affecting thus moral and scientific epistemology. The metaphysical questions remain, and will remain, but they are no longer an impediment to postulating the reasonability of moral arguments because reason can also reflect

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<sup>73</sup> Karl H. Reich, “Progress with science and religion issues,” 227.

on the goodness of nature and on the freedom of the human being. In fact, the idea of freedom - an idea still highly regarded in the Western culture - is the one that requires the acknowledgment of the reality of the good for its realization.

For theology, the reality of the good imposes itself on its discourse about God and the meaning that God brings to moral life. In this respect, its confrontation with the natural sciences questions the foundations of moral theology and its intellectual construction of the meaning of life, that is, a discourse about the purpose/goodness of the existence. Klaus Demmer provides a fitting approach for the dialogue (see KD, 22 and 78): he advocates that unlike previous epochs, when ethics could be built abstractly and formally, nowadays the contributions of science have brought the discussion to a reality-oriented ground, demanding the corresponding type of moral reasoning. Amidst a grievous struggle for the delimitation of what “reality” is, the reality-oriented moral reasoning is more congruent with a society driven largely by the scientific and technological dynamics, and may better express the basic claims about God and neighbor.<sup>74</sup> However, as Demmer suggests, scientific activity is a cultural and ethical enterprise constructed upon social demands and upon the shared convictions and values of the research community; thus, what ultimately determines its progress and results is a social construct prone to new cultural horizons that affect the history of the scientific problems, hypotheses and results. Therefore, there is ample room for a competent and open theological production that can participate in these new horizons. Moreover, as the works of Demmer, Kopfensteiner and others suggest, if theologians work under a renewed metaphysical

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<sup>74</sup> Let us think here about the meaning of the Constitution *Gaudium et Spes*, where the Church expresses a desire to engage in conversation with the entire human family, so that she can help shed light on the human mystery and cooperate in solving contemporary problems. The document addresses not only all Catholics, but all Christians and to the whole of humanity. Another concrete example is the results of the contextual theologies, liberation theology and, increasingly, of moral theology (like the recent document on natural law “A la recherche d’une éthique universelle: nouveau regard sur la loi naturelle”).

basis, the production of moral theology, like that of science, likely takes place under shifting cultural horizons and at times undergoes qualitative shifts.<sup>75</sup>

In terms of ontology and epistemology, it is difficult to decide between an objective rational view (think of Plato, Descartes, Kant) and a more existential view (like the historical-hermeneutical approach), because both speak about knowledge of the world and self-knowledge. Moreover, the decision between rationalism, empiricism, skepticism, and historicism and so on, presupposes moral and pre-theoretical anthropological conceptions, as unveiled by the hermeneutical analysis. Thus, the metaphysical question will always remain. Reich suggests that, perhaps, “depending on the context, one or the other view is more helpful, and we have to decide from case to case.” However, it is important to explicate the choice rather than tacitly imply it.<sup>76</sup> This sort of “solution” points to the necessity of clearly analyzing the issues under discussion in each case, and the context as well. It does not represent an abandonment of metaphysics, but it implies a certain unbiased intellectual decision so that it becomes also possible to conceive and publicly defend human transcendence. Here, the use of scientific data and technological possibilities, together with the use of hermeneutics of science comes into play, with hermeneutics bridging the other spheres of human meanings (morality, religions, etc.). The result can be several different and even contradictory explanations. Some would be more propositional, analytical responses, others, more relational, existential, or contemplative (mystical) ones.

From the works of the three theologians studied above, one can envisage a way to circumvent certain metaphysical issues in order to advance the dialogue. In Schweiker’s assessment of the current

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<sup>75</sup> Given that language is a communal and historical reality, the ideal of moral progress comes from the creative impulse of moral reasoning imparted by language. This leads to the critical review of the tradition, and the amplifications of possibilities of freedom. For example, the style of narrative and the words used in documents of the Second Vatican Council made for interpretations that amplified the expectative of moral freedom respect to religious freedom, democratic values, etc. See Thomas Kopfensteiner, *Science, metaphor, and moral casuistry*, 209-213; Kathryn Tanner, in *Theories of culture: a new agenda for theology*, (Minneapolis: Fortress Press, 1997); John W. O’Malley, *What happened at Vatican II* (Cambridge-MA: Belknap Press of Harvard University Press, 2008), 8, 11, 48.

<sup>76</sup> Karl H. Reich, “*Progress with science and religion issues*,” 227.

moral situation through the equation of power and value, technology serves as the icon of human power, and the integrity of life is bound to its responsible exercise. While keeping religious and moral meanings and the possibility of human transcendence, Schweiker's approach shows that the power of technology, associated with economical, environmental and political issues demands that society takes a position towards moral commitment in urgent matters. These issues are all measurable and verifiable in different ways, and can be used to incite commitment with arguments that emphasize caution in ethically dubious situations. In Demmer's non-metaphysical, rather anthropological interpretation, commitment is a response of the conscience, which is not given in an abstract human nature, but in the universal experience of the conscience that refers to our capacity to judge and rely on moral insights that is required in every human action. This is the reason why Demmer outlines the ways in which moral theologians can address conscience formation issues in dialogue with scientists and lay people. For his part, O'Neill is interested in the recovery of a notion of ethics that avoids extremes of theoretical or technical modes of reasoning and brings elements of moral sensitivity, perception, imagination, self-knowledge, and life experience, so as to produce a moral judgment informed by experience that finds its justification in communicating it to a plural community that seeks to do the right thing. As seen in their arguments described in chapter 2, their mutual interaction displays a sensibility in avoiding abstract metaphysical or purely religious arguments in ethical debates. This sensibility clearly reveals the importance given to communicative action – and different levels of influence of Habermas – as they search for normative solutions. O'Neill is more specific about how to reach consensus or agreements regarding normative grounds, while Demmer is more critical in preserving the specificity of theology, which he shares with Schweiker, who also is more pointed in defending Christian identity.

In this line, O'Neill theoretically works out a conception of situational moral judgments that would establish the normative implications of prudential action, which never happens in abstract but in the lives of

concrete, historically situated moral agents. There, he demonstrates that prudential judgments are an expression of rational autonomy and that rational prescribers do not need to abstract from “interest” and “prejudice” because autonomy, in the practical realm, presupposes their affinity to the moral community.<sup>77</sup> Our self-knowledge, and hence our self-interests, let us say, as Christians, or scientists or businessmen, are tempered by the regulative ideals of the moral community, which constitutes a “kingdom of ends.”<sup>78</sup> This is attained and sustained by communicative efforts of an inclusive and non-coercive discourse among free and equal partners. For moral reasoning, it implies that our self-knowledge, as autonomous prescribers and citizens of the commonwealth, determines our “knowledge of the good” not in the abstract, but as we express it in the morally relevant description of actions. The agent, in his or her situational appreciation comes to discern in dialogue with others the pertinent features of an action that he or she has the intention to perform. However, the norms they are trying to establish are not identified completely with the full set of reasons that they may have. For example, in order to establish norms for human embryonic research, Christians may have a number of reasons that are relevant for their understanding of the person (life as a God’s gift, our origin in the goodness of God, and others), but the norms can be established upon other reasons that are common with others, such as those emerging from a political or economical critical perspective, which look to restrain technological imperatives or a market-oriented push for such research, or from a plausible philosophical perspective, such as one extending the dignity of the human person to its origins. The same kind of rationale is given by Schweiker, emerging from his conviction of the possibility and importance of the contributions of the Christian tradition. He says that “the commitments and values

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<sup>77</sup> The terms “interest” and “prejudice” are used in hermeneutics in a positive perspective. They basically represent a “pre-judgment” and imply a notion of our prior hermeneutical situatedness. “Prejudice” is to be understood in terms of the anticipatory structures of understanding that allow for a preliminary apprehension of what is to be interpreted or understood. In these terms, avoiding raw subjectivism, to understand something always involves what Gadamer, in *Truth and Method*, calls the “anticipation of completeness,” which involves the presupposition that what is to be understood constitutes a coherent, meaningful whole. That is, to understand the “part” through the “whole” and vice-versa.

<sup>78</sup> “Kingdom of ends” is being used here in the transformed sense given by O’Neill. From the Kantian conception denoting an abstract community of entirely rational beings perfectly capable of moral deliberation based on the categorial imperatives, to O’Neill’s conception, which denotes the ideal, communal internal fruition of prudence by the willing, active and rational participants of the common life.

that individuals and communities hold (...) provide a framework within which questions about how to live are assessed, criticized, revised, and, finally, answered” (WS, 34). Our commitments and relationships with others give us a sense of who we are. The diversity of answers for the question “who we are” does not negate the universal moral fact that we forge human identities. Thus, in order to deal with the diversity of moral outlooks attempting to answer to the pressing questions of our time, Schweiker advocates the use of comparative ethics to understand other communities and traditions. In responding to these questions, we come to grasp the good of understanding others, a very important value in postmodern times (see WS, 134). The constitution of situational moral judgments can only have normative implications for prudential action if the agents, valuing the understanding of others, accept to configure their identities in relation to the difference of the other.

Another metaphysical issue concerns the natural law. For Klaus Demmer, if one argues from a theological perspective, in virtue of the idea of creation and of the goodness of the Creator, one has to account for natural law arguments and the reality of the good. This has ontological and epistemological implications, as we have seen, that have to be taken seriously before employing them as ethical arguments in the search for consensus through communicative action. Demmer emphasizes that natural law should never be applied as a system of rules without a context. With respect to this, though, he is not specific, I think Demmer would use natural law arguments, after being properly interpreted in their theological and moral significance, in the fashion that O’Neill does, as contextualized prudential judgments. However, Demmer makes clear that the universal communicability purportedly given by natural law arguments has to reach reasonability not merely in the sense of a logical, discursive, rational consensus that would justify obligations and norms, but should refer to the communicability of the universal experience of the conscience that is bound to the singularity of the person in his or her moral knowledge. In other words, in order to talk about natural law arguments in the hope of reaching a given consensus, we have to verify

where we stand in terms of our conscience of the issues, and the need to respond to a given situation. Natural law arguments, like the one Demmer advocates, have to be accessed through the experience of the conscience which is given in language, and to do that one has to rely on the consensus theory of truth (we shall see this later in the sub-section concerning aims, values and procedures). In this context, even against highly logical and technical arguments, other elements of human identity and self-understanding bear a high and universal degree of reasonability: for instance, the association of the beginnings of a human life with human dignity, love, sex and marriage, which are all natural law arguments, denote an interchange of natural and cultural elements (see KD, 16-21; 67). Any technical or instrumental claim on initiation of human life can be debated by the universal awareness of its naturalness, which entails natural rights, like the right to live.

Concerning dialogue with the empirical sciences, one can notice that the concerns and positions of the three theologians fit into Kopfensteiner's treatment of natural law interpretation in chapter 1: natural law arguments do not depend on nature itself, but on the community's expectations of freedom, which are given by the competing ideologies of human fulfillment that are constructed around the moral debate and upon human self-understandings. Now, it looks like we end up more with moral debates than with real moral guidance (norms and obligations) to solve the problems. O'Neill foresees this issue, and he proposes that, given our common seeking of what is right (truth and right action), this search presumes an equal respect for persons; thus, the theory of practical truth also becomes a theory of rights. The latter should be set up to protect persons from illusory or coerced consensus. What he means, then, is that there is a pre-condition for the debate, which is a regime of basic rights that gives the structural conditions presumed for fair and impartial choice (see ON, 102, 122-123, 145). How can we reach this situation?

As we have seen, moral debate, moral changes, and the corresponding metaphysical options (realism, non-realism, rationalism, empiricism, and historicism) result from anthropological, social and

cultural struggles for meaning made possible through the revelatory and creative nature of metaphoric language. Since historical agents are human beings, history reveals itself as a progressive mediation of the meaning of the world and of ourselves, in which the scientific knowledge and moral reasoning try to develop meaningful narratives that support social life, culture, religion and politics. Thus, much of the discussion is about human nature, capabilities, desires and destiny. However, one has to be careful when using metaphysical categories in such discussions, for as we are going to see in the case of the anthropological status of the embryo, metaphysically complex issues can lead the normative debate to an impasse.

### *Anthropological issues*

The breadth of the issue and the limited scope of this study leave me space for only a brief discussion. Certainly, the moral debate between science and theology takes place against a background of transformations that occurred, and others that are expected to occur, in our self-understanding and pre-theoretical anthropological conceptions. Those transformations became more drastic and more rapid with the establishment of the modern vision of the world, now transitioning to a postmodern one, in relation to which the religious perspective finds itself struggling against many other issues.<sup>79</sup> It is interesting to note that to discuss most of the particular issues in bioethics today, we end up resorting to a millenary anthropological discussion. For instance, to discuss human cloning or embryo research, or the environmental crisis, we have to make distinctions that trace back to the cosmocentric conception of the world or to the anthropological one. In the former, the human being is a part of the cosmos, inserted into a pre-existing order; in the latter, men and women serve as a reference for themselves, and order is assumed to be created by humans. As we have seen in chapter 1, in the modern conception, reality ceases

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<sup>79</sup> Up to a point that, at least in the Western civilization, it became so differentiated that not only the “spiritual world” – being the divine transcendent or its humanistic version - has the capacity to influence life attitudes, but recently the “virtual world” as well. In another perspective, the increasing cultural and technological production of the “human” engenders the “posthuman” through the possibility of technologically enhanced human beings and machine-mind interactions at the sensitive and cognitive levels.



to be understood as an immutable or transcendent order and becomes related to the human being itself, his or her plans and projections, initiatives and actions. Thus, just as Schweiker has framed in his arguments, the moral conception that humans have the power to create value struggles against the conception in which values are discovered. Demmer points out the necessity of reality-grounded theological and moral reasoning, but his position already supposes moral realism, taking into account the goodness of reality. In another contribution, O'Neill elaborates a theory of practical judgments that need not to go to "some beyond" (the divine or the categorical imperatives), yet is not servile to technical/utilitarian imperatives, but resides in the fallible moral worlds where we live, think, make our choices, act, and express ourselves; that is, an anthropological ethics. All these anthropological conceptions bear substantive accounts of the good, and the authors expect them to participate in the public arena. To defend this participation, Schweiker has a pointed argument, for the contemporary moral construal of the world maximizes power, as humans have the power to create value; thus, there is no external value to check the imbalances of power. In a context of rapid transformations, external checks would have an important role, thus, traditional and religious morality bring this stance to the debate.

In order to discuss any anthropological conception nowadays, one has to discuss biological groundings, socio-cultural diversity and person-centered factors (individuality, rights, psychological issues, etc). Moreover, the answers to "the" anthropological question - "*who are we?*" - have to be given *now* against a rising tide of perils that really threaten to extinguish the questioner: poverty, inequality, and conflict; globalization associated with environmental crisis, nuclear proliferation and terrorism; some of the problems are generated or aggravated by scientific and technological advancements (concentration of power and wealth, for example). Therefore, reality-grounded moral reflection is unavoidable, external

checks are important, and so are the nature-bound anthropological descriptions given by the natural sciences and social sciences.<sup>80</sup>

In my opinion, Klaus Demmer gives a powerful anthropological elaboration of many issues related to faith and reason and, thus, the dialogue between natural sciences and moral theology. He is faithful to a basic phenomenological assumption, that is, any question concerning God and God's action is in the first place an anthropological question. Now, we have seen how Demmer connects God's self-communication (Revelation) to the development and formation of conscience in persons and communities through the conception of communication as a human life-process. Therefore, his moral thought is a corollary to his theological anthropology: faith has anthropological implications that convey open dimensions of meaning, whose intellectual contents are disclosed through a continuous process of understanding. The implications of faith mean that both the fact of Revelation and its contents affect the existence of the believers:<sup>81</sup> (i) the dignity of the human person (which is inextricably linked to the uniqueness of the person and the fundamental equality and fraternity of all persons); (ii) the meaning of history (as God's self-communication happens in history, there is no situation that excludes the possibility of receiving the fullness of meaning – hence, the continuous task of interpretation); (iii) The Easter event, which transcends and recapitulates personal life and death and transforms history. As one can see, the hermeneutical process implied here concerns the concrete, actual living humanity and not an abstract humanity; it is, thus, historically

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<sup>80</sup> For the natural sciences, I have in mind mainly the results of biology and of the range of its sub-disciplines. For the social sciences, their results have the power to disenchant our symbolic and moral orders. There is a synergistic interaction among them that further impacts anthropological conceptions, which correlates with the increasing theoretical importance of the human body in cultural and anthropological studies, up to a point that it can be consistently argued that "a paradigm of embodiment can be elaborated for the study of culture and the self" (see Thomas J Csordas, "Embodiment as a Paradigm for Anthropology," *Ethos* 18 (1990): 5-47). This is particularly interesting, as it correlates with the idea of communication as a human life-process, because of the embodiment of the capacity to speak.

<sup>81</sup> See Klaus Demmer, "Theological argument and hermeneutics in bioethics," in *Catholic perspectives on medical morals*, Edmund D. Pellegrino et al. (eds.), (Dordrecht/Boston/London: Kluwer Academic Publishers, 1989), 106-109.

determined and happens through the creative and inventive power of language.<sup>82</sup> Then, as interpersonal communication carries moral meanings throughout history, communication reveals itself as a life-process that aims at the idea of a meaningful and generally successful human life for the situated persons (consciences). Kopfensteiner, who is a disciple of Demmer, demonstrates this process, explaining how it works in terms of the natural law tradition as distinct, for example, from the divine command ethics. The debate over homosexuality, for instance, illustrates how reality (anthropology and nature; ontology) and language are integrated through the elaboration of conceptions of “naturalness.” This example typically shows how a moral theoretical paradigm – natural law – shows internal progress as it undergoes internal differentiations and extensions.<sup>83</sup>

Natural law theory has a central place in Demmer’s view precisely due to his anthropological interpretation of revelation. Yet his conception is not based on an abstract human nature, but on the universal experience of the conscience. The experience and the truths of faith are recast in anthropological coordinates where the person experiences him- or herself as a believer, but his/her self-understanding as a moral subject is bound to the universal experience of the conscience. Through this, Demmer conceives the unity of humankind’s moral consciousness and upholds a universal capacity of moral judgment that is the foundation of natural law. In his interpretation, what binds all persons and seeks the reasonability of natural law arguments, is a “dialectic effectual history between faith and reason:” one has to be conscious of the

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<sup>82</sup> Jesus himself gave powerful examples of this creativity, talking about sheep and shepherds, wine and vines, tax collectors and Pharisees, Samaritans and priests, in order to interpret the Torah and the will of the Father to point out the fulfillment of human existence.

<sup>83</sup> Traditional natural law binds sexuality, marriage and reproduction to a given natural order, that is, there are persons of the two sexes; thus human fulfillment through the goods of sexuality and marriage seems to be grounded in nature, and the moral norm is set to protect that value. However, this conception is disputed by many different interpretations, from politics to moral theology. Indeed, the debate ranges from the political equality of rights to psychological theories, passing through genetic and physiological research. The debate over homosexuality encompasses all these fields and illustrates Demmer’s perspective. The meaning of “natural” is used in two distinct ways, a teleological one and a biological and statistical way. In analyzing scientific and religious claims over the naturalness and normativity of homosexuality, the moral theologian Stephen Pope argues that “moral assessment of any pattern of human conduct turns not on its naturalness but on its relation to human flourishing,” whereby the major question to be answered is whether homosexuals can respond to the challenges that face any person to experience their sexuality in a way that contributes to their flourishing (see Stephen J. Pope, “Scientific and Natural Law Analyses of Homosexuality: A Methodological Study,” *Journal of Religious Ethics* 25 (1997): 89-126; pp. 110-111 especially).

different ways in which it has been interpreted through history, and it has concretely affected institutions, norms and the lives of the people (see KD, 12; 24-25; 36). Examples of this dialectic are several issues on the interpretation of the Old and New Testaments, and, in natural law theory, on the mutations of doctrines concerning marriage, usury and slavery, which have occurred in Catholic moral teaching in the course of the centuries.<sup>84</sup> Thus, Demmer believes that Christians can contribute to moral reasoning in a pluralistic world without losing their identity. Through natural law arguments, conceived as “a basis of universal communication,” their contribution could reach a high degree of reasonability and argumentative power, under the condition that Christians recognize the historicity of moral truths. The same attitude is to be found in O’Neill, but not exactly in Schweiker.<sup>85</sup> The former provides an ethical theory that can incorporate the contributions of natural law arguments to prudential judgments and open them up to the “universal communication community.” The latter makes the case for a Christian hermeneutical moral realism, which means that living a moral life demands perception of the moral reality and commitment, because we live before God. Thus, we must interpret our tradition according to the reality already defined by our faith in God, which creates the reality of our moral ideas. Schweiker argues that the reality of God and the reality created by the event of Jesus Christ have the power to transform the norms that a person deems important for his/her life. That is, the symbol of God has the power to perform a “radical interpretation” of the person’s life, values and norms (which he theoretically grounds in hermeneutical realism). Thus, the act of radical

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<sup>84</sup> See John T. Noonan Jr, *A Church that can and cannot change: the development of Catholic moral teaching* (Notre Dame: University of Notre Dame Press, 2005).

<sup>85</sup> Schweiker argues that, in our context, Catholic natural law theory claims can hardly be sustained, such as that human consciousness participates in the divine mind and, thus, it bears within the precepts of natural law (several of the social sciences give strong evidences otherwise, I would note). In my opinion, this critique does not concern Demmer’s position, but the so-called “revealed natural law” (term from Steve Pope, a position more typical of the magisterium and more conservative Christians). A more serious question raised by Schweiker is that “once we grant that human understanding is historically and socially embedded, what becomes of the claim of traditional natural law ethics to articulate universal precepts?” (see WS, 83). In my opinion, Demmer would answer that the hermeneutical efforts, in interpreting different traditions, would clarify the way they express the same principle, given the universal experience of the conscience.

interpretation enables the agent to accomplish the transvaluation of power and its responsible exercise.<sup>86</sup> This stance towards human power is exercised through the norms of justice and benevolence in order to foster life in its integrity (see WS, 107-110). He does not descend into the details of the ethical theory so as to elaborate norms and justify them in a plural society, as O'Neill does. However, his ethical stance holds a strong position against reducing faith in God to a function of certain moral ideas according to the historical sway, and against the tendency to value the human distinction between good and bad as more basic than the claims about God (see WS, 65-66). In this respect, Schweiker's position is diametrically opposed to O'Neill's (see ON, 136-140). The latter accredits faith claims to the agent's situational appreciation that gives a full set of reasons for the morally relevant description of action, but he distinguishes these reasons from the moral rules and maxims that may suffice to justify the action in a pluralistic context. In this case, O'Neill's theory displays "a formal, pragmatic justification in which distinctive Christian reasons need not figure" (ON, 136). O'Neill, however, makes that claim only after an intricate hermeneutic analysis in which, surely, faith and its implications are not ruled out.

Considering the three authors, one can notice that faith engenders a normatively relevant pre-understanding, which concerns "*who we are*" (the anthropological question). They rely on a historical, relational anthropology - that is, the relationship of humanity with the world, among themselves and with God. Although this conception has emerged in the context of the critique of other claims- such as "rational animal," "being of necessities," or "tabula rasa" -it also has important practical consequences for the dialogue between faith and science. For sociologists, psychologists, philosophers and political theorists, the relational character of human beings, their dependence on their interactions with the environment is already assumed. Even if this concerns more the social sciences, there is an ongoing discussion within the

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<sup>86</sup> The moral autonomy of this transvaluation and responsible exercise of power is elaborated by Schweiker in terms of Charles Taylor's theory of responsibility and identity, where, "to be autonomous is not to act out of radical choice; it is critically to endorse the values by which we want our lives to be oriented (WS, 98)."

empirical sciences in which many assumptions of the natural sciences (positivist, reductionist, unhistorical or plainly biased) are criticized. This debate is very profitable for the claims of moral theologians. We have seen in the previous chapter how Demmer scrutinizes the interchange among theologians and scientists of both social and natural sciences.

Finally, we come to an important point that connects anthropological presuppositions, the perception of moral values and the norms set to protect them. O'Neill reflects on the last two more explicitly and implicitly handles the former; Demmer shows more concern for anthropological presuppositions in the interplay with ontological and epistemological questions of the dialogue of faith and reason; Schweiker starts his argument from an axiological view, the source of value, which in theological terms must refer to God, and then grounds everything in a theological anthropological stance – human beings live before God (responsibility before God, the source of value). Indeed, this correspondence of the anthropological presuppositions and the perception of moral values, once explicated, is the one that can give grounds for the eventual normative solutions sought in the dialogue between moral theology and science.

Human beings dwell in multiple worlds, both morally and cognitively, personally and among communities. This dwelling is determined by historical conditions for the perception and knowledge of the world (a distinction between the pre-scientific, mythic and religious, and the scientific worldview), of human interactions (personal, communal, societal and global) and of the perception of God (revealed and non-revealed; personal and cosmic; a presence, a symbol, an idea or a projection). In this multiple dwelling, one can take the phenomenological “evidence” that presents language as the fundamental mediation. Language does not substitute for reality, but performs our mediation with reality. This mediation, however, is plural so as to demand constant interpretation – hence the role of hermeneutics in establishing the connection between moral reasoning and any other mediations. Here we find solid support for the claims of moral truth in face of other claims, such as scientific ones. Demmer says that moral truth has a distinctive

character, being “the truth of one’s life project. It demands from the person a dedicated life commitment.”<sup>87</sup> Moral reason, thus, instead of being a predetermined and standardized form of reason, reflects a dynamic reasonability that is continually probed in search for new possibilities that are going to be tested in terms of the expectations of freedom.<sup>88</sup> Therefore, normative discourse and argumentation can genuinely provide the general guidance needed for living the particular moral life. Normative discourse cannot be eliminated by other kinds of arguments, such as scientific evidence. The latter would never be normative, unless they are tested against the expectations of freedom and the anthropological presuppositions. Also, normative discourse cannot be completely naturalized, unless common language is put aside, which is impossible under the penalty of formalization and, in consequence, irrelevance for the life of concrete persons. However, knowledge derived from the empirical sciences indisputably affects moral reason.<sup>89</sup> The norm is established to protect a given moral value, which is perceived in light of anthropological conceptions. Therefore, with regard to theological arguments affecting moral judgments, the norms expressed by them still have to be sustained and justified in terms of plausibility in face of other forms of knowledge and moral justification. As the theological task progresses, as we have seen, a hermeneutical mediation takes place between the moral reflection, the experience and contents of the faith and other meta-normative sources. Theological reflection- for instance, the transvaluation of power performed by Schweiker -is part of the hermeneutical mediation used to find normative solutions for serious issues of our time. If one concedes that the present moral situation has no tools to avoid moral skepticism, at least the theologian can offer to put in evidence the issues around science, technology and the responsible use of human power.

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<sup>87</sup> See Klaus Demmer, “Theological argument and hermeneutics in bioethics,” 104

<sup>88</sup> As we have seen in detail in Kopfensteiner, freedom is never a personal absolute, but a moral interchange between the individual and the community. Moreover, the bearer of the anthropological presuppositions is never the individual alone, but also the community, that constructs and maintains it through the historical and communal sharing of the language. That is why common language holds in itself teleological (moral) elements, for it talks about a generally meaningful and successful human life (ideologies of human fulfillment).

<sup>89</sup> For example, in the history of natural law, as a consequence of the contributions of the empirical sciences during modernity, argumentation has undergone a significant change so as to abandon strong metaphysical justifications, shifting towards historical, personal and relational arguments (see KD, 13 and 78).

Having this hermeneutical mediation of the theological discourse in mind, let us turn now to the aims, values and procedures that can bring science and moral theology closer.

*An outline of aims, values and procedures*

Human agency is intentional, and, as such, it concerns a commitment towards life fulfillment that entails a teleological perspective for every human activity, from the acquisition of knowledge to the relationship with neighbors, to production. Human ends and values are articulated in the sense that values guide the exercise of freedom (choice) and are protected by the norms for the achievement of the ends. Human beings inhabit plural worlds of different moralities, economic relations, and modes of knowledge and interaction with the environment; thus, the complexity of arrangements of aims, values and norms. However, when reflecting upon the problems and contributions of the natural sciences or the scientific and technological dynamics for moral reasoning, one comes to a peculiarity that helps to set up the aims of the dialogue: in an increasingly technological global society, the agents, in their particularity, are forcibly interconnected and affected by a common symbolical dynamics.

As we have seen from many different perspectives throughout this thesis, the techno-scientific encoding of the world is the condition of possibility for the material and symbolic concretization of globalization. In broad lines, there is a “universal consequence” of what people want and do in terms of the relation of *praxis* and *poïesis*, that is, the connection of moral behavior (choices and decisions) and production (material and immaterial objects, the transformation of the environment) to satisfy personal needs and shape their identities. This “universal consequence,” as seen by Nicholas Boyle, refers to a *de facto* human event which is expressed by globalization, but it may as well be interpreted as a veil of a



human universality in spiritual terms, like the one Christianity advocates.<sup>90</sup> This spiritual universality may not be readily accessible as a phenomenon; at least not in terms of empirical verification due to the methodological differences among the various scientific disciplines, and also in terms of its apprehension in the contemporary philosophical context. Therefore, in order to avoid getting embroiled in metaphysical questions, the hermeneutics of the scientific-technological dynamics may suggest other ways of advancing the dialogue between moral theology and the natural sciences.

The hermeneutics of modern science presented in chapter 1 stresses the emergence of ethical concerns that focus on the normative and teleological reading of the human universe of meaning. We have seen that this emergence reveals a conflictual dynamic: different worldviews, anthropologies, and moralities; the conflict between progress and tradition, modern and non-modern, faith and science. More importantly, there is the threat to the integrity of life in issues such as the environmental crisis and the disparity of wealth created by globalization. Therefore, it seems appropriate to suggest, with Reich, that the aims that fulfill pressing needs are more easily attainable and even more realistic.<sup>91</sup> If one takes the conflictive state of affairs into consideration, it may be more productive to set the general aims of the debate on the issues related to *the survival of humanity* and *the formation of conscience*. I am taking the first element from Reich and also from Schweiker; the second element is from Demmer. From a slightly different perspective, O'Neill's approach gives us a critical position on the procedures available for the moral theologian to make normative propositions, albeit the exigencies of his ethical theory demands high moral expertise in the same line of Demmer.

These two general aims are intertwined so as to respond adequately to pressing issues, and demand competence in moral reasoning. In the manner that Demmer understands it, the universal

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<sup>90</sup> See Nicholas Boyle, "We're all global players now," *The Tablet*, September 4th, 2004. In: <http://www.thetablet.co.uk/article/2109> (accessed in March 31, 2010).

<sup>91</sup> Karl H. Reich, "Progress with science and religion issues," 229. He also warns, however, that "decisive aims must also be upheld *against* human desires."

communicability of moral ends, values and norms should refer to the communicability of moral experience that is bound to the self-understanding of the moral subject: the dignity of the person, moral autonomy, realization of freedom, development of moral skills (use of information and capacity to discern), discernment of prejudices, openness to difference and dialogue. The formation of conscience has to enable the moral agent to discern particular situations in a complex and diverse moral world, promoting social responsibility and engagement with the problems that affect the dignity of the person and the environment (democracy, citizenship, social justice, environmental responsibility). Conscience formation benefits from the contributions of other disciplines, so that the person and norms go through a process of actualization consistent with the changes and challenges in history and in the environment (see KD, 19-21; 22).

However, one may ask, if we address conflicts and pressing needs, how can we avoid pragmatic and utilitarian ethical responses? As we have seen with the three authors, in what concerns moral theology, the remedy for this problem is to preserve Christian identity, which is inseparable from Christian moral realism, and to provide interpretations of the basic Christian claims that allow us to contribute to the debate. The comparison of Schweiker and O'Neill, for instance, yields two different perspectives in dealing with the issues of Christian moral realism: respectively, one more frontal, the "radical interpretation," which clearly denounces the mishandling of techno-scientific power, and the other, which leaves moral realism in the background, but intelligently scans for propositions/language that can accommodate religious reasons inasmuch as they are predicable of all rational agents. Once more, it is only through the hermeneutics of faith and of science that one can survey common channels of communications.

Interestingly, the realist position finds its way into the postmodern philosophical debate concerning technology. Let us take an example from the area of philosophy of technology, where the anti-realist discourse reigns. In the case of philosopher Gilbert Hottois, for example, ethical questioning leads to an analysis of cosmic and human finitude, which opens a door for metaphysical-grounded contributions. For

Hottois, the scientific-technological dynamics has a cultural responsibility to bring into being the richness of the universe and to produce the means of our preservation. The scientific-technological culture is based on the principle that human beings are the ones who give meaning to reality; thus, while making something meaningful, they are also performing the work of their own emancipation.<sup>92</sup> Let us note that this position concerns an anthropology originating from the perception of our finitude; the human being is completely responsible for its becoming, creating meanings and values in a neutral universe. The author believes that this task and responsibility are open and indeterminate, and that only the consideration of past experiences can give us security in its exercise. Hottois, to some extent, suspects the powers of technology. If humanity takes up that responsibility, pretending to master the powers of nature with technology, it may succumb to the temptation of a “realized eschatology” in the production of the earthly paradise. This would be the dynamism of a “technological imperative;” to realize it all, as long as possible. Since technology allows for the relocating and expansion of the limits of human desire, the technical demands, coupled with technophile enthusiasm and global market capitalism, can cover up the persistent dimension of human finitude under an illusory veil of infinite desire. Reflecting on the potentialities of science and technology, and on the alternatives for a self-consuming end, Hottois wants to draw our attention to the fact that either a technocratic totalitarianism driven by the “technological imperative” or, as in the contrary reaction, ideological “ecologism” or religious integristism as external controls for scientific and technological dynamics would not be the path for the future generations (the fear of succumbing to our own power or to the power of nature). He wants to point to a process of “multiple and continued self-creation,” so that when technological skills no longer suffice to ensure it, humanity must be ready to achieve these objectives in another way, perhaps taking an attitude where “responsibility” would be, then- acting against the impulse of the infinite desire -to accept positively our finitude, and then find the strength to pass it on to future generations

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<sup>92</sup> Gilbert Hottois, “La philosophie et la technique,” in: Jean-François Mattéi (vol.dir.), *Le discours philosophique*, 1st ed. (Paris: PUF, 1998), (*Encyclopédie philosophique universelle*; 4)

so that they continue the struggle for their own preservation. Thus, he calls for a normative stance where the finitude-laden contributions, if not coercively imposed, would have to deal with their contrary, the ones opened to the Infinite.

There are important lessons here for the case of the contribution of the natural sciences for moral reasoning. We have previously seen that the teleological nature of moral reasoning, aiming at human fulfillment, and the nature of moral truth, that is the truth of one's life, structurally binds human fulfillment to freedom.<sup>93</sup> Moreover, the normative interpretation of nature is guided by the community's expectations of freedom, which is grounded in pre-theoretical anthropological conceptions that behave as ideologies of human fulfillment. The first lesson, then, concerns the normative debate: it seems to demand to a greater extent the given in our communicative action, whereby the ontological and epistemological discussions would be framed so as to reveal their connection with language, as we have demonstrated with Kopfensteiner. This conclusion points to ethical theories that bear hermeneutical analyses of religious and moral traditions and of science, thus entailing our second lesson. This concerns our procedural choices: let us consider the example of the post-modern *aporia* depicted by Hottois. It precisely clears the path for validity claims of those arguing for moral realism (either hermeneutical realism or natural law). Now, it is well known that *validity claims* are a central concept in the theory of communicative action, proposed by Jürgen Habermas. The concept of communicative action was developed by the discovery of communicative rationality anchored in social human life, which seeks voluntary agreement in the interest of social cooperation. How does it function with normative discourses? Interpersonal relations are regulated by speeches that have a normative function, that is, they foster a norm-conforming attitude on the part of the subjects. The validity claims concern the rightness or appropriateness of the speech in a given situation that always refers to "our world" of society. In this case, validity claims are not about the truth of the

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<sup>93</sup> See Klaus Demmer, "Theological argument and hermeneutics in bioethics," 104, and KD, 67.

“external world,” albeit they may have important secondary implications for “our world” (normative). We have seen with Demmer and Kopfensteiner that freedom and reason (surely, communicative reason) are realized *in nature*. In the way that Habermas defines “communicative action,” one can recognize the implications of his theory for moral theology, as was the case with the three theologians that we have studied,

communicative action can be understood as a circular process in which the actor is two things in one: an initiator, who masters situations through actions for which he is accountable, and a product of the transitions surrounding him, of groups whose cohesion is based on solidarity to which he belongs, and of processes of socialization in which he is reared.<sup>94</sup>

The third lesson, thus, concerns the making of moral theology in the face of discourse ethics. For Demmer, discourse ethics, grounded on a consensual theory of truth, elaborates to a certain degree what he sees as the distinctive character of the moral truth. Demmer understands knowledge in a way that is clearly influenced by Habermas: knowledge does not proceed in a passive way, but shows itself as an active, constitutive, function towards truth. That is, as truth is given in language, we are in the proper ethical realm. If there is a commitment with our life, there is a commitment with truth, and “knowledge has a project-like character that cannot be fully actualized by the individual, but only by a collective performance” (KD, 67). This corresponds in O’Neill to the common seeking of what is right (*sunesis*), which is only possible through a high moral performance of the individual and of the community. Moreover, the latter incorporates Habermas’ theory in his analysis of “effective reflection” (see ON, 112-113), as a control for illusory consensus (see ON, 102), and as a way to actualize and verify the basic anthropological assumption of his prudential ethical theory based on the ideal of respect for persons (see ON, 122). O’Neill’s contributions give us some of the procedural elements that are beneficial for the dialogue between moral theology and natural sciences. Also Schweiker employs the theory of communicative action in structuring his ethics of responsibility, which precisely centers on the problems of understanding others. He

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<sup>94</sup> Jürgen Habermas, *Moral Consciousness and Communicative Action*, (Cambridge-MA: MIT Press, 1990), 135.

does not develop procedures for normative judgment, but as I understand him, they would follow those of Habermas, safeguarded by Christian radical interpretation. For him, responsibility is the result of critical self-examination and of radical interpretation, which are the elements that allow for the transvaluation and proper use of power. Now, the basic assumption of this ethics is that “understanding others is achieved through interpretation” (WS, 111). As in Demmer, the attitude of the interpreter is one of participation, instead of an objectifying attitude. Thus, communicative action is the theoretical framework that allows checking if the correct interpretation fits and explicates the meaning which the interpreter-participant is to understand.<sup>95</sup>

Finally, the fourth lesson concerns the specificity of moral theology facing discourse ethics. Demmer points out some problems that remain for moral theology “concerning the range of truths that are open to consensual definition” (KD, 67). Habermas’ theory concerns and develops the moral issues in the public sphere, but Demmer questions this assumption, considering whether:

there is an intrinsic, un-reconcilable tension between public and individual dimensions that forces us to take into account the disproportion that always exists between the two, thus recognizing that individuality can never be reduced within the limits of a publicly controlled operation. Otherwise, how could it be possible to vindicate the singularity of the person with her or his history of moral knowledge? (KD, 67).

With the consensus theory of truth, the problem is that the singularity of the person does not imply the singularity of her or his moral knowledge, but moral knowledge demands self-implication and self-understanding. The implication of this is that the ethics of discourse ends up reducing the person (concrete ethical subject) to a mere support of a consensus for moral actions constructed in logical, formal, and discursive terms, leaving one to solve the problem of how to conduct the ethical education of the subject,

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<sup>95</sup> See WS, 111-113. Also, as Habermas explains: “In everyday life, we agree (or disagree) more frequently about the rightness of actions and norms, the appropriateness of evaluations and standards, and the authenticity or sincerity of self-presentations than about the truth of propositions. That is why the knowledge we use when we say something to someone extends beyond the strictly propositional or truth-related knowledge. To understand what is said to him, the interpreter has to command knowledge that is based on additional claims of validity” (Jürgen Habermas, *Moral Consciousness and Communicative Action*, 27). That is, those are the validity claims of rightness or appropriateness given in the domain of reality that is “our” social world, instead of “the” external nature (see Habermas, *idem*, 136-139).

since it is not expected that the immediate relations offer the ideal conditions for the communication community.<sup>96</sup> Yet, another concern comes from philosophy of technology. Considering the incidence and recurrence of the techno-scientific symbolization on culture, to what extent should we expect an outcome, with Heidegger, in which language itself offers the possibility of being taken in by the techno-scientific dynamic? What are the chances that technology, as a means that allows communication between languages and cultures, may prescribe how the language should and can be? What adventitious effects would have the transformation of language onto “information,” as required by information technology?<sup>97</sup>

Up to now, I have considered the general aims of the debate of moral theology and the natural sciences. We have seen how the two general aims articulate in the language, suggesting, then, the good of understanding others, a value for a complex moral world. This value was shown throughout this work, and appeared as a fundamental element in the work of the authors studied. Now, I should try to tackle the considerably more difficult task of enumerating some specific aims and values whose integration leads to normative solutions. I will not deal with normative solutions here, because they have to be applied to each case. However, in the next section I will try to apply this framework to the case of human embryo research.

To articulate aims in detail is difficult, for they depend on the issues at stake. From general aims, we can conclude that they should seek and preserve the communication of moral perspectives (respect for the person, non-coercive, free flux of information). The hermeneutical approach demands a more existential view of human beings; hence they should preserve moral sensitivity, perception, imagination, self-knowledge, and judgment informed by experience. That is, when setting normative propositions, prudential procedures may be more productive in virtue of the different worldviews represented by the theological and scientific mindsets. Finally, a great part of values are rooted in human needs and thus

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<sup>96</sup> Henrique de Lima Vaz, “Ética e Razão Moderna,” 75.

<sup>97</sup> Martin Heidegger, “Traditional Language and Technological Language,” trans. W. Gregory, *Journal of Philosophical Research* XXIII (1998), 129-145.

specific aims may also serve human needs: respect, self-expression, physical integrity, safety, love and belonging, personal growth, access to knowledge and information, etc.

In the interpretation of scientific activity, the ends and values that justify scientific research as a human activity delineate a normative field that corresponds to the “ethics of science.” Human agency in this field is characterized by a set of values: among others, let us take the truth (orienting the search); honesty, integrity, and transparency in conducting experiments and in presenting and discussing the data; openness to review paradigms, theories, and data; peer review and strong reference to the community of peers. Most of these values are common to other human activities, and as such they can guide the normative discussions when one tries to outline, for example, other external factors that may be affecting the morality of science, such as political and military pressures, market forces, propaganda and ideologies. The moral theologian has to correlate them with theological and ethical propositions about moral knowledge and norms, as we have discussed regarding the works of Demmer and Kopfensteiner: moral knowledge and scientific knowledge evolve; the moral life actualizes not only the person, but also the norms; scientific knowledge and ethical formulations are interpretations and approximations of reality, and not absolutes; norm formulation depends on the epistemological and social context, and norm application is a prerogative of the whole commonwealth (regulated by the expectations of freedom, apart from scientists and theologians); scientific knowledge can contribute to clarify some ethical norms; well established normative stances can counteract or avoid ambiguous interpretations of scientific data. The set of values to be preserved are mostly consensual values, which can guide the communicative adjustments, radiating from smaller and closer spheres of dispute to wider ones.



## **Application: the case of embryonic stem cell research**

In a society where ethical arguments become metaphysically complex and controversial, adopting pragmatic and utilitarian solutions may become tempting, and we are at a point in which they may be considered already typical in the interaction of science, technology and policy making, to the detriment of other kinds of symbolical expression. The case of research with human embryos is exemplary in showing these features, and I believe that it may provide a good test platform for my ethical assumptions.

Stem cells are undifferentiated, self-regenerating cells with the potential to produce specialized differentiated cell lines and tissues. Stem cell lines derived from 5 to 10 days after the fertilization of the egg (blastocyst phase) are called embryonic stem cells (ES). The full implications of the utilization of human embryos for research came to light in 1998, with reports on the isolation of human embryonic stem cell lines. Research concentrates on their “programming” for therapeutic uses, to cure disease and alleviate suffering. In this technological question, what is fundamental to the ethical perspective concerns the origin of such cells, for the moral evaluation and juridical understanding depend on the anthropological status of the embryo.<sup>98</sup>

The proponents of the technique belong mainly to the scientific community, to great portions of the public opinion, and to some normative organizations such as research ethics committees and juridical institutions, with a great diversity among nations. They don't see a decisive counter value in the research for certain key reasons: (a) There is no conclusive indication, philosophic or scientific, that the embryo is a human being, or a person, or even a sentient organism (the blastocyst is undifferentiated); (b) the realm of nature presupposes human intervention through science and technology in order to achieve human ends; thus, (c) the majority alleges utilitarian reasons in favor of the benefits of the research. That is, the embryo does not have a proper anthropological status. The research concerns a technically appropriated zygote

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<sup>98</sup> See Lars Østnor, *Stem cells, human embryos and ethics: interdisciplinary perspectives* (Springer, 2008), 1-30.

which does not have the same status as it does in human reproduction. It is embedded in technical relations that belong to the order of “utility” and that of the “instrument.” I believe that this worldview and anthropological conception is already symbolically configured by technology, and it is based in anthropological and ethical “prejudices” (pre-theoretical decisions).

The opponents belong to juridical, ethical and religious bodies. They certainly consider the therapeutic advantages of the utilization of ES; however, the therapeutic argument is not above the dignity attributed to the human condition, which denies any instrumental role for the human being that is not ordered to the good of the person. They claim that one of the basic human rights, about which there is universal agreement, is the right to life. This same right is the first universal right of citizenship, thus the embryo should be protected by law. If embryos are destroyed in the process to obtain ES, then their human dignity is not being assumed nor respected.

In analyzing the state of affairs, Jim Keenan says that proponents neither give ethical arguments for their activity nor ethical standards for their research protocols.<sup>99</sup> What they do is to try to show that their opponents are wrong in their objections, and they have, thus, the burden of proof, as there is *no prima facie* indication that the research is immoral.<sup>100</sup> As a result, Keenan comments, “our willingness to manipulate the embryo determines our understanding of the nature of the human embryo.”<sup>101</sup> Meanwhile, given the ethical “stalemate,” with increasing pressure of media and market competition, voters are more likely to be motivated by ideas of economic benefit and/or scientific progress than by moral and religious objections. On this account, public policies have been established in countries with research capabilities, and billions of dollars have been invested.<sup>102</sup> Keenan analyses whether casuistry, virtue ethics or slippery slope

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<sup>99</sup> James Keenan, “Casuistry, virtue, and the slippery slope: major problems with producing human embryonic life for research purposes,” in Paul Lauritzen (ed.), *Cloning and the future of human embryo research* (Oxford University Press: 2001): 67-81

<sup>100</sup> Carol A. Tauer, “Responsibility and regulation: reproductive technologies, cloning, and embryo research,” in Paul Lauritzen (ed.), *Op. Cit.*, 145; 150.

<sup>101</sup> James Keenan, “Casuistry, virtue, and the slippery slope,” 69

<sup>102</sup> The BioScience network, “The World Stem Cell Map,” <http://www.worldstemcellmap.com> (accessed April 7, 2010).

arguments would provide concrete guidance to defend the research. I wish to analyze the case of casuistry in relation to the framework proposed in the previous section.

Following Keenan, casuistry can be considered a key method when the ethical debate cannot rely on principles due to moral pluralism. In the case of the public debate on ES, proponents and even opponents agree that ethical principles such as the Kantian categorical imperative, the principle of double effect, and the slippery slope argument are inadequate for the situation. For example, the rejection of the categorical imperative of the respect for persons as ends in themselves is rejected on the basis that it cannot be applied to an entity that is not yet a human person. Another example concerns the case of the slippery slope argument. Opponents argue that there is the risk of extending the manipulations more and more, thereby making it difficult to impose limits for such interventions. Proponents respond by saying that there is no base for this kind of argument and point to cases such as blood and cell banks and organ transplants. Keenan agrees that slippery slope arguments are never conclusive, for they may be based on fear, pessimism, prejudice, morally immature positions, dismissal of engagement, etc. However, he argues that as an innovation, and given the newness of the ethical situation, the proponents of the technique should provide a positive ethical argumentation, and not just refute opposing views. He concedes that in our moral situation, we can hardly find a relevant principle to deal with the case, and thus casuistry would be the next methodological step for those willing to advance it. However, the proponents fail to present a paradigmatic case to legitimate their claims and to serve as a reliable guide for action:

They provide no grounds for their argument nor a standard of moral rightness by which we can maintain a measure of moral objectivity in dealing with this at least morally ambiguous activity.<sup>103</sup>

Keenan argues that the turn from principles to cases would shift the debate “from the nature of the moral object to a description of human agency,” where one should describe what “we humans are doing

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<sup>103</sup> James Keenan, “Casuistry, virtue, and the slippery slope,” 72

when we produce human embryos for research purposes only.”<sup>104</sup> In other words, this supports proposing a hermeneutics of the scientific activity along the lines I have been proposing here. At this point, we can see how the whole proposal of my thesis comes into play: first, well established normative principles are found inadequate in the face of a new reality unveiled by the development of science, implying the issues of moral change and the historicity of moral reasoning. Also, there is no strong reason to put the morality of the research in question. In the background, at least two distinct anthropological conceptions are at play. Second, in relation to the complex issues of the anthropological conceptions, there is a necessity for overcoming the metaphysically complex and controverted arguments concerning the nature of the embryo in order to proceed with the moral debate. Third, if one wants to advance the cause, he or she should turn to morally relevant descriptions of actions. In the absence of unified worldview and anthropological conceptions, one must necessarily resort to prudential judgments to balance utilitarian and consequentialist ethical perspectives and other views based on principles and grounded on some metaphysical distinction. This is a clear picture of the interplay of the metaphysical, anthropological and procedural elements of the framework outlined in the previous section. The specificity of my approach is the awareness of power struggles in several different dimensions: besides struggles around public policies, there are many nuances of symbolical power (the power granted by knowledge, the cultural power given by the correctness of the scientific data, the power of transforming reality, the power of acquiring and transmitting information). All these suggest that moral reasoning should not be restricted to an account of arguments and syllogisms of proponents and opponents, much less be “distracted” from the imbalance of power by metaphysical controversies.

To delineate my contribution let us look, *pari passu*, at the proposals given by Keenan to the proponents.<sup>105</sup> First, he invites them to admit that we are auto-implicated when we manipulate human

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<sup>104</sup> *Idem*, 72-73

<sup>105</sup> James Keenan, “Casuistry, virtue, and the slippery slope,” 80-81.

embryos; then, he proposes a discussion of a relational anthropology. I have specifically addressed this aspect under the “anthropological issues” of the framework. We have seen how this topic is an ongoing discussion between the social and the natural sciences and how moral theology can profit from this debate. Moreover, I also have tried to demonstrate in various instances how the correspondence of the anthropological presuppositions and the perception of moral values can offer grounds for eventual normative solutions. Now we see that it does not provide norms, but it does provide (i) a defensible, rational and necessary openness that is required for the proponents in order to accept regulation. Second, it entails that the proponents could admit that embryonic manipulation is problematic, and it cannot be short-circuited by resorting to the insufficiency of current moral standards and simply refuting opposing views. Our hermeneutics of scientific activity (ii) rendered in the symbolical, historical and social elements implies that research practices should be justified, and we also have seen how they relate to issues of power; finally, (iii) the values retrieved by the ethics of science (at “aims, values and procedures”), like peer review, transparent and non-coercive execution and communication of experimental procedures and results, etc., have the power to evoke ethical alternatives for the research; in this case, protocols like using adult stem cells. Interestingly, because of these ethical concerns, there is already a trend in the market towards adult stem cell research.<sup>106</sup> Third, Keenan invites the proponents to articulate some virtues that could engage both proponents and opponents in the ethical reflection and development of morally mature personalities. We have seen how (iv) communicative action lies at the basis for norm searching procedures proposed by the authors we have studied, presupposing a high degree of moral performance, which can only be achieved by the process of moral education (a major field of virtue ethics). Here, we have a substantial theoretical base in Habermas and others in the same line to explore. Fourth, Keenan proposes

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<sup>106</sup> See Anna Kattan, “Adult stem cells are a promising market,” *Fortune Magazine*, June 16, 2009, [http://money.cnn.com/2009/06/16/technology/adult\\_stem\\_cell\\_therapy.fortune/index.htm](http://money.cnn.com/2009/06/16/technology/adult_stem_cell_therapy.fortune/index.htm) (accessed April 14, 2010); Rob Waters, “Adult stem cells spur market rush, avoid embryo ban,” *Bloomberg.com*, [http://www.bloomberg.com/apps/news?pid=20601109&sid=aEda\\_qyEsGkw&refer=home](http://www.bloomberg.com/apps/news?pid=20601109&sid=aEda_qyEsGkw&refer=home) (accessed April 14, 2010)

that casuistry would help to demonstrate the degree to which the distinct methods and procedures of embryo manipulation would be morally acceptable. I have shown how (v) prudential judgments can balance between utilitarian and consequentialist ethical arguments. Indeed, because they are grounded on moral sensitivity, perception, imagination, self-knowledge, and judgment informed by experience, the exercise of casuistry as an exercise of prudence encourages the agent to act virtuously. This exercise, through the description of morally relevant actions within our common seeking of what is right would describe not only which of the research procedures are morally valid or not, but also clarify in a scientific manner, in which (vi) circumstances they are being applied, e.g., is it profit-driven research and development enterprise? What was the emotional, psychological and cognitive state of the original donors of reproductive cells? Was information being well used in the construction of public understanding and demand for stem cell research?

In my opinion, the application of the proposed framework, exemplified by the correlations with Keenan, reveals not only a reasonability for the public sphere, but also a debatable and educational approach that includes broader ethical elements. They imply the object of discernment, which is the embryo, but also a reflection on the life of the agents, the scientists, patients and clients, policy makers and legislators. It also highlights the importance of hermeneutic and communicative efforts that provide, in the end, an ethical decision, reasonable and rational, that gives high moral value to embryonic human life (which is vulnerable) in connection with the meaningful, free, responsible, communal and communicative development of the person (as decision maker and agent). The scientific values and potentialities are adduced to a philosophical reflection that takes into account the balance of power in the public sphere to reach a normative decision. In this ethical view, while we face a dubious and controversial matter, the evidence of the relational character of the morally mature person with the human embryo urges us to encourage a more cautious ethical stance.

## Conclusion

One of America's greatest writers, F. Scott Fitzgerald, wrote that a true test of intelligence is "the ability to hold two opposed ideas in the mind at the same time, and still retain the ability to function." As I was finishing the last section of this work, trying to apply the results of a hermeneutical analysis of the interaction of science and moral theological reasoning to a contemporary issue of bioethics, I was surprised by an experience. At the very end, I realized how it blossomed in a more concrete intellectual experience of moral reasoning. I started this work with clearly ontological and epistemological concerns, and they seemed irreconcilable. However, I knew from facts that history, and changes in both moral and scientific knowledge, were also at play. My intuitions about the social struggles, political and technological power, and the power of the symbols, made through the arguments. By the end, I can see how we can be distracted by metaphysical and ontologically complex questions in the debate of science and moral theology, and I now see clearly that normative discernment does not occur in a way that is restricted to the mere account of arguments and syllogisms of the opposite sides of the debate. They can, indeed, divert us from the imbalances of power that are characteristic of human agency, along with metaphysical disputes that can lead the debate to an impasse.

My approach to the dialogue of science and moral theology, broadly speaking, relies on language and communication, for I believe that the metaphoric properties of language provide ways to overcome the metaphysical (hence, ontological and epistemological) divide of the two perspectives. I have dedicated the second part of the first chapter to show how this happens with natural law arguments. Moreover, as language is a historical and communal process, the theological and scientific interpretations of nature are in a constant struggle, and they are subject to change, which implies moral change. The only way to deal with moral change, without resorting to deception, dishonesty and coercion is through communicative action. In

moral debates, communicative action not only brings to the arena ethical standards, either as moral principles or paradigmatic cases, it also brings the issues of power – the power of information and communication, power of knowledge and production; the fact that political power changes in relation to the other two manifestations. In the technological era, the newness of many issues bears a moral power over agents, laws and institutions by force of astonishment. When moral standards for human activities are in disarray, the speed of perception and manipulation of reality and information promotes power imbalances and injustice (Paul Virilio). Every day we experience how the style of communication represented by media play a crucial role in the construction of public understanding of facts, ideas, discoveries, and inventions, and of the ethical and political debates surrounding them. At the same time, for these reasons, it is very important that they come into scrutiny by the academy and the public opinion.

Natural law arguments, in virtue of their relation with the idea of Creation are hardly separable from the metaphysical ground that sustains their emergence. We know how they are related to the contents of Christian faith. However, they have to be interpreted anew when confronted with science. In the context depicted above, they still may contribute to the ethical debate, but they should be balanced by another kind of prudential arguments that are able to circumvent of ontologically complex issues and the imbalance of power in the social struggles with special considerations to the scientific and technologic dynamics. This openness of moral theology has its counterpart in the field of science, for the ethical and just relations in this field also demands from the agents who belong there the free, responsible, communal and communicative development of the person. This highlights the importance of the hermeneutic and communication-centered arguments made throughout this thesis.

Bearing in mind that God breathed his Spirit to make us live, our breath also causes us to speak, and human relationships require the word. In the Christian vision, ethics and Spirit are not separated, for the words announce the Spirit.



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