

A painting of a man in a dark suit standing on a rocky peak, looking out over a vast, hazy landscape with mountains and a body of water. The man is seen from behind, with his right hand on his hip and a walking stick in his left. The landscape is misty and atmospheric, with a large mountain peak in the distance and a body of water in the foreground. The overall tone is contemplative and majestic.

MODERN AND AMERICAN DIGNITY

Who We Are as Persons, and
What That Means for Our Future

Peter Augustine Lawler

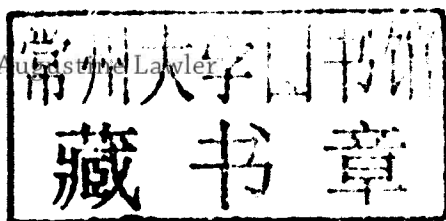
Author of *Stuck with Virtue* and *Aliens in America*

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Wilmington, Delaware

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INTRODUCTION

The closely related essays in this book were all written during my time on President George W. Bush's Council on Bioethics. The Council—especially when it was headed by Leon Kass—was criticized for being a sort of pseudo-Socratic debating society that aimed to illuminate or even encourage moral conflict among Americans rather than reaching consensus based on scientific truth and American principle. It was also criticized for being too worried about the effect that scientific, technological, and biotechnological progress might have on human dignity. Dignity, the criticism went, was used as a code word for stifling science and its benefits with discredited, repressive moral dogmatism. Like Socrates, the Council wasted lots of time humoring opinions that no reasonable person could regard as true.

Those, such critics claim, opposed to the destruction of embryos for research are really about slowing or stopping the scientific progress that's bound to alleviate the suffering and save the lives of millions with an unsubstantiated, nonscientific opinion about the status of the embryo. Similarly, those who want to outlaw abortion must want to impose their religious opinion about who or what a fetus is on women at the expense of the woman's right to choose who she is and how she wants to live.

Those, the critics go on, who fear that biotechnological enhancement might change who we are in some undignified way are worried

about nothing. Biotechnology is just the next stage of technological progress, which has already succeeded in all sorts of wonderful ways in increasing human comfort while reducing human drudgery. Does it really make sense to choose unnecessary suffering just to have an opportunity to display your dignity? Nature, without technological improvements, treats particular persons with random cruelty and undignified indifference. The more control we have over nature, the more dignified we can be. When we say dignity, these critics conclude, we do or should really mean autonomy—or personal freedom from nature.

President Obama has appointed an advisory council that will offer him definitive policy guidance based on reasonable consensus; its goal is to use scientific expertise to bring conflict to an end. The president is careful to add that we must respect those who dissent from the consensus. But that doesn't mean that we allow their disagreeable opinions to influence public policy. After all, those opinions are based on religious values that Americans do not hold in common, and they often point toward policies that enforce conformity with sectarian values.

The president said in his March 24, 2009, press conference that his decision to remove limitations on federal funding on embryonic stem cell research was "the right thing to do and the ethical thing to do." He added that "I respect people who have different opinions," although there's no evidence that those opinions are really right or ethical. Consensus, the president's hope is, will triumph when the experts and gifted rhetoricians work together to replace error with truth, or, in the words of Thomas Jefferson, when they successfully displace "monkish [or evangelical or fundamentalist] ignorance and superstition" with "the light of science."

It's easy to object that it is undemocratic to have an expert group determine what our true bioethical consensus is. And surely it is offensive to some of our best citizens to be told that their moral opinions are unscientific and, therefore, illegitimate. They might respond that science doesn't provide us with sufficient guidance about who a human being is. Yet the foundation of our country depends on the real existence of rights and dignity, on the self-evidence of the truth that we are all created equally unique and irreplaceable.

Scientists—be they neuroscientists or neo-Darwinians—characteristically find no scientific evidence for the reality of dignified personal

significance, even if some of them regard it as a most useful fiction. They have declared themselves incapable of defending the indispensable truth about who we are. They can offer a variety of hypotheses about why each of us demands personal significance, but they do not really think there is any evolutionary or neuroscientific support for the dignified “I” each of us claims to be. So our scientists, for example, don’t really think that the proudly liberated contemporary woman is the autonomous person she claims to be. There’s no room, our scientists often think, for personal reality in an impersonal universe.

The experience of the Kass Council was also that there is actually basic disagreement about what even the scientific evidence alone suggests about who we are. That Council was, after all, composed not of religious leaders but of men and women of formidable scientific credentials in a variety of fields. On the embryo issue, Robert George of Princeton argued eloquently that the science of embryology showed beyond any reasonable doubt that the embryo had the same dignified, unique, and irreplaceable status as, say, a teenager. He argued not from revelation but with the ruthless logic of a lawyer for scientific truth. Other members, such as the famous all-around expert Francis Fukuyama (who seems unusually resistant to the charms of revealed religion), claimed that the embryo deserved more respect than a random clump of cells but less than a baby. James Q. Wilson, the preeminent American scholar in public policy, argued from sociobiology that the unborn come to deserve greater protection as they come to look more like us. Kass himself argued that we cannot know for sure that an embryo is a member of the human family, but it deserves the benefit of the doubt. The Council’s prominent neuroscientist, Michael Gazzaniga, thought it is clear that what distinguished human beings were brains and hearts. So embryos—having neither—could safely be regarded as material for research. No brain, no heart, no problem is a memorable slogan, but most members of the Council were troubled by its implications for us all.

I have not even begun to do justice to the range of reasonable opinion on the Council. This conflict was a fine example of disagreement at the highest level about the moral and political implications of what the scientific studies show. The dispute was illuminated by something close to genuinely Socratic dialogue, with those involved remaining friends in common pursuit of the truth. Despite great competence and

the best intentions, however, no consensus emerged. The disagreement, let me emphasize, has always been over what the scientific evidence really shows about who we are and what we're supposed to do.

The moral conflict that exists in our nation over destroying embryos for research is both reasonable and passionate, and it is based both on different views of the facts we can see with our own eyes and on conflicting human goods. The progress of medical science in alleviating suffering and extending human life does serve the cause of human dignity, but not at the expense of destroying lives or compromising our principled devotion to the significance of every person. On the embryo issue, the conflict may be specific to a certain stage in scientific progress. It is clear now, as the Kass Council reported more than once, that there are some and will be more ways to obtain pluripotent stem cells without destroying embryos. That encouraging fact was curiously absent from our president's statements. Obama's opinion seems to be that research scientists have no obligation to be limited or even inconvenienced by those who disagree with them on the scientific facts about who a person with rights is. Those convinced of the moral status of the embryo by faith or reason do not have to be accommodated, even if accommodating them would be easy to do.

Similarly, one reason among many that it is disquieting to see President Obama so complacent about *Roe v. Wade* is that the real goal of the Supreme Court in that decision was obviously to end public discussion over what or who the fetus or unborn child is. The Court acknowledged that Americans were caught in an intractable disagreement—one neither science nor religion was able to resolve—about when human life begins. Still, the Court concluded that the unborn have no rights which we are bound to recognize; more precisely, they have no rights which the law is even allowed to recognize. The Court, in *Planned Parenthood v. Casey*, eventually let us know that *Roe* is one of a very few “watershed” precedents. For a variety of reasons, its ruling can't be revisited even if it might be in error.

In his 2009 speech at Notre Dame, the president said that supporters and opponents of the pro-life position should extend “the same presumption of good faith” to one another. By doing so, they might “discover at least the possibility of common ground.” He went on to say, however, that ultimately “the views of the two camps are irrecon-

cilable” and “health care policies” must be “grounded in clear ethics and sound science, as well as respect for the equality of women.”

Women, so this ethical line of thinking goes, must be free to exercise reproductive choice to live equally with men. Men, after all, have always been perfectly free not to have babies, no matter what they do. All persons are equally free to define “one’s own concept of existence,” the Court explained in *Planned Parenthood*, including one’s own place in the universe and “the mystery of human life.” Our president didn’t take time to explain why he thinks this existentialist ethic of radical personal liberty is compatible with what sound science teaches these days about who we are. The point of science, our scientists often think, is to expunge the illusions that our place in the universe is up to us and that human life—or anything else—is fundamentally mysterious.

Although the president called for a “sensible conscience clause” that would “honor the conscience of those who disagreed with abortion,” it’s not so clear what honor involves. The president told the students that “the ultimate irony of faith is that it necessarily admits doubt,” but the same, for him, is not true of the universal and rationally persuasive principles of scientific ethics. Honor, from their view, means the impotent marginalization of opinions—or personal conceptions of existence—our experts know to be ignorant, immoral, and unjust. Respect for conscience can’t actually be honoring the thought that the pro-life position is really both what’s required by our dedication to the proposition that all persons are created equal, and in accord with what we now know through science.

Despite our experts, it is clearer than ever that there are both moral and scientific reasons why more and more Americans are not persuaded by our law’s sham certainty about the status of the unborn. And surely the president knows that the youth who supported him so strongly are more pro-life than their parents. There is plenty of need for more national dialogue before anyone could reasonably regard this fundamental issue as resolved. As Socrates himself constantly reminded us, for the most reasonable men and women it often remains the case that the fundamental questions, despite our best efforts, remain more obvious than their answers. That is why there needs to be much more room for legislative compromise—for the consent of the morally conflicted governed—which the Court has quite arbitrarily denied us.

When the president admitted, rather cheerfully, that it was “above his pay grade” to determine when, exactly, a being becomes human enough to have rights, he should have concluded that, in the face of such doubt, the necessary decision would have to be made by the American people acting through their legislatures. And the modesty that should flow from uncertainty should lead not just to lip service but to the genuine accommodation of opposing views that comes through compromise. Bush’s policy of limiting research destructive of embryos, reversed by Obama, was just such a compromise.

The rule by a consensus discerned and implemented by experts—by judges, bureaucrats, and scientists—might be fine if they were all philosopher-kings who had united in themselves not only technological power but also perfect wisdom. It is obvious, however, that the human power over both nature and human nature is growing faster than is our wisdom about how to use that power for authentically human purposes. Experts very often hide their personal opinions and ideological agendas behind impersonal claims of being guided merely by what the studies say. We can learn from the experts but we shouldn’t trust them. These days, people should, above all, distrust meddlesome, schoolmarmish, vain technocrats who want to deprive people of the dignity that comes from deliberating about who we are and how we should live.

Each chapter of this book is meant to contribute to our deliberation about who we are as free, dignified, and purposeful beings. The first chapter, commissioned by the Council, lays out my view of the distinction between the modern and American views of dignity. The second defends the indispensability of speaking of dignity (as opposed to autonomy or rights) today, partly by showing that rights were inadequate for facing the threats to who we are that came from the ideologies of the twentieth century and the biotechnology of the twenty-first. I also show, following the lead of many who wrote for the Council on the issue, that the idea of autonomy—or the identification of our freedom as not being determined by nature—is just too empty to be a source of moral guidance that could subordinate technology to human purpose. That was the core illusion of the Sixties (see chapter 6). That illusion may be the most important reason why the humanities are fading away in America; our higher education is more and more about nothing more than technological productivity (see chapter 3).

The idea of personal autonomy, by itself, points us in the direction of perfect justice that might come with perfect freedom from nature. The autonomous person is not natural or biological. Natural enhancements, from this view, can't transform personhood, but only allow it to flourish more securely as what it is in freedom. Leon Kass is right that those who reduce dignity to autonomy don't reflect on what enhanced personal freedom might do to our loves and longings, to the dignified fulfillment found in doing what comes naturally to self-conscious, embodied, social animals, in freely taking responsibility for being men and women who know they are born to die. Those who think in terms of disembodied personhood don't reflect, for example, on what the separation of sex from procreation in the name of personal security might do to personal identity.

Kass and others have a kind of "Brave New World" concern. In trying to make ourselves more than who we are by nature, we might end up becoming beings who lack what it takes to display our personal dignity. My own view is that there is some Christian wisdom in even today's personal view that we can't make ourselves into something better or worse than who we are as persons. We can't, thank God, reduce ourselves to just another "subhuman" species, and we can't raise ourselves to either the immortal gods or the personal God. The human species is one among a huge number, but it's not just another species. Our personal longings and our personal behavior can't be explained in the way that of the other species can. Those who speak of autonomy are right, at least, in thinking of each of us as a free, unique, and irreplaceable person.

Contrary to extreme fears concerning personal degradation, I really think that in an increasingly enhanced or biotechnological world we will be distinguished by our personal virtue like never before. That means, to begin with, by the bourgeois virtues that lead to personal productivity. But there's no reason to believe that the other virtues—especially those connected with loving caregiving, but also those connected with courage in the face of death and in defense of other persons—will become superfluous. It will be more admirable than ever to risk one's life if it could extend for an indefinitely long time. It will be harder, but still necessary, to face up to every person's inescapable biological finitude in order to live well. The lonely disorientation that

comes from being detached from God and nature—and especially from the personal Creator—will become more common. So being a better person in the moral or spiritual sense will be tougher and more of an advantage.

Thinking realistically about personal virtue begins by correcting the autonomy freaks with the observation that persons are erotic or animated by love. That means that charity or caregiving is a higher virtue than justice, precisely because it's more personal. By neglecting—in the name of autonomy—thinking about or cherishing intentionally the social or relational dimension of being personal, we've actually made personal existence seem more contingent—or detached and ephemeral—than ever. But that's not to say that persons have, or even could, become unreal; the very good news is that who we are continues to elude our efforts at rational control.

My view is that love is a personal capability we've been given by nature. There's some ground for being a "relational" person in nature itself, perhaps because both we and it were created by a personal God. The personal *logos* of the early Church Fathers seems to be more reasonable than the impersonal *logos* that's been characteristic of most of science from its beginning. The most dense and most ambitious chapters in this book are about the great thinkers from whom I've begun to learn something, at least, about the personal *logos*—our philosopher-pope Benedict XVI (chapter 7), Alexis de Tocqueville (chapter 5), Chantal Delsol (chapter 4), and John Courtney Murray (chapter 8).

I have also written, more personally, about two profound and heroic men who show us what we seem to need to know most today—how to be very old and still very happily purpose-driven. They are Aleksandr Solzhenitsyn (chapter 9) and Socrates (chapter 10).

The final two chapters explain why being personal (or inescapably dignified) is necessarily being pro-life (and adapting virtue to unprecedented longevity and biotechnological enhancement) and being political (or being loyally responsible for securing the way of life of people in a particular part of the world). That's not to say that being a citizen, from either a modern or an American view, is the last word on who any of us dignified persons is.

This book, as a whole, examines the whole who is the dignified human person.

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