ABSTRACT. This paper is a critical analysis of Tristram Engelhardt’s attempts to avoid unrestricted nihilism and relativism. The focus of attention is his recent book, *The Foundations of Bioethics* (Oxford University Press, 1996). No substantive or “content-full” bioethics (e.g., that of Roman Catholicism or the Samurai) has an intersubjectively verifiable and universally binding foundation, Engelhardt thinks, for unaided secular reason cannot show that any particular substantive morality (or moral code) is correct. He thus seems to be committed to either nihilism or relativism. The first is the view that there is not even one true or valid moral code, and the second is the view that there is a plurality of true or valid moral codes. However, Engelhardt rejects both nihilism and relativism, at least in unrestricted form. Strictly speaking, he himself is a universalist, someone who believes that there is a single true moral code. Two argumentative strategies are employed by him to fend off unconstrained nihilism and relativism. The first argues that although all attempts to establish a content-full morality on the basis of secular reason fail, secular reason can still establish a content-less, purely procedural morality. Although not content-full and incapable of providing positive direction in life, much less a meaning of life, such a morality does limit the range of relativism and nihilism. The second argues that there is a single true, content-full morality. Grace and revelation, however, are needed to make it available to us; secular reason alone is not up to the task. This second line of argument is not pursued in *The Foundations* at any length, but it does crop up at times, and if it is sound, nihilism and relativism can be much more thoroughly routed than the first line of argument has it.

Engelhardt’s position and argumentative strategies are exposed at length and accorded a detailed critical examination. In the end, it is concluded that neither strategy will do, and that Engelhardt is probably committed to some form of relativism.

KEY WORDS: canonical morality, content-full morality, content-less morality, Engelhardt, grace, Kant, nihilism, relativism, revelation, secular reason, universalism

Theory enters the practice of medicine through any number of doors. Among the more familiar ones are the foundations of biology, the concept of experimentation, and the nature of the human person. Bioethics is also a point of entry – actually, many points of entry – of course, as virtually everyone would admit, but most work in bioethics is on issues of practice, or on particular problems or cases, rather than on theory as such. A notable exception, however, and the subject of this paper, is Tristram Engelhardt’s recent book, *The Foundations of Bioethics*.1 Engelhardt’s main concern is precisely that indicated in his title: beneath all the disagreements and polemics, all the arguments, counterarguments, and objections, what sort
of underpinnings does bioethics have? To answer that question, a meta-
bioethics (as philosophers would call it) is needed, not a bioethics. We need
to know, in other words, what the foundations of bioethics are, how exten-
sive they are, and how secure they are. Engelhardt’s own answers seem to
take him in the direction of relativism and nihilism. Substantive bioethics,
he argues, lacks an intersubjectively verifiable and binding foundation.

I

Strictly speaking, though, Engelhardt is not a relativist. A relativist, as I
use the term, holds that there are two or more equally true or valid moral
codes or moralities. Engelhardt does not hold that. Nor does he believe in
nihilism, the view that there is not even a single true or valid moral code
or morality. That leaves only one possibility: Engelhardt thinks that there
is exactly one true or valid moral code. He is thus a universalist, again as
I use the term.

Universalism is not an easy resting place for Engelhardt, however,
and it might be questioned whether he should stop there at all. After
all, he vigorously argues, in a number of places, that “Content-full moral
controversies cannot be resolved by sound rational argument in the absence
of common moral premises, rules of evidence and inference, and/or
[a] view of who is in moral authority” (p. 40), but that such premises,
rules, and authorities are nowhere to be found – not by secular reason,
anyway. Secular reason not only has not established, but cannot establish,
any content-full morality as “canonical,” that is, as binding on all human
beings and perhaps even as objectively correct. Relativism or nihilism, as
indicated above, thus seems to be looming. Engelhardt attempts to hold
both at bay, however, by advancing two different and logically independent
lines of argument.

II

First, he argues that although secular reason cannot establish that there is
a single true moral code, much less what that code is, it can establish a
minimal moral code, one that is procedural and content-less. Although by
no means a full morality, one that, because it does have content – substan-
tive premises, rules of evidence, rules of inference, and perhaps authorities
– embues human life with meaning, such a minimal, content-less code is
available to unaided secular reason, and is binding on everyone. It provides
the framework, moreover, within which adherents of particular content-full moralities – those of Roman Catholicism, First Century Rome, or the Bantu, say – can live in harmony with one another. Or, to be a little more accurate about the matter, such a minimal, content-less morality enables moral pluralism to exist and flourish in as peaceable a way as possible, at least if alternative ways of maintaining peace, such as the use of force, are deemed unacceptable. A small portion of the Enlightenment project of establishing, through the use of reason alone, a canonical morality, one binding on all, thus can be realized, Engelhardt thinks, but the great hope of that project, to establish a content-full, canonical moral code using only unaided human reason, is not only unrealized but unrealizable. “A limit can be given to... nihilism,” he concludes, for “general canons of secular morality can indeed be articulated.” And by exactly the same token, “a limit can be given to what appeared to be an unrestricted relativism: the canons of secular morality, although they possess no content, allow for morally authoritative collaboration” (p. 83).

III

Second, however, and proceeding in a very different direction, Engelhardt responds to the challenge of nihilism and relativism by invoking the distinction between epistemology and metaphysics. Secular reason’s failure to discover a canonical moral code is an epistemological failure, not a metaphysical one, he says, and the mere fact that reason cannot find a truth or, in this case, a single true moral code, does not mean that there is not a truth, that there is not a single true moral code. Maybe there is such a code, but reason is not up to the task of discovering it. The facts may well outrun our capacity to discover them, for our metaphysical reach may, for all we know, exceed our epistemological grasp. Only crude forms of verificationism or anti-realism would maintain that lack of proof means lack of truth.

Still, as Engelhardt knows, all this shows is that there might be a single true moral code. There might be demons, too, invisible, silent, odorless, weightless demons, who inhabit our world and spy on us, but who cover up all traces of their existence behind them. The fact that there could be such creatures, creatures who remain forever just beyond our epistemological grasp, does not provide the least reason for thinking that there are such creatures. In fact, given our epistemic situation, we should not be agnostic about the matter. We should, even if we are wrong, be atheists: we should hold that they do not exist.
What is needed, then, is not just the possibility of universalism – a single true moral code – but also access to that code. The mere distinction between epistemology and metaphysics gives universalism some breathing room but offers no sustenance. In this attempt to check – actually, defeat – nihilism and relativism, universalism is backed up metaphysically, and so must be based on objectivism, the view that a moral code is true or false independently of contingent and variable human beliefs, desires, and agreements. Something has to be said about how we can come to know, or at least come to believe in, such a metaphysically independent code, or else its existence is little more than a pious hope. Engelhardt is fully aware of this problem, and offers, although he does not really pursue the matter, grace and revelation as routes to the single true morality. Not parts of or amenable to secular reason, grace and revelation, he thinks, are still able to put us in touch with aspects of reality that reason – meaning secular reason – is incapable of providing. Thus, in a much more full-blooded sense, a sense that encompasses what Engelhardt calls a content-full moral morality, there is a canonical moral code, a code that stands apart from competitors in the field as the one true one, the code that is objectively correct. For a very different reason from that discussed in section II, then, and in a much more robust manner, nihilism and relativism can be routed.

IV

Such, in very brief outline, and with few of the details provided, is how Engelhardt attempts to escape nihilism and relativism. But does he really manage to keep the wolves at the door? He not only walks a goodly distance in the direction of relativism and nihilism – something he himself admits – but all his arguments against the possibility of secular reason establishing a canonical, content-full morality would be welcomed by a great many relativists and nihilists. Whether he wants to be there or not, he might well end up in one of their camps. Indeed, I shall argue that he has to take up residence, and probably with the relativists.

V

First, then, a fuller exposition, and then an evaluation, of Engelhardt’s arguments against nihilism and relativism.

Nine attempts to establish “the objectivity of claims regarding content-full moral obligations, content-full moral rights, any moral preferences, or evaluations generally” and to “resolve moral controversies by sound
rational argument” (p. 40) are assayed by Engelhardt, but all are found wanting. They fail, he thinks, every one of them. At base, the reason is the same in each case: all either “beg the question at issue by presupposing what is at stake (the existence of a content-full [m]oral standard) or involve an infinite regress” (p. 42; see also pp. 58, 59, and 66). Given that there are many moralities, how, then, if at all, are moral controversies to be resolved?

There are four possible ways, Engelhardt thinks: by “(1) force, (2) conversion of one party to the other’s viewpoint, (3) sound rational argument, and (4) agreement” (p. 67). Secular reason – (3) – provides no ultimate ground, Engelhardt has already argued (i.e., the nine attempts fail), and conversion cannot do the job in a “secular pluralist society,” even if appeals to conversion “will suffice for those who form a community of believers or ideologues who experience the grace of common conversion or who are committed to a particular moral sense or set of moral premises.” “The grace of conversion or special commitment,” then, “has no general secular moral authority” (p. 71).

That leaves force and agreement. Force is out, however, because an appeal to force will not answer ethical questions, such as intellectual queries as to why a controversy ought to be resolved in a particular fashion, even if the resolution imposes widespread consensus. Using force, even legally authorized force, . . . will simply be an act of force for any who do not share the moral vision that purports to make such interventions legitimate. . . . A goal of ethics is to determine when force can be justified. . . . To ask a secular ethical question is to seek a ground other than force for resolving moral controversies. One seeks authority other than in coercive power (p. 67).

In short, “Resolution by force carries no intellectual authority either with regard to (1) which viewpoint is correct, or (2) whether the correct viewpoint may be imposed by force. Authority in such cases is simply power, the force to compel” (p. 71).

We are left with agreement: “Secular moral authority is the authority of consent” (p. 68). Agreement or consent wins by default, for if secular reason cannot establish a particular morality as canonical, “then the only source of general secular authority for moral content and moral direction is agreement.” Ethics in the ruins of the Enlightenment project consequently must be conceived as “a means of securing moral authority through consent in the face of intractable content-full moral controversies” (p. 68). Such an account of ethics “requires a minimum of prior assumptions,” since it requires “only a decision to resolve moral disputes in a manner other than fundamentally by force. It commits one to no particular concrete moral view of the good life . . . or content-full moral obligations” (pp. 68–69).

Permission is thus the source of moral authority, and because permission carries no particular content-full morality in its train, no value is assigned
it in identifying it as the source of secular moral authority. Secular moral authority is simply the authority of permission. Founded on permission or consent as it is, its most general requirement – in fact, its sole requirement – is to “respect the freedom of the participants in a moral controversy as a basis for common moral authority” (p. 69). Put in slightly different terms, we ought to respect the freedom of participants in a moral controversy, for to do so is to create the possibility, and even the actuality, of secular moral authority itself. Secular moral community – a moral community being, in general, a group of people who share and defer to a common moral authority, or who are bound together by common moral premises, rules of evidence, and rules of inference – can thus be defined as those people who are interested in, and will cooperate in bringing about, the resolution of “moral controversies in ways not fundamentally based on force” (p. 69). Secular moral community is therefore composed of people who agree to collaborate, and so a secular ethics founded on consent can do what force, conversion, and unaided secular reason cannot: it can bind moral strangers, that is, adherents of diverse and incompatible moral traditions. It does so by providing a framework-ethics, an ethics of “inescapable rules but no content” (p. 69). Even if no content-full morality can be shown to be canonical, then, “there is the possibility of intersubjective moral coherence and collaboration without presupposing the objectivity of secular morality in the sense of its corresponding to particular content-full moral truths and without requiring content-full agreement” (p. 69).

VI

This is a bold, clever, and insightful attempt to avoid the ravages of nihilism and relativism in the wake of the failure (or at least the purported failure) of the Enlightenment project. I do not think it will do, though. The concept of a content-less morality is an attempt to have it both ways: to have and not to have genuine prescriptions. But you cannot have it both ways. A content-less morality is an oxymoron.

If a morality is to show the falsity or the limits of nihilism and relativism, it must say, in effect: Here – here is a moral code, or part of one, that is binding on and true for all people, and binding and true no matter what, to use Engelhardt’s term, particular content-full morality a person subscribes to. Universalism of this sort could be (a) based on objective truth, or (b) underwritten by universally shared subjective but normatively freighted aspects of human beings (i.e., normative human nature), or (c) founded on rules, principles, or such like that just happen to be part of every moral code (i.e., accidental but shared features of all moral codes),
or (d) transcendentally deduced from the concept of morality itself. But Engelhardt is clearly not appealing to objective moral truths in arguing for his minimal moral code; nor is he invoking human nature in any way; nor is he claiming, as the third possibility has it, that the minimal moral code is a happy cosmic accident.

But the minimal moral code, the one that can bind moral strangers, has to come from somewhere and be based on something. A mere will to be moral, which Engelhardt invokes at one point as the basis — “Secular moral authority”, he says, “is derived from a bare will to morality” (p. 72) — is vacuous, as, absent a prior specification of the content of morality, what is being willed is wholly without determination, wholly without content. The attempt to will morality into existence has a Kantian ring to it, but without an immersion in Kantian critical philosophy, the notion goes begging, has no substance to draw upon. Engelhardt does not have the resources to get morality off the ground by having it tug on its own bootstraps. Maybe Kant does not either, but he provides a great deal more in the way of surrounding theory, and especially in the way of a metaphysics and an epistemology. Engelhardt’s sole appeal is to a desire not to resort to force.

VII

Kant, in fact, is a sort of shadowy background figure who makes his presence felt at several places in Engelhardt’s ethical theorizing. At one point, for example, Engelhardt explicitly opts for the fourth possibility mentioned two paragraphs back, and says that his analysis has the character of unpacking a tautology. Such circular reasoning (i.e., reasoning from the notion of ethics as the enterprise of resolving moral controversies without a fundamental recourse to force, but rather with moral authority) is acceptable if it discloses the character of a major, unavoidable element of the lives of people (pp. 70–71).

Secular morality, in other words, can be transcendentally deduced from the concept of morality, or at least deduced from the concept of morality in conjunction with the human condition (i.e., “a major, unavoidable element of the lives of people”).

But the argument here is curious. The concept of ethics can be unpacked to reveal that ethics is an “enterprise of resolving moral controversies without a fundamental recourse to force” only if that concept has been previously laden with substantive content, namely, content about what the purpose of ethics is and what the constraints on resolving moral disputes are. Engelhardt’s tautology simply masks a persuasive definition of “morality”; in effect, he is doing precisely what he argued the nine attempts to
establish a content-full ethics do: assuming what he has to prove, begging the question at issue. Certainly it is far from analytically true that ethics – even secular ethics – has the purpose he says it has, or is limited in its ability to resolve disputes in the way that he indicates. On the other hand, to say that such claims are synthetically true, though apparently a priori, is just to admit outright that a substantive conception of morality is being invoked, even if it is somehow known a priori.

VIII

More generously interpreted, however, Engelhardt is not so much arguing transcendentally – though he does suggest as much at several points – as he is arguing hypothetically. His minimal, formal morality is not based so much on a deduction, even a deduction that incorporates a reference to the human condition (i.e., that people have to live together but – and I think Engelhardt takes this to be part of the human condition as well – will continue to disagree on important moral matters), as on a hypothetical imperative. “If you want secular moral authority”, he is saying, “and want to avoid force as a means of securing and maintaining a moral Pax Romana, and if you know that conversion cannot be relied upon, then agreement or consent is all that is left. It will have to be the ground for secular moral authority. But if it is the ground, then agreement or consent will have to be respected. That means that, although secular morality will be content-less, minimal, and merely procedural, it will have to have a fundamental tenet to the effect that people cannot be used without their consent, that it is wrong to interfere in the lives of others without their consent, that, in brief, we must respect the freedom of others to pursue their vision of the good life, to live according to their content-full morality, as long as they do not similarly infringe on the freedom of others to pursue their vision of the good life, or live according to their content-full morality.”

This is better, but it will not do. There are three things wrong with the argument. The first is that even if its first premise is true, different premises on the same order are also true. “If you want secular moral authority,” for example, “but want to avoid the time, trouble, and effort that negotiation involves, and if you cannot count on conversion, then use bamboozlement, force, brainwashing, advertising, propaganda, or education to secure moral authority. They are all that are left.” Engelhardt thinks that it is not legitimate to use force to secure moral authority, of course, but the only way he can declare it morally off-limits is on the basis of a prior determination of what a canonical morality, even a minimal, purely procedural morality, requires. That is not available at this point. And against bamboozlement,
brainwashing, advertising, propaganda, and education he has nothing at all to offer, not even on the basis of the conclusion of the hypothetical argument imputed him. The conclusion of that argument is that secular moral authority is founded on agreement, while the conclusion of the other hypothetical argument is that moral authority is founded on power, in the broad sense of the term. Engelhardt has no resources to draw upon to resist such a conclusion.

Secondly, that problem aside, it is hard to see how even as minimal a conclusion as that there is a secular moral authority follows on the argument. What follows from “if you want” is not “there is” but “there is if you want”, provided that what there is said to be – what there is – can be constructed out of wants, or is a function of wants. A categorical conclusion does not follow from a hypothetical premise. Still less does the specific conclusion, “there is a secular moral authority, founded on agreement”, follow.

Even if it did, however, that would tell us nothing about the dictates of secular moral authority. That we should respect the right of others to live their lives as they see fit, provided that they similarly respect our freedom to do the same, certainly cannot be derived from secular morality’s being founded on agreement. To think otherwise is to confuse the meta-ethical issue of the foundation of morality with the normative issue of what the content of a well-founded morality is. Compare, on this point, classical contract theories – in effect, agreement theories – of morality, justice, or the state. None – Hobbes’, Locke’s, Rousseau’s, Kant’s, Rawls’ – is ipso facto committed, committed merely because it is a contract theory, to the “purely procedural” principle of respecting people’s freedom to live their lives as they see fit. That is the third problem with the argument.

IX

It brings up another problem, however, and a very confusing aspect of Engelhardt’s entire treatment of secular moral authority. Secular morality is purely procedural, Engelhardt repeatedly says; it has “inescapable rules but no content.” I do not see how that is possible. To have rules about respecting freedom or anything else is to have content. Moral rules say what is right and what is wrong; what is permissible, what is not; what is required, what is forbidden; and so on. That is content. And a rule that tells us not to interfere with the behavior of others so long as they do not interfere with anyone else’s behavior without his or her consent also has content. It has content in much the same way that procedural rules in the law, such as that defendants are innocent until proven guilty, have content.
That rule tells us what to do in a courtroom, just as Engelhardt’s tells us what to do in the moral arena. Calling freedom a “side constraint” rather than a value, as Engelhardt is apt to (see, e.g., pp. 70, 97 n. 86), changes the word but not the point.

This becomes more and more evident as we learn what Engelhardt’s “purely procedural morality” requires, allows, and forbids. Rights are part and parcel of it, even such specific rights as those “to use contraception, to have a private tier of health care, … to commit suicide, [and] to refuse … lifesaving medical treatment” (pp. 73, 78). Limited democracies can also be justified on it, as can practices such as free markets in organ transplants (pp. 71, 180, and elsewhere), heroin, pornography, and prostitution (p. 173). For a content-less, purely procedural morality, it seems rather full.

Engelhardt wants to have it both ways, even needs to have it both ways. Having argued that no secular attempt to establish a canonical, content-full morality succeeds, or even can succeed, he cannot then himself offer a canonical, content-full morality based on reason alone. On the other hand, ethics has to get off the ground somehow, if normative ethics, a fortiori normative biomedical ethics, is to be possible at all. So what he offers is a canonical, supposedly content-less, procedural ethics. That will get us going, he thinks, even if it is not much, does not settle many moral disputes, and, in fact, often allows people to do what, he knows through the grace of God, is objectively wrong. Still, it secures peace, which is something, and the possibility of moral flourishing, which is an even bigger something. But if what is offered is an ethics at all, it has to have content; and if Engelhardt is correct that every attempt to establish a canonical, content-full ethics on the basis of reason alone fails and must fail (as I do not think is the case, though this is not the place to argue the point), then so must his attempt fail. You cannot have it both ways. And since you cannot, nihilism and relativism have not been defeated or even shown to be limited in any way.

X

That is certainly not true if Engelhardt’s second line of argument is successful. To recapitulate briefly: the failure of the nine proposed methodologies to establish a canonical, content-full morality on the basis of secular reason may show only the limitations of secular reason. Relying on no metaphysical or theological premises, rules of evidence, or rules of inference, we may well come up empty handed as far as a canonical, content-full morality is concerned. But since there is no a priori guarantee that all truths are accessible to secular reason, there may still be a single true morality even
Moreover, knowledge acquired by secular means may need to be – does need to be, Engelhardt thinks – supplemented with knowledge acquired by non-secular means to get at substantial moral truth. In particular, grace and the revelation made possible by it are necessary if we are to actually know substantial, content-full moral truth. You cannot have a “secular religion [a substantial morality] without belief” (p. 10), which is to say, when it comes to the one true belief, that you cannot know the one true morality without faith, and without the grace and revelation that faith makes possible.

But why so? Why does religion supply the goods that secular reason cannot deliver? Because, among other things, the Deity satisfies the demand that the genesis and justification of morality, as well as the motivation to be moral, all have a common source. From what the Deity “is and wills” springs the “ultimate genesis of what is . . . right and what . . . is . . . good and virtuous.” The rationality or justification of morality is similarly founded on God, “the ultimate ground of rationality.” And last, “the standpoint of the Deity provides ultimate sanctions against misconduct,” and thus supplies the motivation to be moral. God, then, provides a deep and unifying account, one unavailable to secular reason, for “why it is [both] rational and prudent to be moral” (p. 12; see also pp. 35–36).

The problem is, not everyone hears God speak in the same fashion (pp. 12, 36, 421, and elsewhere). Engelhardt himself is a “Texan Orthodox Christian” (p. xi), and he knows – by which he seems to mean that he is in contact with an objective fact, through the grace and revelation of God – that many acts and practices are seriously and gravely wrong (pp. 10, 416, and elsewhere). They include “euthanasia and direct abortion on demand,” as well as “for-profit euthanasia services [and] . . . commercial surrogacy” among many other such things (p. xi, 15). All are “great moral evils,” and an individual who indulges in any of them risks the “dangers of hell’s eternal fires” (p. xi). Still, their evil nature “cannot be grasped in purely secular terms” (p. xi), and content-less but canonical secular morality dictates that we tolerate them. This is true even if such toleration leads to “final, ultimate, and enduring ruin” (p. 419) – hell, in other words.

XI

This is a bit of a strange position, as it makes freedom of self-regarding choice a well-nigh inalienable right and an un-overridable value, even when the act chosen is wrong and would be acknowledged as such by the agent, were he or she to know all the facts, such as that performance of the act will lead to eternal damnation. Engelhardt’s anti-paternalism is, to use the term commonly (but misleadingly) employed in this context, absolute.
That is more evidence that his content-less secular morality is anything but content-less, but the point I would like to emphasize here is that if it is to be acceptable, such tolerance would have to be dictated by Engelhardt’s religious ethic – the one true ethic – as well as by his content-less secular ethic. God must communicate not only that a self-regarding action such as suicide is seriously wrong, but that even so, it is to be tolerated. Content-less secular morality is to be respected, and overrides His one true morality, as far as interference is concerned, in cases in which a grievously wrong self-regarding action is in violation of the one true morality. If God did not let us know as much, then suicide’s being seriously wrong would be strong grounds for interference, other things being equal, since God, after all, has the right answers – the act is seriously wrong, period – and performing it has infinitely harmful consequences. The same holds for the other grave self-regarding wrongs, such as commercial surrogacy, voluntary euthanasia, and abortion. God has a rather peculiar ethic Himself, it seems.

But there is more to God’s peculiar ethic than that, for euthanasia is not really a self-regarding act – in the usual cases, it is someone other than the person who performs the act of euthanasia who dies – and abortion is, on purely secular grounds, arguably not self-regarding, and on religious grounds, definitely not self-regarding. Yet Engelhardt tells us we must tolerate both. Concerning euthanasia, then, God must reveal that though it is wrong, and not a self-regarding wrong, and though it makes its perpetrator subject to eternal torment, still, it is to be tolerated. The fact that it may well be an act of voluntary euthanasia is beside the point as far as its non-self-regarding nature is concerned.

And voluntariness surely is far beside the point as far as abortion is concerned. From the perspective of God’s one true morality, abortion is the killing of an innocent human being by a fellow human being. It is a form of unjustifiable homicide, pure and simple. God apparently knows as much but, for wholly inexplicable reasons, bows down before secular, supposedly content-less morality in cases of killing of this kind. In effect, His position must be that since secular morality cannot prove that the fetus is a fellow human being, abortion ought to be tolerated, even though it is the killing of an innocent person made in His image, even though it is about as serious a wrong done to another as possible, and even though it condemns the abortionist to hell. Why God would propose that we respect the desires – that is, not interfere with the actions – of people hell-bent (so to speak) on killing an innocent human being is very hard to fathom. The
fact that the people in question may know no better, secular reason being as limited as it is, is certainly no reason to respect their wishes. It is not in other cases in which a person does not know any better and threatens grave harm to another, the actions of some war criminals being only one case among many. God may sometimes move in mysterious ways His wonders to perform, but in this case His ethic is strange enough to make us wonder whether Engelhardt has gotten Him right. Or, rather more accurately, it may make us wonder whether Engelhardt’s two-tiered approach to ethics—ethics essentially consisting of a content-less secular tier and a content-full religious tier—will do at all.

XIII

The principal problem with Engelhardt’s second main attempt to keep nihilism and relativism at bay, however, is both simple and independent of the objections raised above. To put it in philosophical terms, it is that his metaphysics of moral truth requires an epistemology, and no epistemology is supplied or, really, even hinted at. As mentioned in section III, Engelhardt himself is well aware of the need to ground his claims to moral truth in an epistemology, but he does not and, in the context of The Foundations of Bioethics, probably cannot and should not, stop to supply one. The subject of the book is recorded in its title, and a long discussion of the epistemology of religion, focused on the epistemological credentials of religious morality, would be out of place—or at least out of room, given that the book consists of over 400 large pages of relatively small print.

Even so, the requisite epistemology should be spelled out somewhere, and it is not. Worse still, it would probably be very hard to make a good case for the particular epistemology Engelhardt needs. The philosophical problems that attend any and all claims to religious knowledge are many and well known, and Engelhardt does not help his own case by repeatedly insisting that moral truth is not accessible to secular reason, secular reason being largely identified with reason simpliciter by him.

Substantive moral knowledge is available only through non-rational means, he thinks, only through grace and revelation. What exactly grace and revelation are is not made clear, but they would have to have an epistemic component, or at least supply the materials or conditions for knowledge, if they are to be an avenue of knowledge. What is made clear is that we have to believe in order to know: faith is a precondition of moral knowledge, because faith makes grace and revelation possible, and so makes content-full moral knowledge possible. In fact, grace makes knowledge of nature possible as well, for “it is through being
embedded in a content-full morality that one comes to understand reality” (p. 30, n. 30). Thus “to appreciate the secular world is not to see the world as it is without grace, without the energies of God” (p. 31, n. 33). Moral understanding, necessarily informed with God’s grace, which is itself made possible by faith, is integral to a correct understanding and appreciation of the world. As in orthodox Catholicism, the key to understanding is not the head but the heart. The head – reason – is secondary, and not just in moral matters. Our ultimate relationship to nature and to morality is thus not one of evidence, laws, and “reasons and principles, but of grace, love, and living substance” (p. 134, n. 20). Our relationship to God is primary, and God informs through the heart, but only if we receive His grace by being open to Him in faith.

The problem with these scattered and never-systematically-presented remarks is that they are really more of a sketch of a theology, or of part of a theology, than of an epistemology, or of part of an epistemology. The theology, in fact, is just what needs an epistemology, so I can only conclude that, at this time, Engelhardt’s second main line of argument to hold back nihilism and relativism is seriously incomplete and, prima facie, does not look very promising. Perhaps concepts and argumentative strategies borrowed from certain quarters in the philosophy of science – certain strands in Feyerabend’s and others’ thinking, for example – can come to the rescue here, and help keep Engelhardt on his epistemological feet. I do not know, and the matter certainly remains to be worked out.

XIV

If, then, all nine attempts to establish a substantive morality on the basis of secular reason alone fail, and if those attempts exhaust the possibilities, we still have no reason to think that nihilism or relativism is in any way limited. Engelhardt’s own efforts to curb the two are seriously problem-ridden and/or woefully incomplete. We are left, it appears, with nihilism and relativism as real possibilities.6

Nihilism, however, is less of a worry than relativism. The problem is not so much that there is no true morality, as that there are too many true moralities, with each, like a legal system, being true and binding in only a limited territory, or for only a limited number of people. Relativism is moral tribalism, and despite Engelhardt’s efforts to avoid a full-blown tribalism, he ends up being saddled with exactly that position. His arguments discrediting secular reason’s attempts to establish a substantive morality are sweet rains on the fields of relativism, and if the failure of his own
efforts to keep the bitter fruit from growing is added to them, the result is a commitment, on the level of theory, to relativism.

To this commitment on the level of theory should be added one on the level of practice. This is admitted by Engelhardt himself, and not just indirectly, in his repeated advocacy of tolerance as a cardinal virtue (see esp. pp. 418–421). More explicitly and directly, he forthrightly owns up to the fact that on his view, “most elements of relativism cannot be avoided” (p. 423, n. 6). “Most,” he thinks, but not “all”, because content-less, procedural morality does constrain relativism to at least some small extent. But if, as I have argued, content-less procedural morality is really no different from content-full non-procedural morality, “all” rather than “most” should be the word of choice.

It is very difficult to concede as much to the case for relativism as Engelhardt does without being committed to it oneself. The best way, maybe the only way, to avoid relativism is to resist it right from the start. That will involve a frontal assault on relativism both in the form of careful negative arguments against it and in the form of detailed positive arguments for universalism. Metaphysics and epistemology will be in the thick of things from the start. One of the main lessons to be learned from a detailed study of Engelhardt is methodological.7

NOTES


2 Hereafter, I will use “moral code” and “morality” interchangeably, even though it could be argued that there are differences between the two. As some people use the term, a morality
is more abstract and less detailed than a moral code. I will also use “ethics” and “morality” interchangeably when the terms are used in the count-noun sense. Again, it could be argued that there are differences between the two, with an ethics being a more inclusive system of evaluation than a morality.

3 But see section XIII.

4 This might be called being forced to move in with one’s relativists.

5 Strictly speaking, eight. The ninth is really a “marker for the attempt to remedy the failures of the first eight approaches” (p. 42).

6 But real possibilities only on the assumption that the two propositions in the antecedent of the sentence which begins this paragraph are true. Many people, myself among them, do not think that both are. In fact, I think that neither is.