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# RESPONSE TO KAREN LEBACQZ AND STEPHEN PALMQUIST

Ronald M. Green

## ABSTRACT

I respond here to the essays by Karen Lebacqz and Stephen Palmquist, beginning with my debt of gratitude to Lebacqz for her understanding of the methodological depth I try to bring to the analysis of bioethical issues. I further illustrate that observation here by reviewing the logic of my approach to the issue of wrongful life. At the same time, in connection with human genetic enhancement, I acknowledge that I may have not properly appreciated the seriousness of the problem of sin. To Palmquist's assertion that my criticisms of Kant's treatments of grace miss the way Kant has confined himself to being a philosophical (as opposed to biblical) theologian, I argue that Kant's problem lies instead in his poor application of his own compelling insights about the depths of human sinning. I close with an appreciation of Palmquist's observation of some important points of contact between Kant's understanding of sin and that of Kierkegaard.

KEY WORDS: *bioethics, wrongful birth, Kant, Kierkegaard*

I am grateful to Karen Lebacqz and Stephen Palmquist for their willingness to critically examine my work in these essays.<sup>1</sup> I am particularly impressed by the attention and thoughtfulness each brought to the task. Both essays are so rich that almost every paragraph invites my comments and stirs me to conversation. But space is short, so I must focus my attention.

Beginning with Karen Lebacqz's discussion, what first moves me is her clear understanding of what I have tried to contribute as a bioethicist. At least three things stand out. One is my commitment to thinking

<sup>1</sup> The essays by Karen Lebacqz and Stephen Palmquist were both prepared and delivered at a conference for my retirement after forty-six years on the faculty of Dartmouth College as well as the retirement of my colleague, Nancy Frankenberry. I cannot think of a better way of celebrating Nancy's and my years at Dartmouth. During these years, Nancy pioneered in tracing the line between philosophical and religious thinking (Godlove 2016; Neville 2016; Frankenberry 2016). As a departmental colleague, she brought grace and eloquence to uncounted meetings and deliberations.

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in fresh and creative ways that can advance our rational deliberations about challenging issues. Karen calls this my tendency to “think outside of the box” (2016, 729). I would like to believe that she is right to judge it as one of the hallmarks of my work. Second is my concern for the prevention or relief of suffering. As I argue in a recent book (Green and Palpant 2014), while suffering can sometimes be upbuilding, it should never be deliberately invited, and a prime task of medicine is to reduce or relieve it. A third salient feature of my work is attention to what religious traditions can contribute to our thinking. This does not blind me, however, to the ways that traditions sometimes get off track and propose teachings that unnecessarily increase suffering.

Karen very effectively uses Jodi Picoult’s novel *Handle with Care* (2009) to illustrate the kinds of problems and issues that have animated my work. It is a great choice. I have often used literature myself in the teaching of bioethics. Furthermore, since the beginning of my career, I have been drawn to reproductive ethics, the issue raised in Picoult’s novel, precisely because this fast-moving area presents some of the most interesting conceptual puzzles in all of biomedicine. I am also committed to the belief that sound moral reasoning—of the sort that Karen and I learned at Harvard from John Rawls and others—can help unknot some of these puzzles.

Abortion is one such issue. I have spent much of my career trying to think through the question of how we come to moral decisions about the treatment of nascent human life. This began with my essay on promise keeping and advanced through many stages of refinement. I know there are some who believe that the abortion issue is not rationally resolvable, but I strongly disagree. I believe that if we cannot engage in reasoned discussion about this, we are left with no alternative but coercion or violence, and we have seen too much of that. I regard my attempts to offer a way to reason about this issue as one of my more important theoretical contributions. In its mature form, this approach asks whether and why a purely conceptual community of impartial moral agents—Rawlsian contractors—would extend their protection to any class of entities (Green 1967, 1974, 1983; 2001, 25–54).

The need for careful moral reasoning is also evident in connection with the other vexing issue that Karen deals with in her essay and that forms the substance of Picoult’s novel: the issue of wrongful birth. How can a parent ever pursue a lawsuit in which she must truthfully say to a beloved child, “I wish you were never born,” or “Had I known what your life would be like, I would have aborted you”? Picoult turns these questions over and over. They drive the novel, and, on my reading at least, they are never really resolved. That may explain the novel’s tragic ending (no spoilers here!).

Karen reminds us of one of my efforts to address and resolve this puzzle. The standard approach for trying to assess harm in such lawsuits is

to compare the quality of the disabled child's life with the state of the child's not existing at all. But because most of us value life and choose to go on living even when we are severely disabled, this approach sets a very high threshold for determining when harm has been done. On this before-and-after comparison approach, a person can only be said to be harmed by a physician's malpractice when that person's suffering is so great that she would be prepared to end her life (by suicide) rather than carry on. Short of that, if one's life is worth living, no harm has been done. A number of writers have adopted this approach to the problem (Parfit 1984; Heyd 1992; Robertson 1998).

In the discussions that Karen mentions, I argue that the proper comparison is to the parents' and child's reasonable expectations of a life. I observe that in law and ethics, a person can be harmed even when an action leaves them objectively "better off" than they were before—if their resulting state is nevertheless worse than they could reasonably expect. When malpractice disappoints such reasonable expectations it causes harm. (Driving this insight, once again, is the more basic observation that it is always the community of impartial moral agents that determines what constitutes a "harm." This is a more thorough understanding than one that merely involves the comparison of a person's situation before and after a "harmful" action.)

Bringing unreasonably disappointed expectations into the picture means that the proper comparison is not between existence with serious impairments and non-existence, but between that same child's life with and without impairments (Green 1997). Returning to Picoult's novel, it is a comparison of Willow with *osteogenesis imperfecta* with Willow as a healthy child. (This is the same kind of comparison we would make if a doctor had committed malpractice on a healthy six-year-old and, as a result, has caused the child to suffer something like *osteogenesis imperfecta*.) Of course to some extent this is a purely idealized comparison, since Willow might not have some of her best qualities without the suffering she has experienced. But because Willow's suffering has both enhanced and damaged her spirit, it nevertheless seems reasonable to abstract the disease from her being in making the comparison I indicate.

As I think this through with Karen's help, however, I am drawn to another insight. I offer it here as an illustration of the need to think deeply and "out of the box" when addressing such puzzling matters. The insight I speak of is that it is misleading to speak of harming persons by *not* bringing them into being. This is because before a person has come into being there is *no one* to be harmed. Literally *no one* is wronged by not being allowed to come into being. (I will not identify here the point at which a person has not yet come into being. Some would place that before conception, while I and others would place it at some later point in uterine development. This returns us to the question of abortion, but I will not get into that here.)

As a result of this insight, we can begin to see the ambiguity of the sentence, “I wish you had never been born.” This sentence appears to have the same meaning as the statement “I wish you were dead.” But taking it that way wrongly equates the negation of a living, fully developed human being who has a deeply valued life and projects with the situation of a being that has never been, one who has never been known by anyone, including themselves (Cohen 1996). What I believe Charlotte O’Keefe, the mother in the novel, wants to say when she utters this sentence is not that Willow should not exist, but that a still unknown being should have been spared Willow’s suffering. The further thought is that perhaps in Willow’s place, another, healthy Willow might have been born. This thought—the parents’ wish not for a perfect child but for that same child free of suffering caused by serious impairments and the parents’ reasonable expectation that medical professionals, up to their ability to do so, will assist them in that aim—is what leads me to the comparison for wrongful birth lawsuits that Karen has mentioned. That wish for a Willow free of suffering, I might add, is also what drives Charlotte’s painful lawsuit against her best friend: her hope that she can secure some of the funds she needs to relieve Willow’s suffering.

I could go on and on about Karen Lebacqz’s essay. Space permitting, I would develop how instructed I am by her mention of sin in connection with my perhaps overly optimistic vision of our genetic future. While I suggest that enhanced genetic knowledge, by revealing the contingency of many of our advantages, may actually heighten our sense of solidarity, Karen suggests the opposite: that we will predictably distort such knowledge and powers to our selfish ends. Thanks to her, I am reminded of the world of the film *Gattaca* (Niccol 1997), where people pridefully take credit for enhancements inserted into their genes by others! I will not relinquish my optimism, but I am chastened by Karen’s reminder of what we both learned about the depths of sinfulness from our studies of religious ethics.

Turning to Stephen Palmquist’s essay, let me offer two thoughts: first a reply to a criticism and second an appreciation. At several points throughout the essay, notably in connection with my criticisms of Kant’s treatments of religious ritual and divine grace, Stephen defends Kant by appealing to Kant’s understanding of the different roles of the philosophical and biblical theologian. According to Stephen, it is up to the philosophical theologian to develop the core moral meanings of a religious idea or practice, while the biblical theologian has the task of “filling in all the historical details relating to traditional theological interpretations of the symbolism of rituals such as baptism” (2016, 742). While I ardently praise Stephen for defending Kant—one can never do too much of that—I do not agree that this properly describes Kant’s understanding of this division of labor. Rather, I believe that for Kant, the philosophical theologian, whom

he regarded himself to be, begins by understanding basic moral concepts, and then turns to religious traditions to assess their conformity and contributions to these concepts. The philosophical theologian identifies those religious items that suit reason's needs and rejects or reinterprets those that do not. A biblical (or scriptural) theologian, in contrast, presumes and defends the authority of the teachings of the sacred texts based on historical revelation, develops the meaning and implications of revealed teachings and is essentially far less concerned with moral criticism or assessment. Thus, in theory a philosophical theologian could extensively examine all the morally edifying dimensions of baptism, and also critique its misuse (for example, as an efficacious means of grace) while a biblical theologian would simply pronounce on why baptism is required of Christians and what its authoritative form might be. But on my reading of Kant, nothing prevents the philosophical theologian from plumbing *all* the morally significant dimensions of a feature of religious teaching. Thus, I think I am functioning as a philosophical theologian, in Kant's sense and like Kant, when I develop *all* the moral implications of the concepts and symbols surrounding early Christian baptism rituals (Green 1979). And I think I properly fault Kant for failing to do this, for missing what Stephen would call the deep symbolism of the baptism ritual, and for presenting Christian baptism as little more than an initiation rite involving the profession of one's faith. At issue here is the deeper question of how seriously someone who, like myself, wants to study the moral bases of religion, should take the specific and complex features of a religious tradition, including the very symbolic dimensions that, as Stephen reminds us, are always important in this context. Kant has the right method, I believe, but he applies it poorly.

The same reasoning applies to Stephen's criticism of my criticism of Kant's analysis of grace. Suffice it to say that I believe that Kant is not just being a philosophical theologian when he focuses on the need for moral reform and leaves to biblical theologians the details of how grace works. Instead, I believe that Kant's most advanced discussions of grace are inadequate. They are so because they involve the claim that someone who has voluntarily chosen to reform her moral willing may presume that divine grace is forthcoming in that effort.

Let me say here that I think this is one of the most brilliant moments in Kant's philosophical theology. Trying to understand how grace, which involves outside assistance that cannot be attributed to one's willing, can cohere with the moral autonomy needed for any imputation of moral worth, Kant presents the very effort at self-initiated moral reform and the resulting pattern of moral choices as a sign of divine grace. Grace evidences itself precisely in renewed striving, and my conviction of the presence of that grace sustains and energizes that striving. This conception brilliantly exemplifies what Stephen calls the "paradox of

inwardness.” A “revolution in the very basis of our maxim-formation,” as Palmquist puts it, demonstrated phenomenally through real and observable “spatiotemporal deeds,” reveals the presence of noumenal divine grace (2016, 748).

But while Kant’s insight here is profound, it is not free of problems. Specifically, if I have repeatedly failed in my moral resolve, and if, as Kant believes, I am constantly prone to deceive myself about my goodness, how can I positively regard my latest revolution in willing and my resulting new pattern of deeds? Why is my assumption that this willing and these deeds are signs of grace not merely self-serving and self-deluding? At issue here is not the view that Stephen appears to believe I hold that Kant sees grace in my yearning alone. I do not hold that view. Kant clearly never confuses the mere wish for renewal with its concrete expressions. But he does see grace in this self-identified and self-assessed pattern of renewed willing and acting. And it is in the self-identified nature of this perception, I think, that the problem resides.

In his work *The Conflict of the Faculties*, Kant himself identifies the difficulty in this position when he has an objector to his rationalist view state that in the absence of positive signs of a donor’s goodwill, one may never presume as forthcoming a gift that is freely given and not owed (Kant 1996, 271 [7:47]).<sup>2</sup> In other words, the concepts accompanying renewed moral striving in the wake of repeated moral failure require something more than one’s own presumption; they require a strong objective basis for believing one’s latest efforts at reform will succeed.

I believe that Kierkegaard, who read *The Conflict of the Faculties* with great care, saw the problem in Kant’s position and built upon it his own insistence on the necessity for God’s historically demonstrated act of forgiveness in Jesus Christ (Kierkegaard 1985; Green 2011, 124–79). Indeed, we may see Kierkegaard here as going further than Kant and expressing a form of Stephen’s “paradox of inwardness”: the insistence that inward convictions attain outward reality. The issue here is, not as Stephen argues, that Kant’s treatment of grace is confined to what is appropriate to the philosophical theologian. The problem is that Kant’s treatment is conceptually deficient. I stress this matter because I think that without it we cannot understand the most fundamental impetus in Kierkegaard’s authorship: his deep learning from Kant’s ethics and Kant’s analysis of sin, but his equally deep disagreement with Kant over *how* the problem of sin can be solved. This disagreement reverberates in Kierkegaard’s *Philosophical Fragments*, in which Socrates, representing

<sup>2</sup> The bracketed numbers indicate the volume and page number in the standard Akademie edition of Kant’s works.

Kant, is offered as holding an inadequate, non-historical view of moral redemption (Green 1994).

Having criticized two of my favorite people—Kant and Stephen Palmquist—let me express a debt of thanks to Stephen by returning, with his help, to bioethics. In his essay, Stephen points out that Kant deals in *Religion within the Bounds of Bare Reason* with the relation of pregnancy and early human development to our innate propensity to evil. He then points out that Kierkegaard deals with the very same themes—the origin of sin and anxiety as they relate to pregnancy and their embodied experience—in *The Concept of Anxiety* (Kierkegaard 1980, 66–72). Here I must confess that I have never fully understood Kierkegaard’s opaque discussion in *The Concept of Anxiety*, but Stephen’s remarks inform me that I must go back to Kant’s discussion in the *Religion* for new guidance. More deeply, they remind me that both Kant and Kierkegaard were aware that the challenge of the human condition resides in the encounter between our embodiment and dependency on natural causation on the one hand, and our transcendent moral freedom on the other. But what better symbolizes and expresses this tension than human sexuality in all its forms? So I can close by saying that Stephen Palmquist’s essay informs me of the deeper unity of my own interests in both bioethics and philosophical theology.

## REFERENCES

- Cohen, Cynthia B.  
 1996 “‘Give Me Children or I Shall Die!’ New Reproductive Technologies and Harm to Children.” *Hastings Center Report* 26.2 (March/April): 19–27.
- Frankenberry, Nancy  
 2016 “Enduring Questions in Philosophy of Religion: A Response to Neville and Godlove.” *American Journal of Philosophy & Theology* 37.1 (January): 36–52.
- Godlove, Terry F., Jr.  
 2016 “Subjectivity, Enchantment and Truth: Frankenberry among the Puritans.” *American Journal of Philosophy & Theology* 37.1 (January): 21–35.
- Green, Ronald  
 1967 “Abortion and Promise-Keeping.” *Christianity and Crisis* 28.8 (May 15): 109–13.  
 1974 “Conferred Rights and the Fetus.” *Journal of Religious Ethics* 2.1 (Spring): 55–75.  
 1979 “Religious Ritual: A Kantian Perspective.” *Journal of Religious Ethics* 7.2 (Fall): 229–38.  
 1983 “Toward a Copernican Revolution in Our Thinking about Life’s Beginning and Life’s End.” *Soundings* 66.2 (Summer): 152–73.

- 1994 "Kierkegaard's *Philosophical Fragments*: A Kantian Commentary." In *International Kierkegaard Commentary, Philosophical Fragments and Johannes Climacus*, edited by Robert L. Perkins, 169–202. Macon, Ga.: Mercer University Press.
- 1997 "Parental Autonomy and the Obligation Not to Genetically Harm One's Child: Implications for Clinical Genetics." *The Journal of Law, Medicine and Ethics* 25.1 (March): 5–15.
- 2001 *The Human Embryo Research Debates*. New York: Oxford University Press.
- 2011 *Kant and Kierkegaard on Time and Eternity*. Macon, Ga.: Mercer University Press.
- Green, Ronald M., and Nathan Palpant, eds.  
2014 *Suffering and Bioethics*. New York: Oxford University Press.
- Heyd, David  
1992 *Genethics: Moral Issues in the Creation of People*. Berkeley, Calif.: University of California Press.
- Kant, Immanuel  
1996 *The Conflict of the Faculties*. 1798. Translated by Mary J. Gregor and Robert Anchor. In *Religion and Rational Theology*, translated and edited by Allen W. Wood and George di Giovanni, 233–327. Cambridge: Cambridge University Press.
- Kierkegaard, Søren  
1980 *The Concept of Anxiety*. Princeton, N.J.: Princeton University Press.  
1985 *Philosophical Fragments*. Princeton, N.J.: Princeton University Press.
- Lebacqz, Karen  
2016 "On Hope and Hard Choices." *Journal of Religious Ethics* 44.4 (December): 722–37.
- Neville, Robert Cummings  
2016 "Nancy Frankenberry: Philosopher of Religion, Radical Empiricist, Herald of Contingency." *American Journal of Philosophy & Theology* 37.1 (January): 5–20.
- Niccol, Andrew, director  
1997 *Gattaca*. Culver City, Calif.: Columbia Pictures Corporation.
- Palmquist, Stephen R.  
2016 "The Paradox of Inwardness in Kant and Kierkegaard." *Journal of Religious Ethics* 44.4 (December): 738–51.
- Parfit, Derek  
1984 *Reasons and Persons*. Oxford: Clarendon Press.
- Picoult, Jodi  
2009 *Handle with Care*. New York: Washington Square.
- Robertson, John  
1998 "Liberty, Identity, and Human Cloning." *Texas Law Review* 76.6 (May): 1371–1456.