

Natural Law and Global Bioethics

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Introduction

The challenges of ethical behaviors in a global village are more relevant than ever. Edmund Pellegrino once commented, «As the biosphere expands to embrace the whole globe, every nation has a stake in every other nation's health. For these reasons, the practical and conceptual questions of transcultural biomedical ethics are more sharply defined than in some other domains of knowledge»¹.

In different parts of the world, the practices of medical tourism, organ trafficking, selective abortion based on gender, and lack of individual informed consent are seen as violations of universal human rights by international standards. At the same time, many of these practices are economically driven because of the availability of relatively inexpensive medical services, body parts, or wombs-for-rent. Due to the general underdevelopment of local bioethical reflection in these parts of the world, it is not uncommon for academics and governing ethical bodies to adopt wholesale secularized bioethical principles.

At the same time, the attempt to catch up economically and technologically in developing countries such as China, India, or Brazil has however created certain unease. Technology and free market economics are not value-free. They often come with a worldview that champions liberalism, individualism, unfettered capitalism, scientism and a blind trust in technological solutions. Modernity is at the same time attractive to many developing countries and at odds with its traditional values.

Can an all-encompassing global bioethics offer a solution to these difficult questions? Others have raised the question of whether or not global ethics of universal human rights might not be neo-colonialism in disguise. For instance, certain Asian scholars claim that values based on traditions, familial relationships and religion which they claim are more compatible with local customs and superior to the Western rights-oriented individualism².

How can the natural law tradition shed light on these challenges? The International Theological Commission document *The Search for Universal Ethics: A New Look at Natural Law* seeks to address the perennial problem of universality and particularism in ethics. It proposes rationality as the common ground to deduce the universal basis for human rights and dignity, thus avoiding the danger of consensus ethics prevalent in the secularized West on the one hand, and the danger of conflating multicultural and multi-religious settings with ethical relativism on the other.

The paper will finally look at the question of the *incommensurability* of ethical traditions with a look at the response of Alasdair MacIntyre. While shunning cultural relativism, he recommends mutual understanding of rival moral traditions through in-depth rational debates and encounters in order to arrive at the most valid moral system.

The Tension between Universalism and Particularism

Bioethics as we know it began in the USA, but suffered a process of secularization that



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I have described elsewhere, with principlism becoming the dominant approach in policymaking and at the bedside³. This secularized version of bioethics was eventually exported to the rest of the world as part and parcel of Westernized medicine.

Together with this exportation, an open debate was raised on whether the claim of global ethics—be they in the form of principlism, human rights or natural law—is necessarily commensurable with local traditions. Certainly, local characteristics vary a great deal from place to place. The reality of cultural diversity, however, should not necessarily infer the inevitability of moral pluralism even though this is sometimes conceded, for instance, by some Asian bioethicists who advocate «a collage of culturally informed perspectives built upon an ever-increasing aggregate of shared experiences»⁴.

Without entering into the finer details of the nature of global ethics, this paper will attempt to verify whether or not the claims of universality necessarily stifle local particularism, and thus suppress cultural and religious patrimonies⁵. Certainly, the tension between universalism and particularism in ethics is an old one, but it has become more urgent in today's global context touching a multitude of bioethical issues⁶. A wide number of answers are available; these range from an outright rejection of global ethics to an acceptance of it on a pragmatic level to enthusiastic embrace. These positions will be evaluated, leading to an examination of natural reason espoused by the Catholic tradition.

Among those who object to the possibility of global ethics is the prominent postmodern philosopher Richard Rorty. His radical relativism and skepticism undermine any foundational of morality. He explores the incommensurability of cultures to demonstrate the failure of reason and intercultural dialog on moral truth⁷. In a similar vein, David Hall argues that difference and moral diversity characterizes postmodern thought, in which reality is subjective and deconstructed to such an extent that it is impossi-

ble to find coherence or any “essentialist” notions of Truth, Good and Beauty. In place of an obsessive search for unity or universality, the postmodern West should approximate the East with a philosophy of difference. Interestingly, he claims that Daoism and Confucianism, in spite of their monolithic appearance, share this language of difference⁸.

Bioethicist Tristram Engelhardt traces the failure of Enlightenment rationality to Western Christianity's emphasis on reason, and claims that as a result of cultural pluralism, moral diversity is inevitable. We are all moral strangers unless we belong to the same tradition. Unlike the late Rorty, however, he renounces relativism and states that the problem is epistemological—truth exists, but he is skeptical of the ability of human reason to reach it⁹. As a convert to Orthodox Christianity, he proposes that truth can only be known through the noetic experience of faith¹⁰. In a compilation of articles Engelhardt edited in *Global bioethics: The Collapse of Consensus*, a majority of the authors reiterate the existence of differences—religious, cultural, and methodological—to such an extent that they eschew the possibility of any attempt to achieve common ground¹¹.

Then again, contenders for a universal global bioethics are not absent. Principlism was one of the first attempts at the dawn of bioethics. In the latest edition, Beauchamp and Childress further elaborate a defense of this methodology which is founded on *prima facie* or self-evident principles. Beauchamp reiterates the case on the basis of a common morality that is binding on all humanity, irrespective of race and culture¹². Tai, among others, favors the approach of incorporating Asian and Chinese values, while adapting the four principles to local sensibilities¹³. We have seen that Engelhardt and company are doubtful of such attempts because of the incommensurability of cultural values. A characteristic of culture is the ability to change through time. Is it possible to imagine a culture without certain built-in flexibility in its values that can react,

stretch, and accommodate to external inputs and historical circumstances? Hence, one must be careful about static cultural paradigms. In light of this, some authors propose principlism as a method that may provide the scaffolding or common framework, while the structure is to be filled in by local values¹⁴. This is not to say that principlism in itself, rooted in secular liberal philosophy, is unproblematic from a Christian and natural law perspective. Above all, it tends to absolutize individual choices at the expense of other values, and falls into emotivism that MacIntyre complains about¹⁵.

Another pragmatic candidate to global ethics is the “overlapping consensus” of John Rawls. It can serve as the basis of common morality among different visions of the good in a society, by picking the lowest common denominator. Rawls recognizes the lack of broad agreement about what constitutes the good life in modern democratic societies. A plurality of doctrines—religious, political or philosophical—raises the interrogative as to how society could reconcile these differences. He reformulates the possibility of “overlapping consensus” in public debates based on a political conception of justice. Overlapping consensus provides a core of moral standards that all reasonable individuals in a pluralistic society with different comprehensive conceptions of the good would support since they are largely uncontroversial. Overlapping consensus is the area of agreement, shared by all reasonable participants in this social contract¹⁶. All these aforementioned approaches have given up on the concept of moral truth as something objective and accessible by reason. However, if ethics is not based on an objective and common human nature but a product of majority consensus, then it is prone to abuse or ideological manipulation where “might becomes right”¹⁷.

Yet another frequent appeal to global ethics is found in the language of human rights. After the tragic experience of the Second World War and the Nuremberg trials, many nations felt the need for a safeguard against future abuses and inhuman acts. Thus, in

1948 the United Nations signed the *Universal Declaration of Human Rights*. Its preamble says: «All human beings are born free and equal in dignity and rights». These rights are deemed basic to all humans and transcend all cultures and nationality. Since then, many other national and international documents have recourse to the language of human rights in the areas of politics, labor, education, healthcare, and the environment. In the field of bioethics, worth mentioning is the UNESCO Declaration on the Human Genome and Human Rights (1997)¹⁸ and the UNESCO Declaration of Bioethics and Human Rights (2005)¹⁹. Article 12 of this latter document on “Respect for cultural diversity and pluralism” is of particular interest: «The importance of cultural diversity and pluralism should be given due regard. However, such considerations are not to be invoked to infringe upon human dignity, human rights and fundamental freedoms...». A few years ago, some Asian leaders complained that human rights were a Western invention that is imposed on the rest of the world²⁰. There were other complaints that these declarations never explicitly define the meaning, content, and foundations of human rights. Fortunately, Mary Ann Glendon traces the development of the 1948 *Declaration* and shows that the signing nations looked for a political consensus rather than a moral or philosophical treatise on human nature²¹. In spite of this deficiency, nations affirmed human rights and dignity because man’s inhumanity to man was fresh in their minds—the Holocaust, slavery, genocide, ethnic cleansings, political murders of dissidents in totalitarian regimes, religious coercion, human trafficking, torture and degradation of prisoners. It was through this *via negativa* that they affirmed the existence of universal human rights²². Even though many people uphold that some moral propositions such as “slavery is always wrong” can be universally held, they are unable to agree upon the rationale behind this. Can natural law rationality supply the missing foundation of human rights based on human dignity and natural rights?

At this juncture, we will explore the Christian response to global bioethics. There is not a common front among the different Christian traditions on bioethical issues. This has been conditioned by historical circumstances, different theological approaches and sensitivities, differing views on the role of authority, and the relationship between faith and reason. The process of secularization in the West further complicates the matter, widening the spectrum of ethical perspectives within Christianity as it faces modernity, resulting in a divide between conservatism and liberalism on several issues.

In terms of methodological approaches, the positions roughly range from fideism (Orthodoxy appeal to Tradition, Evangelicals appeal to *sola scriptura*) to rationalism (liberal Protestants and Catholics). Between

these two poles is the traditional Catholic approach of natural law which espouses a harmony between reason and faith. Rationality is the common basis and the starting point of ethical reasoning, but it is not the only font of knowledge since it is open to transcendental truth and revelation²³.

The 2008 International Theological Commission (ITC) document *The Search for Universal Ethics: A New Look at Natural Law* is an outstanding update of this approach on global bioethics²⁴. The beginning of this document highlights the need for an awareness of a global solidarity and calls for the «search for common ethical values» amid current challenges. Most interesting is the recognition of the presence of natural reason in «the wisdom traditions and religions of the world»—*Dharma* and *Ahimsa* in Hinduism; the five ethical precepts or *sila* of Buddhism; the *Tao* or the Way in Daoism; the harmonious virtues indicated by the way of Heaven (*tian dao*) of Confucian thought; the ethics of life in traditional

African religions; and the morality of obedience in Islam²⁵.

The ITC document recognizes far-reaching applicability of natural law in the global context of bioethics and human rights. It traces the historical development of this from Greco-Roman sources, especially their legal tradition, with enrichment from Christian thought and finally the Catholic magisterium. Roman law, Francisco de Vitoria, and Grotius have made important contributions to the notion of natural rights that prepared the way for modern human rights. However, without a firm acknowledgement of human nature, human rights in the absence of duty and limits can be abusive²⁶. On

the other hand, it protects individual conscience in face of unjust laws: «Facing the menace of the abuse of power, and even of totalitarianism, which juridical positivism conceals and which certain ideologies

propagate, the Church recalls that civil laws do not bind in conscience when they contradict natural law, and asks for the acknowledgment of the right to conscientious objection, as also the duty of disobedience in the name of obedience to a higher law»²⁷. Confronting relativistic individualism—in which every subject decides for himself what is good and right—and cautious about democratization of ethics based on consensus, natural law proposes objective moral truths knowable by human reason. As a matter of fact, the most recent encyclical by Benedict XVI emphasizes the indivisible characteristic of human ethics—ecology, bioethics, social ethics and business ethics are all addressed in a single book²⁸. Natural reason can engage secular positions in public debate by presenting non-sectarian arguments, which are also directed towards individual and common good²⁹.

Grounded on our natural capacity to reason, it can concurrently counteract the claims of cultural relativism while permitting inter-

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cultural and interreligious dialogue. In fact, Pope John Paul II spoke of a «grammar», «a moral logic which is built into human life and which makes possible dialogue between individuals and peoples»³⁰. Joseph Ratzinger, in a famous interchange with German philosopher Jürgen Habermas, points out the fact that secularization which marginalizes the place of religion in society and politics in the West is in fact an anomaly compared to the rest of the world. He believes that secular rationality without any limits is not comprehensible to all humanity. Global ethics derived from this “remains an abstraction”. This hubris of reason is dangerous and threatens humanity, as the atomic bomb and the treating of humans as products have shown³¹. A healthy tension between faith and reason, avoiding the extremes of fideism and rationalism, takes on an intercultural dimension as the debates within Christian, Buddhist, Hindu and Islamic cultures become more frequent. In the Regensburg address, the Pope recognizes that faith and reason can purify each another from extremism: «We will succeed in doing so only if reason and faith come together in a new way, if we overcome the self-imposed limitation of reason to the empirically verifiable, and if we once more disclose its vast horizons... Only thus do we become capable of that genuine dialogue of cultures and religions so urgently needed today. In the Western world it is widely held that only positivistic reason and the forms of philosophy based on it are universally valid. Yet the world’s profoundly religious cultures see this exclusion of the divine from the universality of reason as an attack on their most profound convictions. A reason which is deaf to the divine and which relegates religion into the realm of subcultures is incapable of entering into the dialogue of cultures»³². For Christians, since Christ is the *Logos* Incarnate, faith itself cannot be *illogical*. Even though natural law finds its fulfillment in the new commandment of charity of Christ, it does not exclude dialogue with other groups on a common basis that is above cultural and religious differences³³.

Nevertheless, many challenges lie ahead as the recent commentary on the ITC document from the Pontifical Academy of Life *Bioethics and Natural Law* realizes³⁴. First, there are the oppositions from modern and postmodern deconstructionist philosophy, some of which we have already mentioned. Scientific or logical positivism denies any source of truth outside of empirical science, whereas legal positivism places truth at the mercy of societal consensus³⁵. Natural law has unfortunately been misconstrued as equivalent to the laws of nature, physical or biological laws. This “physicalist” interpretation leads to the accusation of committing the *naturalistic fallacy* of G.E. Moore or the *is-ought* problem of David Hume. The latter complained of invalidly deriving normative statements (what *ought* to be) from descriptive statements (about what *is*). A simple response to this critique is that while natural law reasoning takes biological data as a starting point, this does not exhaust the totality of the human person—a physical and spiritual unit—with finality, rights and duties written within³⁶.

A related complication is the fact that natural law language has become unintelligible in contemporary culture. Pope Benedict XVI recognizes this difficulty in a 2007 address: «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»³⁷.

In his earlier encounter with Habermas, he observed that the problem lies with the victory of evolutionary theories which makes it difficult today to discern the presence of rationality within nature. In other words, it is difficult to see purpose and finality (teleology) if nature has evolved and constantly evolves, and when these occurrences are contingent, casual, and random. There is a great need of natural law theorists trained in both modern science and Thomistic philosophy to engage the different fields of science

in order to clarify, adapt, rethink and even modify the natural law language in accord with the latest discoveries³⁸. It is not easy to find or develop a new language that is clear and intuitive, accessible, capable of engaging secular arguments and scientific reasoning, and address the variability and complexity of cases. One such option proposed is the language of “natural kinds” from analytic philosophy, but I am skeptical that it can avoid the same problems associated with the language of nature mentioned already³⁹. One interesting and noteworthy comment that emerges is the language of authentic Christian witness is that of caring for all human persons, which perhaps can turn to be more effective than philosophical musings or finding a new terminology⁴⁰. Finally, there is the question of historicity of natural law. The specific question here concerns the tension between universalism and particularism, between the application of universal norms and particular situations. Some critics of natural law highlight the fact that certain practices such as usury, slavery, and death penalty have been justified by natural law reasoning in the past but are now shown to be untenable. Others oppose universal claims with cultural diversity. A third challenge regards personal choices in applying universal norms in concrete, varying situations, or in philosophical terms, between deontology and teleology. These apparent oppositions are resolved with universality of the first principle of the natural law—“One must do good and avoid evil”—and the application of the common precept to achieve a concrete good *hic et nunc* that varies through time and place⁴¹. The citation of St. Thomas is helpful: «The practical reason is concerned with contingent reality, which is the object of human actions. Therefore, although the general principles have a certain necessity, the more particular the matters we examine, the more uncertain the conclusions become... In the sphere of action practical truth or rightness

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are not the same in all particular applications, but only in the general principles; and where the rightness is the same, it is not equally known by all... And here, the more one descends to particulars, the more the indefiniteness grows»⁴².

The best course of action in concrete cases requires the virtue of prudence in the subject. The prudent person possesses universal knowledge but acquires the habit of «penetrating a contingent reality... moulding itself to reality in as exact a manner as possible, of assimilating the multiplicity of circumstances, of taking as accurate account as possible of a situation that is original and ineffable»⁴³. Natural law is not a set of pre-established laws that are imposed on the subject, everyone must learn to use his judgment based on practical reason, in accordance to his conscience, and choose the most adequate action in each particular situation⁴⁴. Joseph Boyle summarizes the possibilities for global bioethics from a natural law perspective: «Practical reason can recognize the existence of significant universal norms. On this moral view, there are moral absolutes and universal affirmative duties—duties whose reach is extended by the successes of globalization. But these principles and responsibilities give shape to moral life only by application and specification that takes full account of morally important circumstances. Positive morality gives a community its uniquely moral shape by addressing those circumstances pertinent to its social life and common action... Thus the positive morality introduces the local, not ordinarily the global, and local authority has the responsibility and capability to deal with most of the global aspects of biomedicine»⁴⁵.

The question on the incommensurability of cultures

We now reach the crux of the problem: Can any type of universal ethics—including nat-

ural law—resolve incompatible views on a particular bioethical issue due to cultural differences? Besides those who infer from this the inevitability of moral relativism, there are others who believe that the problem lies with translating the ethical language among different cultures and religions. Still others propose a *status quo* of an unresolvable tension, a resignation to harmony in diversity⁴⁶.

This question has been amply analyzed by philosopher Alasdair MacIntyre who approaches the question of moral inquiry as “tradition-constituted” in *Whose Justice? Which Rationality?* According to this fascinating work, one cannot be an independent observer beyond a particular tradition speaking to all parties, but can only inquire from within a particular moral tradition to which one belongs⁴⁷. This contrasts with the customary mode of comparing different cultural or religious traditions from an independent perspective of human rights or natural law, as if one were exterior to these traditions rather than recognizing that every critique comes from a particular tradition⁴⁸. MacIntyre claims that there is no such neutral ground. He applies this paradigm in an article entitled “Incommensurability, Truth and the Conversation between Confucians and Aristotelians about the Virtues”. These two virtue-based traditions are compared precisely because the many commonalities mistakenly lead many scholars to gloss over their incommensurable differences. For example, he cites a strong interdependence among Aristotelian virtues which is absent in the Confucian view; and the Confucian prerequisite of performing exterior rituals (*li*) in the practice of right action (*yi*) would not make sense for Aristotle or Aquinas⁴⁹. Yet, for MacIntyre this incommensurability does not lead to relativism, neither that of Rorty nor the epistemological relativism of Engelhardt. «Incommensurability, it turns out, does not preclude rational debate and encounter»⁵⁰. Likewise, he dismisses the claim that incommensurability is merely a problem of translation, even though many concepts and terms do depend on a cultural

milieu⁵¹. To enter the conversation, what is required – other than being sufficiently fluent in the languages of both traditions – is that the inquirer must be fully immersed in his own culture and history in order to accurately represent it.

The first stage requires scholars to write a critical account of their own tradition, the development and history of its theory and practice, its successes and failures, challenges and crises. Rational encounters with rival civilizations take place in every authentic tradition throughout history, when coherence of customs and ethos are measured and tested, resulting in processes of adaptation, absorption and purification⁵². The second stage involves the more serious task when inquirers of one moral tradition write the history of the rival moral tradition from that rival tradition’s point of view, «employing the standards of rational success or failure internal to that other’s point of view»⁵³. Two conditions are necessary for this to happen. One must be prepared to expose one’s own tradition with intellectual honesty and “maximal vulnerability” without hiding defects. Second, one must recognize that there is not a neutral, independent standpoint to judge between rival traditions. In this sincere conversation, such exchanges and comparisons would allow the rival traditions to see their weaknesses and strengths, and rationally recognize their own incoherence and the superiority of their rival, with the possibility of abandonment of their own tradition.

However, this process is painstakingly slow and difficult. Some ethicists such as David Solomon are pessimistic that tradition-constituted inquiry would offer much to resolve the pressing issues in global bioethics⁵⁴. One reason for Solomon’s hesitancy is undoubtedly due to MacIntyre’s analysis of the moral fragmentation of the West in *After Virtue*. Unfortunately, the West has lost its moral compass and forgotten its roots. Western liberalism is not exactly a moral tradition, but fragmented vestiges of different ethos of its past, rendering it incapable of entering into dialogue with other substantial traditions⁵⁵.

Concluding remarks

The philosophical question of the “one and the many” has plagued humanity since antiquity. What we have seen in this debate reflects the different manifestations of this inquiry: between being and becoming, between universality and particularity, between common human nature and diversity of cultures, between global ethics and local customs, between common and individual good, and between absolute principles and situational applications. It is certainly a generalization that Western philosophical tradition had sought the unifying principle of being, essence, and truth whereas non-Western cultures are more at home with a changing and mystical reality of harmony in diversity⁵⁶. As a result of secularization, the current post-modern culture has turned its back on the search for universal ethics which it considers too totalitarian and authoritarian. The fragmented moral tradition prefers now the language of diversity and tolerance. This poses a great challenge to Christianity which is universal in its doctrine, scope and ethical demands. The Christian faith does not extinguish cultural diversity, but is capable of purifying some of these elements. Secularization also makes engagement with other cultures difficult, since secular liberalism is broken within and antagonistic to religious input. Too often, the West has been identified with the secular mindset which does not do justice to its religious roots. Can MacIntyre’s project of resuscitating Aristotelian virtues pick up the pieces of the fragmented moral world? Natural reason can certainly lend a hand, but it must effectively engage science and become comprehensible once again to modern men and women. MacIntyre’s tradition-constituted conversation with well-versed scholars is an arduous but necessary task, and responds to what Benedict XVI’s call for the intercul-

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tural dimension of natural law. Since natural law is not closed to religious input, it can dialogue with ease with bioethics from other religious traditions. This engagement is possible when reason is open to faith, while faith-based assumptions are also open to the critique of reason, thus faith and reason purify each other from possible excesses.

Natural reason can thereby appeal to the conscience of all individuals to discover the good and avoid evil. Above all, derivations of the first principle are apparent—slavery, torture, racism and terrorism are to be censured. In bioethics, there are substantial agreements on many issues—rejection of:

human or sex trafficking, using humans as products or body parts, female genital mutilation, etc. Other issues must still be debated. For this reason, the human rights and human dignity language can be useful in the international setting with certain legal

force, on the condition that it restrains itself from excessive liberal extensions of rights; that it reconsider its link to natural rights, and not *a priori* ostracize religion from discussions. It is appropriate to end this paper with a quote from *Caritas in Veritate*, since charity in truth expresses the attitude we should possess entering into this conversation: «In all cultures there are examples of ethical convergence, some isolated, some interrelated, as an expression of the one human nature, willed by the Creator; the tradition of ethical wisdom knows this as the natural law. This universal moral law provides a sound basis for all cultural, religious and political dialogue, and it ensures that the multi-faceted pluralism of cultural diversity does not detach itself from the common quest for truth, goodness and God. Thus adherence to the law etched on human hearts is the precondition for all constructive social cooperation. Every culture has burdens from which it must be freed and shadows from which it must

emerge. The Christian faith, by becoming incarnate in cultures and at the same time transcending them, can help them grow in universal brotherhood and solidarity, for the advancement of global and community development»⁵⁷.

NOTE

¹ E. PELLEGRINO, P. MAZZARELLA and P. CORSI (eds.), *Transcultural Dimensions in Medical Ethics*, University Publishing Group, Frederick MD 1992, 14.

² See H. SAKAMOTO, «Towards a new global ethics», *Bioethics*, 13 (1999), 191–197; H. WIDDOWS, «Is Global Ethics Neo-colonialism? An Investigation of the Issue in the Context of Bioethics», *Bioethics*, 21/6 (2007), 305–315.

³ See J. THAM, «The Secularization of Bioethics», *National Catholic Bioethics Quarterly*, 8/3 (2008), 443–453.

⁴ L. D. DE CASTRO, «Is there Asian Bioethics?», *Bioethics*, 13, 3/4 (1999), 183–190.

⁵ For a more detailed categorization of global bioethics, see K. WILDES, «Global and Particular Bioethics», in H. T. ENGELHARDT JR. (ed.), *Global Bioethics: The Collapse of Consensus*, M&M Scrivener Press, Salem MA 2006, 362–382.

⁶ See D. CALLAHAN, «Universalism and Particularism: Fighting to a Draw», *Hastings Center Report*, 30/1 (2000), 37–44.

⁷ See R. RORTY, *Contingency, Irony, and Solidarity*, Cambridge University Press, Cambridge 1989; ID., «Philosophers, Novelists, and Intercultural Comparisons: Heidegger, Kundera, and Dickens», in E. DEUTSCH (ed.), *Culture and Modernity: East-West philosophic perspectives*, University of Hawaii Press, Hawaii 1991, 3–20.

⁸ See D. L. HALL, «Modern China and the Postmodern West», in *Culture and Modernity*, 50–70.

⁹ See H. T. ENGELHARDT JR., «Global Bioethics: An Introduction to the Collapse of Consensus», in *Global Bioethics*, 6.

¹⁰ See ID., *The Foundations of Christian Bioethics*, Swets and Zeitlinger, Lisse Netherlands 2000.

¹¹ See H. T. ENGELHARDT JR. (ed.), *Global Bioethics*, op. cit. Also see J. TAO LAI PO-WAH (ed.), *Cross-Cultural Perspectives on the (Im)Possibility of Global Bioethics*, Springer Netherlands, Dordrecht, Netherlands.

¹² See T. BEAUCHAMP, «Comparative Studies: Japan and America», in K. HOSHINO (ed.), *Japanese and Western Bioethics: Studies in Moral Diversity*, Kluwer Academic Publishers, Dordrecht 7 Boston/ London 1997, 25–48.

¹³ See M. TAI, *The Way of Asian Bioethics*, Princeton International Printing Co, Taipei 2008.

¹⁴ See L. K. RADHA KRISHNA, «Global Ethics: A Malaysian-Singaporean Perspective», *Eubios Journal of*

Asian and International Bioethics, 20/5 (2010), 140–146.

¹⁵ See A. C. MACINTYRE, *After Virtue*, Duckworth, London 1984², 22. For a general critique of principlism, see R. BAKER, «A Theory of International Bioethics: Multiculturalism, Postmodernism, and the Bankruptcy of Fundamentalism», *Kennedy Institute of Ethics Journal*, 8/3 (1998), 201–231.

¹⁶ See J. RAWLS, *Political Liberalism*, *The John Dewey Essays in Philosophy* 4, Columbia University Press, New York 1993. For an example of the proposal of Rawlsian “overlapping consensus” as a candidate for global bioethics, see K. CHOI, «Preconditions for development of Global Bioethics Policies: What Purpose, Attitude, Effort, and System are needed?», *Korean Journal of Medical Ethics*, 13/11 (2010), 59–71.

¹⁷ See D. CALLAHAN, «Bioethics and ideology», *Hastings Center Report*, 36/1 (2006), 363.

¹⁸ <http://www.unesco.org/new/en/social-and-human-sciences/themes/bioethics/human-genome-and-human-rights/>.

¹⁹ <http://www.unesco.org/new/en/social-and-human-sciences/themes/bioethics/bioethics-and-human-rights/>.

²⁰ See H. WIDDOWS, «Is Global Ethics Neo-colonialism? An Investigation of the Issue in the Context of Bioethics», op. cit., 305–315.

²¹ See M. A. GLENDON, «Foundations of Human Rights: The Unfinished Business», *American Journal of Jurisprudence*, 1 (1999), 1–14.

²² See J. THAM, «Challenges to Human Dignity in the Ecology Movement», *Linacre Quarterly*, 77/1 (2010), 53–62.

²³ See JOHN PAUL II, Encyclical *Fides et Ratio: on the relationship between Faith and Reason*, 1998; FIRST VATICAN COUNCIL, *Dogmatic Constitution on the Catholic Faith, Dei Filius*, Chap. 4, “On Faith and Reason”, (DS 3016).

²⁴ The original document in Italian can be downloaded from: http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_con_cfaith_doc_20090520_legge-naturale_it.html. The observations and quotations are taken from an unofficial English translation downloaded from: <http://www.pathsoflove.com/universal-ethics-natural-law.html>.

²⁵ See INTERNATIONAL THEOLOGICAL COMMISSION, *The Search for Universal Ethics: A New Look at Natural Law*, 2008, nn. 12–17.

²⁶ See *Ibid.*, nn. 18–35. See also J. RATZINGER and J. HABERMAS, *The Dialectic of Secularization: On Reason and Religion*, Ignatius Press, San Francisco 2007, 53–76.

²⁷ INTERNATIONAL THEOLOGICAL COMMISSION, *The Search for Universal Ethics: A New Look at Natural Law*, op. cit., n. 35, see also nn. 91–92; JOHN PAUL II, Encyclical *Evangelium Vitae: on the Value and Inviolability of Human Life*, 1995, nn. 73–74.

²⁸ See BENEDICT XIV, Encyclical *Caritas in Veritate: on Integral Human Development in Charity and Truth*, 2009, n. 51.

- ²⁹ See INTERNATIONAL THEOLOGICAL COMMISSION, *The Search for Universal Ethics: A New Look at Natural Law*, op. cit., n. 35.
- ³⁰ JOHN PAUL II, *Address to the Fifteenth General Assembly of the United Nations Organization*, 5 October, 1995. http://www.vatican.va/holy_father/john_paul_ii/speeches/1995/october/documents/hf_jp-ii_spe_05101995_address-to-uno_en.html.
- ³¹ See J. RATZINGER and J. HABERMAS, *The Dialectic of Secularization*, 76.
- ³² BENEDICT XVI, *Address at University of Regensburg*, September 12, 2006; <http://www.zenit.org/article-16955?l=english>.
- ³³ See *Ibid.*; INTERNATIONAL THEOLOGICAL COMMISSION, *The Search for Universal Ethics: A New Look at Natural Law*, op. cit., nn. 103-116.
- ³⁴ See PONTIFICIA ACADEMIA PRO VITA, *Bioetica e Legge Naturale: Atti della Sedicesima Assemblea Generale dei membri*, Città del Vaticano, 11-13 febbraio, 2010, Lateran University Press, Rome 2010.
- ³⁵ See *Ibid.*, 61.
- ³⁶ See *Ibid.*, 57-61, 117-124, 155-158. Citing SECOND VATICAN COUNCIL, Pastoral Constitution *Gaudium et Spes*, n. 51; JOHN PAUL II, Encyclical *Veritatis Splendor*, nn. 47, 50.
- ³⁷ BENEDICT XVI, *Address to the Participants in the International Congress on Natural Moral Law*, February 12, 2007, http://www.vatican.va/holy_father/benedict_xvi/speeches/2007/february/documents/hf_ben-xvi_spe_20070212_pul_en.html.
- ³⁸ Some of these questions were debated in the III STOQ International Conference “Biological Evolution: Facts and Theories. A critical appraisal 150 years after *The origin of species*” held at the Pontifical Gregorian University in 2009. <http://www.evolution-rome2009.net/>.
- ³⁹ See D. P. SULMASY, «Diseases and Natural Kinds», *Theoretical Medicine and Bioethics*, 26 (2005), 487-513; PONTIFICIA ACADEMIA PRO VITA, *Bioetica e Legge Naturale*, op. cit., 91-95.
- ⁴⁰ See PONTIFICIA ACADEMIA PRO VITA, *Bioetica e Legge Naturale*, op. cit., 74-82.
- ⁴¹ See INTERNATIONAL THEOLOGICAL COMMISSION, *The Search for Universal Ethics: A New Look at Natural Law*, op. cit., nn. 36-54.
- ⁴² ST. THOMAS AQUINAS, *Summa theologiae*, Ia-IIae, q. 94, a. 4, cited in INTERNATIONAL THEOLOGICAL COMMISSION, *The Search for Universal Ethics: A New Look at Natural Law*, op. cit., n. 53.
- ⁴³ INTERNATIONAL THEOLOGICAL COMMISSION, *The Search for Universal Ethics: A New Look at Natural Law*, op. cit., n. 56.
- ⁴⁴ See *Ibid.*, n. 59.
- ⁴⁵ J. BOYLE, «The Bioethics of Global Biomedicine: A Natural Law Reflection», in T. ENGELHADT JR. (ed.), *Global Bioethics: The Collapse of Consensus*, op. cit., 300-334 at 332.
- ⁴⁶ See A. V. CAMPBELL, «Presidential Address: Global Bioethics—Dream or Nightmare?», *Bioethics* 13, 3/4 (1999), 183-190.
- ⁴⁷ See A. C. MACINTYRE, «Incommensurability, Truth and the Conversion between Confucians and Aristotelians about the virtues», in *Culture and Modernity*, 104-122; Id., *Whose Justice? Which Rationality?*, University of Notre Dame Press, Notre Dame 1988.
- ⁴⁸ See A. SEN, «Thinking About Human Rights and Asian Values», http://www.cceia.org/resources/publications/dialogue/1_04/articles/519.html.
- ⁴⁹ See A. C. MACINTYRE, «Incommensurability, Truth and the Conversion between Confucians and Aristotelians about the virtues», op. cit., 106-107.
- ⁵⁰ *Ibid.*, 118.
- ⁵¹ See D. DAVIDSON, «On the Very Idea of a Conceptual Scheme», in *Inquiries into Truth and Interpretation*, Clarendon Press, Oxford 1984, 183-198. MacIntyre claims on the contrary that, «Incommensurability may, but need not, be associated with and arise from untranslatability», A. C. MACINTYRE, «Incommensurability, Truth and the Conversion between Confucians and Aristotelians about the virtues», op. cit., 111.
- ⁵² See JING-BAO NIE and A. CAMPBELL, «Multiculturalism and Asian Bioethics: Cultural War or Creative Dialogue?», *Journal of Bioethical Enquiry*, 4/3 (2007), 163-167.
- ⁵³ «Aristotelians need to understand the history of Confucianism as a form of moral inquiry and practice, as it has been, is or would be written from a Confucian point of view, in order to be able to learn to identify those episodes in which Confucianism becomes in some way problematic for a sufficiently tough minded and insightful Confucian». And *vice versa* for Confucians to understand Aristotelians. See A. C. MACINTYRE, «Incommensurability, Truth and the Conversion between Confucians and Aristotelians about the virtues», op. cit., 119.
- ⁵⁴ See D. SOLOMON, «Domestic Disarray and Imperial Ambition: Contemporary Applied Ethics and the Prospects for Global Bioethics», in *Culture and Modernity*, 335-361.
- ⁵⁵ See A. C. MACINTYRE, *After Virtue*, op. cit.
- ⁵⁶ See R. BERNSTEIN, «Incommensurability and Otherness Revisited», in *Culture and Modernity*, 85-103.
- ⁵⁷ BENEDICT XVI, Encyclical *Caritas in Veritate*, n. 59.