

The Dictatorship of the Conscience¹

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I am freeing men from the restraints of an intelligence that has taken charge; from the dirty and degrading self-mortifications of a chimera called conscience and morality, and from the demands of a freedom and personal independence which only a very few can bear.

—Adolf Hitler²

¹ My special thanks to my wife Michele M. Schumacher for her very insightful comments and to Michael J. Miller for his translation.

² Hermann Rauschning, *The Voice of Destruction* [UK title, *Hitler Speaks*] (New York: G. P. Putnam's Sons, 1940), 225; originally *Gespräche mit Hitler* (New York: Europa, 1940), 212: "Ich befreie den Menschen von dem Zwange eines Selbstzweck gewordenen Geistes; von den schmutzigen und erniedrigenden Selbstpeinigungen einer Gewissen und Moral genannten Chimäre und von den Ansprüchen einer Freiheit und persönlichen Selbständigkeit, denen immer nur ganz wenige gewachsen sein können." With regard to the authenticity of what Rauschning describes, see Theodor Schieder, *Hermann Rauschning's, Gespräche mit Hitler' als Geschichtsquelle* (Opladen: Westdeutscher, 1972). Whether or not these words are exactly as pronounced by the Führer does not change the thesis of the present contribution. These two citations are also found in Joseph Ratzinger, "Conscience in its Time: A Lecture Given to the Reinhold Schneider Society," in *Church, Ecumenism, and Politics: New Endeavors in Ecclesiology*, trans. by Michael J. Miller (San Francisco: Ignatius Press, 2008), 160–72, at 160; originally "Das Gewissen in der Zeit," in *Kirche, Ökumene und Politik* (Einsiedeln: Johannes, 1987), 153–64, at 153.

Conscience is a Jewish invention. It is a [mutilation], like circumcision. . . . There is no such thing as truth, either in the moral or in the scientific sense.³

HERMANN RAUSCHNING, president of the Senate of Danzig during the years 1933–1934 thus records several remarks by Adolf Hitler, who stated that the “new man,” the one whose coming the Nazi Party wanted to see, has an obligation to liberate himself from the oppression of his moral conscience, as well as from an independent mind, by subjecting both to the conscience and mind of Hitler, and to him alone. He would then be the conscience of the Germans that would dictate what moral values to follow. As Hannah Arendt put it, he would then embody “the law of the land.”⁴ Hermann Göring explicitly and forcefully refers to an emancipation of this sort when he declares, “I have no conscience. My conscience is Adolf Hitler.”⁵ Although Göring demanded the implementation of the “final solution” with regard to the Jews, he was not the only one to subject his conscience to Hitler’s demands. Agreeing with the latter were a number of sympathizers who were not “outlaws, monsters, or raving sadists,” but rather, as Arendt explains, the “most respected members of respectable society,”⁶ such as Adolf Eichmann: even the man who implemented the

³ Ibid., 223 (the English edition has the euphemism “blemish”); *Gespräche mit Hitler*, 252: “Das Gewissen ist eine jüdische Erfindung. Es ist wie die Beschneidung, eine Verstümmelung des menschlichen Wesens. . . . Es gibt keine Wahrheit, weder im moralischen noch wissenschaftlichen Sinne,” 252.

⁴ Hannah Arendt, “Personal Responsibility under Dictatorship,” in *Responsibility and Judgment* (New York: Schocken Books, 2003), 17–48, at 43: “for them, it was enough that everything happened according to the ‘will of the Führer,’ which was the law of the land, and in accordance with the ‘words of the Führer,’ which had the force of law.”

⁵ Rauschning, *Voice of Destruction*, 78 (*Gespräche mit Hitler*, 77: “Ich habe kein Gewissen! Mein Gewissen heißt Adolf Hitler”). Rauschning reports the words of the Führer during a meeting in early summer 1934: “My first demand from you, therefore, is blind obedience. You are not the judges of what is to be done in your district. Neither shall I always be in a position to explain to you in detail what my intention is. Your obedience is the fruit of your trust in me” (*Voice of Destruction*, 145; *Gespräche mit Hitler*, 136: “Ich verlange daher als erstes blinden Gehorsam von Ihnen. Nicht Sie können beurteilen, was ich Ihrem Bereich zu tun ist. Ich werde Ihnen auch nicht immer sagen können, was ich im einzelnen zu tun beabsichtige. Ihr Gehorsam ist die Frucht des Vertrauens zu mir”).

⁶ Arendt, *Responsibility and Judgment*, 42–43. See the historical studies by Christopher Browning, *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland* (New York: Harper Collins, 1992). For a fictional approach,

plan ratified at the conference in Wannsee by organizing the deportation of the Jews to extermination camps can be numbered among these “ordinary” people. Moreover he later defended himself before the court in Jerusalem that would sentence him to be hanged on June 1, 1962, arguing that he had only obeyed his conscience, which had told him to follow the overriding principle that he should act in such a way that, if the Führer knew about it, he could only approve. Therefore he had chosen—on an impulse that resulted as much from an act of faith as from a process of shirking responsibility—to subject his personal judgment to that of the Führer, the symbolic figure of his country’s law. In other words, his conscience—just like Göring’s—had been deliberately subordinated to Hitler’s, who denied that a universal moral truth had any value on the pretext that such a morality would be “a mutilation” of man. Eichmann’s lawyer marvelously illustrated this thesis when he described what went on at Auschwitz as “a medical matter.” Put differently, ethics was ultimately only a matter of customs and subordinate to history and culture, and this, he claimed, refuted the accusation that his client erred at the level of his conscience and was consequently guilty, as Arendt explains:

[Eichmann’s defense argued] to the effect that what had happened in Auschwitz and the other extermination camps had been “a medical matter.” It was as though morality, at the very moment of its total collapse within an old and highly civilized nation, stood revealed in the original meaning of the word, as a set of *mores*, of customs and manners, which could be exchanged for another set with no more trouble than it would take to change the table manners of a whole people.⁷

Many contemporaries, like Arendt, found the lawyer’s position “incredible,”⁸ and this incredulity originates in the assumption that there are such things as intrinsically evil actions that are not merely matters of opinion or custom and, at the same time, that there is such a thing as a moral conscience that forbids us to commit them. It would seem, then, legitimate to condemn Eichmann (who was also endowed with a conscience, even though he did not make immediate

see Jonathan Littell, *The Kindly Ones* (New York: Harper Perennial, 2010); originally *Les bienveillantes* (Paris: Gallimard, 2006).

⁷ Arendt, *Responsibility and Judgment*, 43.

⁸ Ibid.

personal use of it, since he subordinated it to someone else), just as it would be legitimate, by analogy, to condemn any person who had committed intrinsically evil acts, generally speaking.

Does not the adoption of this point of view, however, in effect justify a “paternalistic” position that would dictate, regardless of the subject, his history, or his culture, what he should do from a moral perspective—which ultimately, according to the French philosopher Ruwen Ogien, would be opposed to “freedom of conscience” (*la liberté de conscience*)?⁹ Would not the requirement to subject one’s conscience to a transcendent moral truth that is identifiable, at least in part, with the help of philosophical reason be analogous to the requirement to submit to what Hitler subjectively defined as morally good? In order to free ourselves somehow from a totalitarianism of this sort or, by analogy, from the paternalism that Ogien considered totalitarian, would we not ultimately have to refer, before acting, to what the subjective, autonomous moral conscience dictates? This position seems at first glance to agree with the primacy of personal conscience that John Henry Newman admirably defended in proposing his famous toast to his conscience in his letter to the Duke of Norfolk: “Certainly, if I am obliged to bring religion into after-dinner toasts (which indeed does not seem quite the thing), I shall drink—to the Pope, if you please,—still, to Conscience first, and the Pope afterwards.”¹⁰ A century later, the German theologian Joseph Ratzinger confirmed this position while explaining that there is a moral duty always to follow one’s conscience: “No one may act against his conviction. . . . It is *never wrong to follow the conviction* that one has reached.”¹¹

⁹ Ruwen Ogien, *La Morale a-t-elle un avenir?* (Nantes, FR: Éditions Pleins Feux, 2006), 54. “In the name of ‘human dignity,’” which in this context is to be understood as a “transcendent reality” (ibid.), “some contest the right to choose freely the sort of life that one wishes to lead, and what one wants to do with one’s life and with one’s body (a right which includes the right to abort, for example). This is an idea that serves to justify paternalistic interventions” (ibid., 54–55 [“C’est au nom de la ‘dignité humaine’”—“réalité transcendante”—“qu’est contesté le droit de choisir librement le genre de vie qu’on souhaite mener, ce qu’on veut faire de sa vie et de son corps (droit qui inclut celui d’avorter par exemple). C’est une notion qui sert à justifier des interventions paternalistes.”]).

¹⁰ John Henry Newman, Letter to the Duke of Norfolk, December 27, 1874, in *The Works of Cardinal Newman: Difficulties of Anglicans*, vol. 2 (London: Longman Green, 1908), 261.

¹¹ Joseph Ratzinger, “Wenn du den Frieden willst, achte das Gewissen jedes Menschen: Gewissen und Wahrheit,” in *Wahrheit, Werte, Macht* (Freiburg:

In the aftermath of the Second World War, it was commonly thought that one should be required in all circumstances to follow one's personal conscience as the expression of one's subjective autonomy and to delegate this discernment to no one, as though that could serve as a rampart against any emerging form of totalitarianism. Contrary to what Hitler declared, that "only a very few can bear"¹² to exercise their autonomy, it was now assumed that everyone is capable to doing so.¹³ The appeal to subjective autonomy in order to counteract totalitarianism, however, has been radicalized in recent years so as to generate a concept of personal conscience that can be described as postmodern. Its object is a conscience that sets itself up as the sole foundation for moral acts.

Postmodern Conscience

The Appeal to Autonomy

The concept of personal conscience to which Ogien refers highlights the importance, within the community of individuals, of respect for subjectivity at the moment of making moral choices. At the same time, it claims that subjective conscience is unquestionably the sole ethical authority. In other words, the moral content to which conscience submits originates in one's own subjectivity or, possibly, from the community of moral persons to whom the subject has freely decided to belong. Such a concept of conscience presupposes a Sartrean sort of freedom that is understood as being simultaneously absolute, independent, and completely undetermined. This freedom shapes human nature—as proposed in the French philosopher's famous statement that existence precedes essence. Not only is there no such thing as a predetermined, universal human nature, but even more importantly, the only justification values have is from the subject's own freedom, given that there is no discernible heaven from which they could emanate. Universal values are imaginary, and the subject is his own legislator—he invents his own law.

What are the consequences of this? Left to his own devices, the

Herder, 1993), 25–62, at 58: "Niemand darf gegen seine Überzeugung handeln. . . . Es ist *nie Schuld*, der gewonnenen *Überzeugung zu folgen*."

¹² Rauschning, *The Voice of Destruction*, 225; *Gespräche mit Hitler*, 222: "von den Ansprüchen einer Freiheit und persönlichen Selbständigkeit, denen immer nur ganz wenige gewachsen sein können."

¹³ See Isaiah Berlin, "Two Concepts of Liberty," in *Four Essays on Liberty* (Oxford: Oxford University Press, 1969), 118–72.

individual no longer knows, with regard to his moral action, to what he should orient his freedom. His freedom “is anguished” because it is “the foundation of values while itself without foundation.” Sartre declared, “My freedom is the unique foundation of values and . . . *nothing*, absolutely nothing, justifies me in adopting this or that particular value, this or that particular scale of values. . . . My freedom is anguished at being the foundation of values while itself without foundation. . . . I do not have nor can I have recourse to any value against the fact that it is I who sustain values in being. . . . I have to realize the meaning of the world and of my essence; I make my decision concerning them—without justification and without excuse.”¹⁴

Sartre denies the existence of intrinsically evil or good moral acts. The moral character of the personal act is revealed in the freedom of the responsible, sincere subject along with the values that he has chosen for himself. Freedom as radical self-determination is the sole norm for moral acts. Hence, in this view, the individual not only can desire anything but also can do anything insofar as he takes responsibility for his actions. The contents of conscience are no longer to be sought in something objectively “other” that would dictate moral action, but rather in the subject himself. Charles Taylor emphasizes that such freedom detaches itself from the parameters of meaning by setting itself up as the ultimate authority at the source of meaning.¹⁵

Today, this idea of freedom is confused by some philosophers with the principle of autonomy. Now, the latter has connotations that, to some extent, are distinct from the meaning of the term that was developed in the eighteenth century by Immanuel Kant. For some writers, like Laurence Kohlberg, it is the sign of psychological maturity. For others, it designates a fundamental right of the person in the sense that the autonomous subject is the master of his life without

¹⁴ Jean-Paul Sartre, *Being and Nothingness*, trans. Hazel E. Barnes (London: Methuen & Co., 1957), 38–39; originally *L'Être et le Néant: Essai d'ontologie phénoménologique* (Paris: Gallimard, 1943), 76–77: “ma liberté est l'unique fondement des valeurs et que *rien*, absolument rien, ne me justifie d'adopter telle ou telle valeur, telle ou telle échelle de valeurs. . . . Et ma liberté s'angoisse d'être le fondement sans fondement des valeurs. . . . je n'ai ni ne puis avoir recours à aucune valeur contre le fait que c'est moi qui maintiens à l'être les valeurs . . . j'ai à réaliser le sens du monde et de mon essence: j'en décide, seul, injustifiable et sans excuse.”

¹⁵ See Charles Taylor, *The Sources of the Self: The Making of the Modern Identity* (Cambridge, MA: Harvard University Press, 1989).

undergoing external interference. Finally, for others, it signifies an absolute autonomy of freedom that decides the moral content of one's personal actions independently of reason, which is no longer capable of establishing universal moral rules. This last is the particular sense in which a growing number of philosophers, especially within the context of the debate on bioethics, understand the notion of autonomy, a sense that denies all moral authority outside of the individual subject.

Hence a person can decide autonomously to subject himself to an experiment that would result in his death or in serious damage to his personality or to kill himself with the assistance of others within the framework of assisted suicide or euthanasia. The same argument is made in the case of persons who exercised a degree of autonomy in the past but, for particular reasons, are no longer capable of exercising it, or else for persons who are not yet autonomous or who will never be capable of exercising their autonomy. In these particular cases, the individual's autonomy is transferred to the autonomous persons who have responsibility for him or her, such as members of the immediate family. It is now their decision, the argument goes, whether or not to approve a possible experiment, such as the experimentation conducted currently on "surplus" human embryos resulting from *in vitro* fertilization for reproductive or research purposes. This approval for experimentation on human embryos should apply also—quite logically—to all other cases where a human being is deprived of the exercise of his autonomy. Think of the newborn, the profoundly mentally handicapped, and those suffering from dementia. Most persons, nevertheless, refuse to approve of experimentation in the latter cases. Relying remarkably on the notion of the social person, they argue that, paradoxically, there is such a thing as a person's dignity apart from the subject's autonomous choice. This would mean that moral conscience is not the sole ethical authority, that it has to subject itself to rationally-based universal values, particularly in matters concerning human dignity.

Despite this commonly accepted reference to the notion of the dignity of the human person whereby one recognizes his or her rights and, above all, the right to life, some contemporary authors refuse to appeal to the concept of dignity, which they describe as "stupid" and "useless," preferring the term autonomy understood in the sense of absolute freedom mentioned above. "'Dignity' is a squishy, subjective notion," Steven Pinker explains, "hardly up to the heavy weight of

the moral demands assigned to it.”¹⁶ Peter Singer stresses that the dignity of every human being is nothing but “fine phrases . . . the last resource of those who have run out of arguments.”¹⁷ Ruth Macklin, for her part, proposes banishing this term from bioethics on the pretext that it is tautological. In her view it expresses nothing but respect for the autonomy of persons. “Dignity,” she explains, “is a useless concept in medical ethics and can be eliminated without any loss of content.”¹⁸

Upon closer inspection, the real reason why Macklin wants to eliminate the term dignity is a change in the very meaning of this notion. She proposes a paradigm shift in bioethical discourse from respect for the person, which is independent of the subject’s free choice, to a respect for the subject’s absolute autonomy. This autonomy is understood as freedom that is subject to no constraint with regard to the universal moral “pseudo-laws” that would originate either in an intelligible Platonic heaven or in universal reason. Kantian autonomy of the individual subject would restrict Sartrean autonomy, for it could be exercised only within the limits of human dignity and would no longer be absolute in itself, which (by that very fact) would imply that dignity was somehow superior to it. This transference of the notion of dignity to the notion of autonomy is adopted by Ogien, who maintains that the concept of “human dignity” is a “pompous, intimidating expression,”¹⁹ a “useless and dangerous” concept,²⁰ because it has “become, in contrast to its initial meaning, a purely paternalistic concept, serving to dispute the right of adults to control their life and their body freely.”²¹ He explains that

¹⁶ Steven Pinker, “The Stupidity of Dignity,” *The New Republic*, May 28, 2008 (<https://newrepublic.com/article/64674/the-stupidity-dignity>, last accessed January 30, 2017).

¹⁷ Peter Singer, “All Animals are Equal,” in *Applied Ethics*, ed. Peter Singer (Oxford: Oxford University Press, 1986), 215–28, at 228: “Philosophers frequently introduce ideas of dignity, respect, and worth at the point at which other reasons appear to be lacking, but this is hardly good enough. Fine phrases are the last resource of those who have run out of arguments.”

¹⁸ Ruth Macklin, “Dignity is a useless concept,” *British Medical Journal* 327 (December 20, 2003): 1419–20.

¹⁹ Ogien, *La Morale a-t-elle un avenir?*, 16: “expression pompeuse et intimidante”.

²⁰ Ruwen Ogien, *La vie, la mort, l’État* (Paris: Grasset, 2009), 87: “inutile et dangereux”.

²¹ Ogien, *La Morale a-t-elle un avenir?*, 15: “devenu, à l’opposé de sa signification initiale, un concept purement paternaliste, servant à contester le droit des adultes à disposer librement de leur vie et de leur corps.”

human dignity, understood as a transcendent reality, is opposed to the right to “freedom of conscience”²² insofar as it would no longer depend on any freedom whatsoever of the subject who is called to conform to it.

Secular Ethics

This understanding of subjective conscience as the sole ethical authority is also based on the assertion that human reason is incapable of establishing a universal moral discourse. Although it is commonly maintained that reason attains objectivity on the level of utility and experimentation, this capability is denied in the ethical and political spheres that, strictly speaking, structure the sphere of personal life. The American H. Tristram Engelhardt stresses that we must therefore be content with a formalist, procedural secular ethics that abandons the idea of ethical truth and sets up a general framework with no moral content, a framework constructed around the principles of consent, tolerance, permissiveness, and benevolence toward particular ethical systems. Every individual subject, as well as every community of subjects, lives according to his, her, or its own ethical principles without seeking to impose its own point of view. Engelhardt points out that such a secular ethics is necessarily permissive: “Perpetual peace in the absence of repression will likely come, if ever, when we are willing to endure the choices persons make with themselves, their private resources, consenting others, and in their communities however deviant, even when those choices are profoundly wrong.”²³

According to the French philosopher Michel Onfray, secular ethics claims that everything is optional, that everyone is free to decide and to define his responsibilities as he wishes: “In the field of these new possibilities, nothing is obligatory and everything is optional. . . . The option of aborting is not compulsory and obliges no one, nor does the possibility of resorting to cloning or euthanasia. To increase the number of options forces no one to make a choice that goes against his morality.”²⁴

²² Ibid., 54: “la liberté de conscience.”

²³ Tristram Engelhardt, *The Foundations of Bioethics* (Oxford: Oxford University Press, 1996), 15. See also *ibid.*, 16.

²⁴ Michel Onfray, *Féeries anatomiques* (Paris: Grasset, 2003), 72: “Dans le champ de ces nouveaux possibles, rien n’est obligatoire et tout facultatif. . . . La possibilité d’avorter n’y contraint pas et n’oblige personne, celle de recourir au clonage ou à l’euthanasie non plus. Augmenter les possibilités ne force personne à effectuer un choix qui heurte sa morale.”

This ethics implies the a priori impossibility of rationally establishing a hierarchy among the different concepts of good, which depend solely on the subjective or inter-subjective sphere. It would not be possible to settle a disagreement with the help of rational arguments.²⁵ Insofar as a person has freely decided to perform a moral action, no one may take a stance about his choice (in other words, make a value judgment), under pain of being described as paternalistic and intolerant. Now there are several problems with this proposal—in particular, a certain inadequacy. Indeed, if philosophical reason was capable of establishing in truth the requirement of such a secular ethic in a general framework devoid of moral content, accompanied by a definition of the acting person defined by the exercise of personal conscience and moral action,²⁶ it should also be capable, in principle, of establishing an analytical definition of a moral action and a good life. We are faced with an instance of begging the question that rejects a priori the possibility that philosophical reason can inform ethical discourse.

Any reference to the concept of the dignity of the human person—which would presuppose a human nature independent of freedom and the possibility of a universal ethical philosophical discourse—would be tantamount, in the opinion of Olivier Cayla and Yan Thomas, authors of *Du droit de ne pas naître* (*The Right Not To Be Born*), to “denying in principle the heart of human rights from the perspective of modern political thought, in other words, to contesting radically the freedom of the individual in his ongoing relation with himself.”²⁷

²⁵ Engelhardt writes: “There are real differences among moral visions. They ground substantially different understandings of bioethics. These differences flow from the availability of different premises and rules of evidence for participants in a moral controversy, so that such disputes cannot be resolved by sound rational argument or by an appeal to a commonly acknowledged moral authority. . . . Only contentless general secular morality can reach across such gulfs and allow collaboration in the absence of content-full moral concurrence” (*The Foundations of Bioethics*, 81).

²⁶ See Bernard N. Schumacher, “Tout être humain est-il une personne? Controverse autour de la définition de la personne dans la discussion éthique médicale contemporaine,” *Laval Théologique et Philosophique* 61.1 (2005) : 107–34, and “La personne comme conscience de soi performante au cœur du débat bioéthique. Analyse critique de la position de John Locke,” *Laval Théologique et Philosophique* 64.3 (2008) : 709–43.

²⁷ Olivier Cayla and Yan Thomas, *Du droit de ne pas naître: À propos de l'affaire Perruche* (Paris: Gallimard, 2002), 13: “renier dans son principe le cœur des droits de l'homme du point de vue de la pensée politique moderne, c'est-

We find a similar statement penned by Mylène Botbol-Baum in her critique of the position developed by Jürgen Habermas, who opposes a liberal eugenics that would radically transform human nature. Habermas refers to the existence of a human nature belonging to the embryo, which he describes as being a “prepersonal”²⁸ human being or a “second person”²⁹ by virtue of an act of “anticipatory socialization”³⁰—in other words, by an act of anticipating what it will be: a person. Such a human life nevertheless possess, according to Habermas, a certain dignity that he identifies not with the dignity of the human person, but rather with the dignity of human cadavers. He denounces “the subjection of a living body and of life to biotechnology.”³¹ In doing so, he allies himself, according to Botbol-Baum, with “neo-Heideggerian views that attempt to discover the essence of what is human in a technophobic rejection of anything that could affect the sexed nature of the human being. This position leads him to a moralistic approach that is difficult to distinguish from an authoritarian, neo-conservative position which, in terms of *human rights*, may become unconstitutional. . . . There is a naturalization of morality in the concept of the human species.”³²

à-dire à contester radicalement la liberté de l'individu dans la relation qu'il entretient avec lui-même.” A similar argument can be found in the writings of Claude Sureau, inventor of the electronic device that monitors fetal heart-beat, who maintains that one “cannot accept, either, recourse to legislative constraint in order to impose one's own convictions on those who do not share them”; see *Son nom est personne: Avant de naître, l'enfant est-il une chose, un amas de cellules ou un patient?* (Paris: Albin Michel, 2005), 29: “[On] ne peut accepter, non plus, le recours à la contrainte législative pour imposer ses propres convictions à ceux qui ne les partagent pas.”

²⁸ Jürgen Habermas, *The Future of Human Nature*, trans. Hella Beister and William Rehg (Cambridge, UK: Polity, 2003), 39; originally *Die Zukunft der menschlichen Natur: Auf dem Weg zu einer liberalen Eugenik?* (Frankfurt am Main: Suhrkamp, 2001), 72: “vorpersonalem menschlichem Leben.”

²⁹ In the grammatical sense of a “thou” (*Future of Human Nature*, 69; *Die Zukunft der menschlichen Natur*, 120: “eine zweite Person”).

³⁰ *Future of Human Nature*, 35 (*Die Zukunft der menschlichen Natur*, 66: “anticipatory socialization”).

³¹ This is a remark by Habermas cited by Henry Atlan and Mylène Botbol-Baum, *Des embryons et des hommes* (Paris: Presses Universitaires de France, 2007), 73: “une soumission du corps vivant et de la vie à la biotechnologie.”

³² Atlan and Botbol-Baum, *Des embryons et des hommes*, 73–74: “des visions néo-heideggériennes, qui tenteraient de retrouver l'essence de l'humain dans un rejet technophobe de tout ce qui pourrait toucher à la nature sexuée de l'humain. Cette position le mène à un moralisme difficilement distinguable

Insofar as a democratic State would prescribe only one particular theory of the good to the detriment of other concepts of the good—starting from the assumption that the various conceptions of the good are defined, in Ogien’s words, as “morally indifferent”³³—we would be facing a situation that Engelhardt describes as “a pre-Enlightenment position of [the state] wielding inquisitorial powers in the regulation of the private lives of citizens.”³⁴ Any attempt to impose a particular point of view in a democratic state and within the framework of a secular ethics is described by Engelhardt as the “moral fanaticism” of “ideologues” or “fascists.”³⁵ It is only right to explain that he thinks that such persons would be forcing others to adopt a certain concept of the good without their consent and, if need be, while relying on the power of the state to enforce it, or else, we might add, on manipulation, whether outright or disguised.

For a postmodern thinker like Engelhardt, there is no rational criterion transcending subjectivity that could allow someone to assert that one particular concept of subjective or inter-subjective good is better than another. Thus, he agrees with Richard Rorty, who bases his views on an anthropology that rejects the existence of any human nature and defines the human being as a “flexible, protean, self-shaping animal”³⁶ and defends a “cultural relativism” that is “associated

d’une position autoritaire et néoconservatrice qui, en termes de *droits des gens*, peut devenir anticonstitutionnelle. . . . Il y a une naturalisation de la morale dans le concept d’espèce humaine.” The author continues, declaring that “since Rousseau, human freedom has claimed to be neutral; it is no longer connected with the ability to comply with a law inscribed in nature but rather with man’s perfectibility, with his potential to develop a moral world outside of nature, which has led . . . to the refusal to identify moral humanity and the human race” (ibid, 75: “depuis Rousseau, la liberté de l’homme se veut neutre; elle n’est plus liée à la capacité de se plier à une loi inscrite dans la nature mais à sa perfectibilité, à sa possibilité d’élaborer hors de la nature un monde moral, ce qui a amené . . . à refuser d’identifier humanité morale et espèce humaine.”)

³³ Ruwen Ogien, *La panique morale* (Paris: Grasset, 2004), 28: “moralement indifférentes.”

³⁴ Tristram Engelhardt, “Introduction,” in *Abortion and the Status of the Fetus*, ed. William B. Dondeson (Dordrecht: Reidel, 1983), xix. “Such a circumstance [the state’s imposing a particular moral or metaphysical viewpoint to the prejudice of other viewpoints] would return the state to a pre-Enlightenment position of wielding inquisitorial powers in the regulation of the private lives of citizens.”

³⁵ Engelhardt, *The Foundations of Bioethics*, 81.

³⁶ Richard Rorty, “Human Rights, Rationality, and Sentimentality,” in *Truth and Progress*, vol. 3 (Cambridge: Cambridge University Press, 1998), 167–85, at 170.

with irrationalism because it denies the existence of morally relevant transcultural facts,”³⁷ including human rights. There is no such thing as a-historical truth or rationality,³⁸ therefore, there is no criterion that would allow anyone to denounce ideas as irrational. A similar position is expressed strikingly by André Comte-Sponville. Rejecting the possibility of establishing a universal morality with the aid of reason, he opposes fascism and racism simply because he wants nothing to do with them, and therefore, by a simple subjective preference, he writes: “Fascism and racism . . . disgust me, and if I fight against them, it is not because some ‘truth’ condemns them objectively, . . . but simply because I *want nothing to do with them*.”³⁹

A stance affirming that some actions are intrinsically evil would therefore be seen as an unacceptable attack against another’s freedom of thought and action. Perceived as an attempt to force someone else to adopt a specific point of view, it would also be contrary to the dignity of the person understood as absolute autonomy. This stance would be stigmatized and equated with an attitude that has been likened to “intolerance,” or even described as “antidemocratic,”⁴⁰

³⁷ Ibid., 171.

³⁸ See *ibid.*, 176.

³⁹ André Comte-Sponville, “Le bon, la brute et le militant,” published in *Lettre internationale* 11 (winter 1986–1987), reprinted in *Une éducation philosophique* (Paris: Presses Universitaires de France, 1989), 121–44, at 140: “Le fascisme, le racisme, . . . cela me dégoûte, et si je me bats contre, ce n’est pas qu’une “vérité” les condamne objectivement, . . . mais, simplement, parce que je n’en *veux* pas.” He states additionally, “What we are witnessing, as this century draws to a close, is by no means the end of morality, but rather the disappearance of any *foundation* for it, in other words of any objective legitimacy. Everyone knows well, individually, what he judges to be good and, consequently, what he should do. But no longer does anyone have the means of making out of that a true universal morality (which would have compelling validity for all), because now no one has any absolute foundation, if not to propose (people will always find that), at least to prove,”; see *ibid.*: “Ce à quoi nous assistons, en cette fin de siècle, ce n’est aucunement à la fin de la morale, mais bien à la disparition, pour elle, de tout *fondement*, c’est-à-dire de toute légitimation objective. Chacun sait bien, solitairement, ce qu’il juge bon, et, en conséquence, ce qu’il doit faire. Mais nul n’a plus les moyens d’en faire en vérité une morale universelle (qui vaudrait impérativement pour tous), parce que nul n’a plus de fondement absolu, sinon à proposer (cela on en trouve toujours), du moins à démontrer.”

⁴⁰ Ratzinger, *Wahrheit, Werte, Macht*, 67–68: “Der Begriff Wahrheit ist in die Zone der Intoleranz und des Antidemokratischen gerückt” (“The concept of truth has shifted into the zone of intolerance and antidemocratic ideology”).

as in the passage from Botbol-Baum cited above, or as “arrogant”⁴¹ and, thus, incapable of any dialogue whatsoever. Comte-Sponville, lumping together “Plato, Stalin [and] John-Paul II,” declares that “practical dogmatism, which treats value as though it were truth, leads to clean consciences, complacency, exclusion of or contempt for others—it leads to intolerance.”⁴² A little further on, he explains that “pragmatic dogmatism always leads to intolerance, however attenuated. If values are true and known, they are not subject to discussion or choice. Those who do not share them are simply wrong.”⁴³

⁴¹ Joseph Ratzinger, *On the Way to Jesus Christ*, trans. Michael J. Miller (San Francisco: Ignatius Press, 2004), 68–69: “Today it has become an irresistibly forceful prejudice to dismiss as simplistic and at the same time arrogant those who are reputed to believe that they ‘have’ the truth. Such people are supposedly incapable of dialogue and ultimately cannot be taken seriously”; originally *Unterwegs zu Jesus Christus* (Augsburg: Sankt Ulrich, 2004), 69: “Heute ist es zu einem Slogan von unwiderstehlicher Durchschlagskraft geworden, diejenigen als zugleich einfältig und arrogant abzuweisen, denen man nachsagen darf, sie glaubten, die Wahrheit zu ‘haben.’ Solche Leute, so scheint es, sind dialogunfähig und letztlich nicht ernst zu nehmen.” See also Ratzinger, *Glaube, Wahrheit, Toleranz* (Freiburg: Herder, 2005), 95: “Thus relativism immediately appears as the philosophical foundation of democracy, which indeed is based on the assumption that no one could possibly claim to know the right path. . . . A system of freedom must by its very nature be a system of relative positions that have come to an understanding, which moreover are dependent on a set of historical circumstances and must remain open to new developments. A society that enjoys freedom, according to this reasoning, is a relativistic society; only on that condition can it be free and remain open to the future.” (“Relativismus erscheint so zugleich als die philosophische Grundlage der Demokratie, die eben darauf beruht, dass niemand in Anspruch nehmen dürfte, den richtigen Weg zu kennen. . . . Ein System der Freiheit müsse seinem Wesen nach ein System sich verständigender relativer Positionen sein, die überdies von geschichtlichen Konstellationen abhängen und neuen Entwicklungen offen stehen müssen. Eine freiheitliche Gesellschaft sei eine relativistische Gesellschaft; nur unter dieser Voraussetzung könne sie frei und nach vorne hin offen bleiben”). Just previously he states, “Thus in fact relativism has become the central problem for the faith in this hour” (ibid., 94: “So ist in der Tat der Relativismus zum zentralen Problem für den Glauben in unserer Stunde geworden”).

⁴² André Comte-Sponville, “Tolerance,” in *A Small Treatise on the Great Virtues: The Uses of Philosophy in Everyday Life*, trans. Catherine Temerson (New York: Henry Holt and Company, 2001), 167–68; originally *Petit traité des grandes vertus* (Paris: Presses Universitaires de France, 1995), 251: “le dogmatisme pratique, qui pense la valeur comme une vérité, aboutit ainsi à la bonne conscience, à la suffisance, au rejet ou au mépris de l’autre—à l’intolérance.”

⁴³ Ibid., 169 (*Petit traité des grandes vertus*, 253: “le dogmatisme pratique mène

The Dictatorship of Intolerance in the Name of Freedom

The affirmation of moral relativism, in which all values have worth, and which is based on the absolute autonomy of the individual independent subject—on the fact that subjective conscience is the sole ethical authority—makes it impossible to say that a moral conscience can be in error *per se*, from the trans-cultural or trans-historical perspective. One might possibly condemn an autonomous conscience, but only by referring to its inauthenticity or insincerity—its bad faith—or its inconsistency with the values that it has freely chosen or with those of an inter-subjective community that the individual shares. Well, then, would it have been possible to find Eichmann guilty? Supposing, as Newman requires, that he sincerely followed what his conscience told him—even though in actual fact he subjected his conscience to Hitler’s—the condemnation of Eichmann would not have been justified, at least if we take the position underlying post-modern “conscience.” His condemnation would be the sign that one particular moral concept (the one that condemns him) had prevailed over another moral conception (Eichmann’s). The superiority of the first concept could not be demonstrated by reason, which has abdicated, but solely by force. Universal rational discourse would give way to arbitrariness and the principle that might makes right. The result would be that Eichmann’s condemnation would be a totalitarian act that negated the very principle of tolerance with regard to the thesis of the inviolability of the subjective moral conscience. The attitude of a particular community toward Eichmann—the community that condemns him—would be similar to that of the Nazi community with regard to the weak. We would be under the thrall of a new ideology that would, from a certain viewpoint, be similar to the one to which Eichmann voluntarily subjected himself.

It follows from this logic that the demand, after World War II, to follow one’s moral conscience legitimately as a bulwark against the emergence of a new totalitarianism—commonly compared to Nazism, which considered conscience a figment of the imagination—turned out to pave the way for totalitarianism inasmuch as conscience is now understood several decades later as the sole ethical criterion. Indeed, postmodern moral conscience appears under “the

toujours, fût-ce sous une forme atténuée, à l’intolérance. Si les valeurs sont vraies, si elles sont connues, on ne saurait ni les discuter ni les choisir, et ceux qui ne partagent pas les nôtres ont donc tort”).

cloak of subjectivity”:⁴⁴ “And what this worldview calls ‘conscience’ is—when examined in greater depth—a circumlocution for the fact that there is no real conscience, namely a shared consciousness of the truth. Everyone determines his standards for himself, and in the universal relativity no one can help anyone else do so, much less give him orders.”⁴⁵

Such a conscience is altogether comparable to Eichmann’s because it rejects any possible challenge in the light of reason. Whereas the first type of conscience refuses to engage in authentic dialogue in the light of dialectical critical reason, the second type, out of convenience, conformism, or laziness, delegates to someone else (as Kant emphasized in 1785 in his famous work *What is the Enlightenment?*) its rational judgment relative to moral matters. This, Ratzinger notes, is postmodern conscience, “whereby the stubborn inability to mend one’s ways is justified as faithfulness to an inner voice. Conscience then becomes the principle of subjective self-will, taken as an absolute, whereas in the other case it becomes the principle of incapacitating the ego and substituting a generality or an outside ego.”⁴⁶

⁴⁴ Joseph Ratzinger, *Wahrheit, Werte, Macht*, 33: “Der Schutzmantel der Subjektivität.”

⁴⁵ Ibid., 46: “Und was in solcher Weltsicht ‘Gewissen’ nennt, ist—tiefer betrachtet—die Umschreibung dafür, dass es ein eigentliches Gewissen, nämlich ein Mitwissen mit der Wahrheit nicht gibt. Jeder bestimmt sich selbst seine Maßstäbe, und in der allgemeinen Relativität kann auch niemand dem anderen dabei behilflich sein, noch weniger ihm Vorschriften machen.” He also writes that “the subjective ‘conscience’ becomes the sole arbiter of what is ethical,”; see Benedict XVI, *Faith, Reason and the University: Memories and Reflections*, in *The Pope’s Regensburg Address*, Special edition of *Catholic World Report* (October 2006), 6–8, at 8a; originally *Glaube und Vernunft: Die Regensburger Vorlesung* (Freiburg: Herder, 2006), 27: “das subjective ‘Gewissen’ wird zur letztlich einzigen ethischen Instanz.”

⁴⁶ Joseph Ratzinger, “Conscience in its Time,” 164 (“Das Gewissen in der Zeit,” 156: “bei der die trotzige Unfähigkeit zur Selbstkorrektur mit der Treue zur inneren Stimme gerechtfertigt wird. Gewissen wird dann zum Prinzip des absolut gesetzten subjektiven Eigensinns, wie es im andern Fall zum Prinzip der Entmündigung des Ich durch das Man oder durch ein fremdes Ich wird”). Eberhard Schockenhoff emphasizes that “without an obligatory reference to ethical principles and moral norms, conscience degenerates into a pathetic display of arbitrary subjectivity. The self-assertion that prevails under the cloak of democratic freedom of conscience no longer leads to a confrontation with the claim of moral truth; instead the reverse is true: it serves to legitimize individual plans of action and to make it resistant to external moral criticism. . . . The appeal to one’s own conscience serves instead to protect the self, to ward off doubts and to inflate momentary circumstances and events into a

Ratzinger points out that the thesis that moral conscience is based solely on the interests and preferences of the autonomous subject, while denying the possibility of rational discourse about moral truth, even partial truth, is “the real prerequisite for totalitarian followers and totalitarian rule.”⁴⁷

A society that had somehow “liberated” itself from a rational universal morality under the cover of what Ratzinger depicts as a “dictatorship of . . . tolerance”⁴⁸—the ideological dominance of the opinion that everything is valid, as Philippe Bénéton develops it⁴⁹

justification. It presupposes the right to make one’s own interests the point of departure for the solution of moral conflicts. . . . Someone who appeals to his conscience is, it seems, relieved of the obligation to justify his actions”; see Schockenhoff, *Wie gewiss ist das Gewissen? Eine ethische Orientierung* (Freiburg: Herder, 2003), 55–56 (“Ohne verbindliche Orientierung an ethischen Prinzipien und moralischen Normen verkommt das Gewissen zu einer pathetischen Bekundung subjektiver Willkür. Die Selbstbehauptung, die sich unter dem Deckmantel demokratischer Gewissensfreiheit durchsetzt, führt nicht mehr zur Konfrontation mit dem Anspruch der sittlichen Wahrheit; sie dient vielmehr umgekehrt der Legitimation individueller Handlungsentwürfe und ihrer Imprägnierung gegen moralische Kritik von außen. . . . Die Berufung auf das eigene Gewissen dient vielmehr dem Selbstschutz, der Abwehr von Zweifeln und der legitimatorischen Aufblähung momentaner Befindlichkeiten. Sie postuliert das Recht, die eigene Interessenlage zum Ausgangspunkt für die Auflösung moralischer Konflikte zu machen. . . . Wer sich auf sein Gewissen beruft, der ist, so scheint es, dem Zwang zur Rechtfertigung seines Handelns enthoben”).

⁴⁷ Joseph Ratzinger, “Conscience in its Time,” 160: “The destruction of conscience is the real prerequisite for totalitarian followers and totalitarian rule” (“Das Gewissen in der Zeit,” 153: “Die Zerstörung des Gewissens ist die eigentliche Voraussetzung totalitärer Gefolgschaft und totalitärer Herrschaft”).

⁴⁸ Joseph Ratzinger, *God and the World: Believing and Living in Our Time: A Conversation with Peter Seewald*, trans. by Henry Taylor (San Francisco: Ignatius Press, 2000), 454: “And I think the situation may absolutely develop here in which there must be resistance against the dictatorship of this apparent tolerance, which eliminates the scandal of the faith by declaring it intolerant. Here, in fact, the intolerance of the ‘tolerant’ really comes to the fore”; originally *Gott und die Welt: Die Geheimnisse des christlichen Glaubens: Ein Gespräch mit Peter Seewald* (München: Deutsche Verlags-Anstalt, 2000), 390: “Und ich denke, hier kann es durchaus zu einer Situation kommen, in der sich Widerstand bilden muß, und zwar gegenüber einer Diktatur scheinbarer Toleranz, die den Anstoß des Glaubens dadurch ausschaltet, dass sie ihn als intolerant erklärt. Hier nämlich kommt dann wirklich die Intoleranz der, Toleranten’ zum Vorschein.”

⁴⁹ Bénéton emphasizes that “in the name of relativism, the discussion is over: dogmatism follows. To a great extent the principle of tolerance, as it is understood today, acts as a censor: in its extreme form, someone who talks

(and as the remarks of several philosophers cited above make very clear)—would ironically tend to become what has been called “a perfect tyranny”⁵⁰ or “a form of totalitarianism.”⁵¹ Ratzinger goes so far as to maintain that the temptation to bring about such a society, “despite the changes in the names and the colors, has for anyone who looks deeper into the matter a frightening similarity, indeed, a unity with what only apparently lies behind us [specifically the Nazi regime].”⁵²

Such a society is characterized by its refusal to engage in Socratic

about talent, wisdom or virtue is showing signs of intolerance. The argument is therefore double-edged. On the one hand (the relativist aspect), it tends to neutralize traditional intellectual and moral distinctions: that my conduct is my own concern; this teaching is as good as the others; those cultures are equal. . . . Correlatively (the dogmatic aspect), it sets up prohibitions: anyone who speaks otherwise lacks tolerance or fails to be egalitarian. The process works like a machine that sorts authorized judgments from non-authorized judgments under the appearance of liberty. The new morality advances while wearing a mask”; see Philippe Bénéton, “L’homme démocratique et l’emprise de l’opinion,” in *L’humain et la personne*, ed. François-Xavier Putallaz and Bernard N. Schumacher, preface by Pascal Couchepin, President of the Swiss Confederation (Paris: Cerf, 2008), 297–410, at 406–07; original: “au nom du relativisme, la discussion est close: le dogmatisme suit. Dans une large mesure, le principe de tolérance, tel qu’il est aujourd’hui entendu, fonctionne comme une censure: à la limite, celui qui parle de talent, de sagesse ou de vertu fait preuve d’intolérance. Le mécanisme est donc à double détente. D’un côté (versant relativiste), il tend à neutraliser les distinctions intellectuelles et morales traditionnelles: telle conduite, c’est son affaire; telle discipline, elle vaut les autres; telles cultures, elles sont égales. . . . Corrélativement (versant dogmatique), il dit des interdits: quiconque parle autrement manque de tolérance ou manque à l’égalité. Le processus fonctionne comme une machine à trier les jugements autorisés et les jugements non autorisés derrière l’apparence de la liberté. La nouvelle morale s’avance masquée.”

⁵⁰ Joseph Ratzinger, *Church, Ecumenism, and Politics*, 196 (“Das Gewissen in der Zeit,” 186: “eine perfekte Tyrannei”). See also *ibid.*, 205: “Liberation from morality, by its very nature, can only be liberation for tyranny” (“Das Gewissen in der Zeit,” 194: “Die Befreiung von der Moral kann daher ihrem Wesen nach nur Befreiung zur Tyrannei sein”).

⁵¹ Pope John Paul II, *Evangelium Vitae*, §20, in *The Gospel of Life* (Boston: Pauline Books & Media, 1995), 38.

⁵² Joseph Ratzinger, *Church, Ecumenism, and Politics*, 161 (“Das Gewissen in der Zeit,” 154: “Darüber hinaus wage ich zu behaupten, dass die Versuchung, der wir heute ausgesetzt sind, bei allem Wechsel der Namen und der Farben für den tiefer Zusehenden eine erschreckende Ähnlichkeit, ja Einheit mit dem aufweist, was nur scheinbar hinter uns liegt”). See also *Church, Ecumenism, and Politics*, 161–62 (“Das Gewissen in der Zeit,” 155).

maieutic dialogue and its distinctive feature of which is that it destabilizes by calling into question in the light of argumentative reason that aims at knowing “the truth of things.”⁵³ Socrates calls this dismissive attitude *misology*,⁵⁴ the hatred of thought, which André Glucksmann, explicitly referring to postmodern thought, describes as “the contemporary euthanasia of reason” or “the suicide of Socratic reasoning.”⁵⁵ Reason despairs of arriving at real knowledge, even partial knowledge, that transcends the individual subject or the historical, cultural community of subjects. It is reduced to the expression of a particular world or to a singular cultural expression. It follows that, on the ethical level, everything is merely a matter of subjective or inter-subjective preferences—in short, of customs—as Eichmann’s lawyer emphasizes, or of table manners, to use Arendt’s expression: “Both in the National-Socialist and in the Communist dictatorship there was no human act that was regarded as bad in itself and always immoral. Whatever furthered the goals of the movement or the party was good, however inhumane it might be. Thus for decades the moral sense was being trampled, which necessarily led to utter nihilism at the moment when none of the previous goals was valid any more and the only remaining possibility was to do anything that can make an empty life thrilling and interesting for a moment.”⁵⁶

In reducing the theoretical ethical convictions of the self-centered subject (who is deaf to radical otherness) to subjective or inter-subjec-

⁵³ See Josef Pieper, *The Truth of All Things*, in *Living the Truth*, trans. Lothar Krauth (San Francisco: Ignatius Press, 1989), 9–105; originally “Wahrheit der Dinge,” in *Werke in acht Bänden*, ed. by Berthold Wald, vol. 5 (Hamburg: Felix Meiner, 1997), 99–179.

⁵⁴ Plato, *Phaedo* 89d, trans. Benjamin Jowett (South Australia: eBooks@Adelaide, University of Adelaide, 2014). The English text describes the sort of the soul that is “accustomed to hate and fear and avoid the intellectual principle [*logos*].”

⁵⁵ André Glucksmann, “Le spectre de Typhon,” *Dieu sauve la raison* (Paris: Desclée de Brouwer, 2008), 87–102, at 99 and 101: “euthanasie contemporaine de la raison”; “le suicide de la raison socratique.”

⁵⁶ Joseph Ratzinger, *Wahrheit, Werte, Macht*, 21: “In der nationalsozialistischen wie in der kommunistischen Diktatur gab es keine Handlung, die als in sich schlecht und immer unmoralisch angesehen worden wäre. Was den Zielen der Bewegung oder der Partei diente, war gut, wie unmenschlich es auch sein mochte. So ist schon über Jahrzehnte hin ein Zertreten des moralischen Sinnes vor sich gegangen, das zum vollständigen Nihilismus werden muß in dem Augenblick, in dem keines der vorherigen Ziele mehr galt und Freiheit nur als Möglichkeit stehenblieb, alles zu tun, was ein leer gewordenes Leben einen Augenblick spannend und interessant machen kann.”

tive preferences, postmodern man agrees with the thesis that there is no such thing as intrinsically evil acts, or even, as Glucksmann points out, with the thesis that postulates “the relativity of evil.”⁵⁷ Different sorts of moral conduct possess the same value within the framework of a secular ethics. They elude any prioritization independent of the subject or of a particular community. “The transcendental subject,” Jean-François Mattéi notes, “has no alternative but to escape into generalized relativism,”⁵⁸ in which everything is valid and absolutes vanish and, as Taylor emphasizes, one sinks into “the relatively colourless subjectivist talk of ‘values.’”⁵⁹ Mattéi describes this crisis as “interior barbarity,”⁶⁰ and states that it “attacks [1] the idea of truth, in its theoretical necessity, and consequently [2] the idea of a human life endowed with meaning, in its practical demands, for there is no longer any good reason to impose a goal on humanity which has fragmented into irreducible communities.”⁶¹

As Glucksmann notes, it follows that “reason that renounces enunciation renounces denunciation and yields to arbitrariness.”⁶² Eberhard Schockenhoff too emphasizes that, “at the point where all of men’s fragmentary and divergent strivings for the truth are replaced by social planning, the ultimate reason for our mutual recognition also vanishes.”⁶³

⁵⁷ Glucksmann, “Le spectre de Typhon,” 99: “la relativité du mal.”

⁵⁸ Jean-François Mattéi, *La crise du sens* (Nantes: Éditions Cécile Defaut, 2006), 43: “Le sujet transcendantal, dénué de transcendance n’a pas d’autre issue que la fuite dans un relativisme généralisé.”

⁵⁹ Taylor, *The Sources of the Self*, 507.

⁶⁰ See Jean-François Mattéi, *La barbarie intérieure: Essai sur l’immonde moderne* (Paris: Presses Universitaires de France, 1999; édition Quadrige, 2004).

⁶¹ Jean-François Mattei, *La crise du sens*, 105: “atteint l’idée de vérité, dans sa nécessité théorique, et, par contrecoup, l’idée d’une existence humaine douée de sens, dans son exigence pratique, parce qu’il n’y a plus lieu d’imposer une direction à l’humanité éclatée en communautés irréductibles.” Taylor notes that “a total and fully consistent subjectivism would tend towards emptiness: nothing would count as a fulfillment in a world in which literally nothing was important but self-fulfillment” (*The Sources of the Self*, 507).

⁶² Glucksmann, “Le spectre de Typhon,” 100: “raison qui renonce à énoncer renonce à dénoncer et cède devant l’arbitraire” (to paraphrase without the wordplay: Reason that refuses to make definite statements also refuses to denounce what is wrong).

⁶³ Schockenhoff, *Wie gewiss ist das Gewissen?*, 43: “Dort, wo alles fragmentarische und untereinander divergierende Streben der Menschen nach Wahrheit durch soziale Planung ersetzt wird, entschwindet auch der letzte Grund unserer Anerkennung voneinander.” See also *ibid.*, 57.

The Foundation of Moral Conscience

The Dialectical Element of Moral Conscience

The condemnation of acts having moral significance committed by a person who says that he followed his conscience can be considered just, and not merely random, only if we defend, in an initial step, the possibility of an authentic argumentative, rational dialogue allowing us to pass a judgment as to the veracity of the facts. The purpose of this dialogue is not to know—as Thomas Aquinas would have put it—“what others have thought,” but rather “what is the truth of things.”⁶⁴ In other words, “Don’t worry about Socrates,”⁶⁵ or even about the pope (to return to Newman’s toast), but first and foremost about the truth that these thinkers express.⁶⁶ However, resorting in this way to

⁶⁴ Josef Pieper, *No One Could Have Known: An Autobiography, the Early Years, 1904–1945*, trans. Graham Harrison (San Francisco: Ignatius Press, 1987), 62; originally *Noch wusste es niemand: Autobiographische Aufzeichnungen 1904–1945*, in *Werke*, Supplement 2 (2003), 26–231, at 76: “Ich will nicht wissen, was andere gedacht haben, sondern wie die Wahrheit der Dinge sich verhält.” Pieper takes the last part of his sentence from the commentary by Thomas Aquinas on Aristotle’s *De caelo* 1.22.

⁶⁵ Cf. Socrates’ remark to Simmias and Cebes in *Phaedo* 91c: “Cease to mind then about this [their concern for Socrates]!”

⁶⁶ Ratzinger’s urgent appeal to turn to reason and, especially, to broaden the concept of reason is addressed to all Christian believers and, more particularly, to Catholics. Indeed, some of them are demanding a fideist return to pure biblical faith in the proclamation of Christ’s divinity and Resurrection. Thus, they substitute orthodoxy (understood as the right profession of faith) for orthopraxy (understood as right praxis). For some believers, the latter certainly can be accompanied by some use of reason, which is nevertheless reduced to the form given to it by the catechism or certain manuals, which can be described as toolboxes. In this view, nevertheless, unaided reason as such is not capable of attaining universal truth. As they distance themselves “from the taste for reflection” these believers consider philosophical reason as a waste of time, or at most as a mere instrument that might propose reasons along a predetermined line of thought; see Pope Benedict XVI, “Awakening the Eloquent Voice of Conscience,” Address to the Participants in the General Assembly of the Pontifical Academy for Life (February 24, 2007). Such an attitude, which can be described as fideism and which is indeed present among believers today, is extolled in the name of spirituality. In reality, it profoundly distorts the human person, who is defined by the very use of reason in his own autonomy, by proposing a faculty of judgment that, unlike the Enlightenment concept of reason, is illumined for the believer by faith and the tradition of the Church and, ultimately, by listening to and obeying the Word made flesh. The fideist attitude of rejecting authentic autonomous thought elaborated in the light of

the philosophical *logos* does not reduce it to “an academic knowledge which no longer concerned man and was unable to illuminate reality as a whole,”⁶⁷ to quote Heidegger. This attitude became common at the turn of the twenty-first century. To philosophize, in this view, is principally to conduct an analysis of a thinker’s sources, of the context for the emergence of his ideas, of the consistency of his thought through his works; in short, philosophy would be confined to a historical museum, whereas the question about the truth of his thought would be bracketed.⁶⁸ Philosophy would no longer exist, Philippe Lacoue-Labarthe comments, except in the form of a “henceforth closed tradition,” which is to say that the term philosophy “from now on designates only commentary on philosophy.”⁶⁹ The abandonment of the search for truth for its own sake in favor of what Mattéi labels the relativistic and “historicist *diktat*,”⁷⁰ within which all positions are valid, runs the risk of reducing reason to a merely instrumental activity. Such a reduction brings rational ethical discourse down to the level of preferences—which are subjective and, therefore, relative—by elaborating a secular ethic devoid of moral content and based on the principle of tolerance toward particular ethics, as proposed by Engelhardt, for example. Universal reason seems to have resigned from the ethical and political sphere; she is henceforth demoted to the status of instrumental reason.

The “liberation” of reason, which is no longer expected to tend toward the truth, including moral and anthropological truth, is, as Ratzinger stresses, “liberation for tyranny”⁷¹ and, we might add, for

faith—whether out of fear, out of laziness, for convenience’s sake, or as a result of a disincarnate spirituality—leads the person to adhere to convictions in a non-rational way that is mixed with sentimental moralism.

⁶⁷ Martin Heidegger, *What is a Thing?*, trans. W. B. Barton, Jr. (Chicago: H. Regnery, 1967), 98; originally *Die Frage nach dem Ding: Zu Kant’s Lehre von den transzendentalen Grundsätzen* (Frankfurt am Main: Vittorio Klostermann, 1984), 99: “sie [Philosophie] erstarrte in ein Schulwissen, das den Menschen nichts mehr anging und ausserstande war, die Wirklichkeit im Ganzen zu durchleuchten.”

⁶⁸ Following C. S. Lewis, we could describe this attitude from the “historical perspective”; see *The Screwtape Letters*, rev. ed. (New York: McMillan/Collier Books, 1982), 128–29.

⁶⁹ Philippe Lacoue-Labarthe, *La fiction du politique* (Paris: Christian Bourgeois éditeur, 1987), 14: “ne désigne plus désormais que le commentaire de la philosophie.”

⁷⁰ Jean-François Mattéi, “Préface,” in Josef Pieper, *De la divine folie* (Geneva: Ad Solem, 2006), 5–10, at 8: “diktat historiciste.”

⁷¹ Ratzinger, *Church, Ecumenism, and Politics*, 205: “Liberation from morality, by its very nature, can only be liberation for tyranny” (*Church, Ecumenism, and*

the law of the jungle and of arbitrariness. It is, in fact, the absence of any true critical moral judgment, which Arendt describes as “sheer thoughtlessness” (as opposed to stupidity), which (incidentally) allowed Eichmann to become what he was, “one of the greatest criminals of that period.”⁷² On the other hand, opposition to the inauguration of a totalitarian system is based on the possibility of a rational judgment in an authentic interior dialogue characterized by a de-centering of the ego toward an other that transcends it. Rational knowledge should aspire to the truth, and the dialogue of the conscience should tend toward that knowledge. This concern must be ranked “higher than any social authority or any sort of personal taste,”⁷³ inasmuch as “it is not identical with one’s own desires or one’s own taste; it does not coincide with what is socially more beneficial, with group consensus, with the claims of political or social authority.”⁷⁴ A conscience that rejects a priori any authentic self-criticism that referred to a trans-subjective other—a conscience expressed in the opinion that everything is valid—may be a sign of bad faith that assumes the guise of “a pseudo-rational certainty fabricated out of self-righteousness, conformism and laziness.”⁷⁵ This attitude may be the result of “a mere reflection of the social surroundings and of the opinions widespread therein”⁷⁶ or, as Bénétou puts it, of

Politics, 194: “Die Befreiung von der Moral kann daher ihrem Wesen nach nur Befreiung zur Tyrannis sein”).

⁷² Hannah Arendt, “Postscript,” in *Eichmann in Jerusalem* (New York: Penguin Books, 2006), 287–88: “He [Eichmann] was not stupid. It was sheer thoughtlessness—something by no means identical with stupidity—that predisposed him to become one of the greatest criminals of that period. And if this is ‘banal’ and even funny, if with the best will in the world one cannot extract any diabolical or demonic profundity from Eichmann, that is still far from calling it commonplace. . . . That such remoteness from reality and such thoughtlessness can wreak more havoc than all the evil instincts taken together which, perhaps, are inherent in man—that was, in fact, the lesson one could learn in Jerusalem.”

⁷³ Ratzinger, *Wahrheit, Werte, Macht*, 44–45: “die höher stehen muss als jede soziale Instanz und als jede Art von persönlichem Geschmack.”

⁷⁴ *Ibid.*, 45: “Es fällt nicht zusammen mit den eigenen Wünschen und dem eigenen Geschmack; es fällt nicht zusammen mit dem, was das sozial Günstigere ist, mit dem Konsens der Gruppe, mit den Ansprüchen politischer oder sozialer Macht.”

⁷⁵ *Ibid.*, 39: “einer schein-rationalen Sicherheit, die aus Selbstgerechtigkeit, Konformismus und Trägheit gewoben ist.”

⁷⁶ *Ibid.*, 37: “blosser Reflex des sozialen Umfelds und der dort verbreiteten Meinungen sein.”

“conformism . . . that feeds the desire to be included or mental laziness or intellectual timidity,”⁷⁷ which Schockenhoff describes as “soft manipulation.”⁷⁸

Hence, the foundation of authentic freedom with respect to the ideology that might makes right—which paradoxically implies subjugated freedom—would allow us to justify trans-historically and trans-culturally the condemnation of an erroneous conscience like Eichmann’s. Such a foundation, however, can be established only on the basis of a broadening of the very notion of human reason so that it applies again to the political and ethical spheres, while claiming that it hopes to attain a truth that nevertheless would not set itself up as a system.

Moral Consciousness and the De-centering of Self

The call since the end of World War II to focus legitimately on the subjective personal conscience by deemphasizing a conscience of the impersonal “we” or of a foreign “I” (exemplified by Hitler) that subjugates the individual must, however, be accompanied, in a second step, by a de-emphasis of the individual in favor of an other who enables him to justify the contents of his conscience. Some, nevertheless, may claim that such a shift is a flight from the interiority of the subject into the generalized opinion (“they say . . .”), curiosity, distraction, instability, and restlessness that Heidegger subtly analyzed. For example, the subject looks at reality not to grasp the truth of the world or “to come to a being toward it, but *only* in order to see.”⁷⁹ Heidegger goes on to explain that curiosity

seeks novelty only to leap from it again to another novelty. The care of seeing is not concerned with comprehending and knowingly being in the truth, but with possibilities of abandoning itself to the world. Thus curiosity is characterized by a specific *not-staying* [*Unverweilen*] with what is nearest. Consequently,

⁷⁷ Philippe Bénéton, *Les Fers de l’opinion* (Paris: Presses Universitaires de France, 2000), 17: “conformisme . . . que nourrit le désir de s’intégrer ou la paresse d’esprit ou la timidité intellectuelle.”

⁷⁸ Schockenhoff, *Wie gewiss ist das Gewissen?*, 46: “sanfte Manipulation.” See also *ibid.*, 56.

⁷⁹ Martin Heidegger, *Being and Time*, trans. Joan Stambaugh (Albany: State University of New York Press, 2010), 166; originally *Sein und Zeit* (Tübingen: Max Niemeyer, 1986), 172: “nicht um das Gesehene zu verstehen, das heisst in ein Sein zu ihm zu kommen, sonder *nur* um zu sehen.”

it also does not seek the leisure of reflective staying, rather it seeks restlessness and excitement from continual novelty and changing encounters. In not-staying, curiosity makes sure of the constant possibility of *distraction*. Curiosity has nothing to do with the contemplation that wonders at being, . . . it has no interest in wondering to the point of not understanding. Rather, it makes sure of knowing, but just in order to have known. The two factors constitutive for curiosity, *not-staying* in the surrounding world taken care of and *distraction* by new possibilities, are the basis of the third essential characteristic of this phenomenon, which we call *never dwelling anywhere*. Curiosity is everywhere and nowhere. This mode of being-in-the-world reveals a new kind of being of everyday *Dasein*, one in which it constantly uproots itself.⁸⁰

This multitude of furtive glances leads to a superfluity of images that tends to monopolize the whole life of the individual. The rapid “surfing” that is typical nowadays in the use of television, internet, or social media is the best example of this superficial looking, this hypertrophied curiosity with regard to what the neighbors are saying and doing. This is how a human being turns away from his deepest being, so to speak, or even stifles it. Such a life at the periphery of oneself is described by Josef Pieper as a flight “into the hurly-burly of work-and-nothing-else, into the fine-spun exhausting game of sophisticated phrase-mongering, into incessant ‘entertainment’ by

⁸⁰ Heidegger, *Being and Time*, 166 (*Sein und Zeit*, 172–73: “Sie [Neugier] sucht das neue nur, um von ihm erneut zu Neuem abzuspringen. Nicht um zu erfassen und um wissend in der Wahrheit zu sein, geht es der Sorge dieses Sehens, sondern um Möglichkeiten des Sichüberlassens an die Welt. Daher ist die Neugier durch ein spezifisches *Unverweilen* beim Nächsten charakterisiert. Sie sucht daher auch nicht die Muße des betrachtenden Verweilens, sondern Unruhe und Aufregung durch das immer Neue und den Wechsel des Begegnenden. In ihrem Unverweilen besorgt die Neuheit die ständige Möglichkeit der *Zertreuung*. Die Neugier hat nichts zu tun mit dem bewundernden Betrachten des Seienden . . . ihr liegt nicht daran, durch Verwunderung in das Nichtverstehen gebracht zu werden, sondern sie besorgt ein Wissen, aber lediglich um gewußt zu haben. Die beiden für die Neugier konstitutiven Momente des *Unverweilens* in der besorgten Umwelt und der *Zerstreuung* in neue Möglichkeiten fundieren den dritten Wesenscharakter dieses Phänomens, den wir die *Aufenthaltslosigkeit* nennen. Die Neugier ist überall und nirgends. Dieser Modus des In-der-Welt-seins enthüllt eine neue Seinsart des alltäglichen Daseins, in der es sich ständig entwurzelt”).

empty stimulants—in short, into a no man’s land which may be quite comfortably furnished, but which has no place for the serenity of intrinsically meaningful activity, for contemplation, and certainly not for festivity.”⁸¹

Although he paradoxically believes that he is free, a person existing at the periphery of his being defines himself according to what “they” say, what “they” think, and what “they” do. This dictatorship of the impersonal “they” relieves him of the obligation to live authentically what he can be, an attitude that Heidegger describes as “decline” (*Verfallen*).

This flight into the sphere of “they” is accompanied by a process that empties words of their original reference that is rooted in the very constitution of reality in order to assign to them a relative sense that can go so far as to praise an intrinsically evil act. From then, discourse is nothing but the expression of a subjective creation, a tool for manipulation and power, as Phillipe Breton emphasizes.⁸² Within this discourse, the interlocutor is no longer perceived as an *alter ego* and a partner, but ultimately as an “object” to be convinced, manipulated, and dominated. Discourse detached from the norms of reality is not only indifferent to truth but also deprived of any interlocutor. Such an art would be expressed, as Pieper remarked in 1964, through the language of the media: “Public discourse, the moment it becomes basically neutralized with regard to a strict standard of truth, stands by its nature ready to serve as an instrument in the hands of any ruler to pursue all kinds of power schemes. Public discourse itself, separated from the standard of truth, creates on its part, the more it prevails, an atmosphere of epidemic proneness and vulnerability to the reign of the tyrant.”⁸³

⁸¹ Josef Pieper, *In Tune with the World: A Theory of Festivity*, trans. Richard and Clara Winston (South Bend, IN: St. Augustine’s Press, 1999), 28; originally *Zustimmung zur Welt: Eine Theorie des Festes in Werke in acht Bänden*, ed. Berthold Wald, vol. 6 (Hamburg: Felix Meiner, 1999), 217–85, at 238: “in den taubmachenden Lärm des Nichts-als-Arbeitens, in die anspruchsvolle Geschäftigkeit sophistischer Wortmacherei, in die pausenlose ‘Unterhaltung’ durch leere Reizdinge—mit einem Wort, in ein Niemandsland, das möglicherweise recht komfortabel eingerichtet ist, aber keinesfalls Raum lässt für die Ruhe eines in sich selbst sinnvollen Tuns, für die Kontemplation und erst recht nicht für das Fest”).

⁸² See Breton, *La parole manipulée* (Paris: La Découverte, 1997).

⁸³ Josef Pieper, *Abuse of Language, Abuse of Power*, trans. Lothar Krauth (San Francisco: Ignatius Press, 1992), 30–31; originally *Missbrauch der Sprache—Missbrauch*

Pieper emphasizes, twenty years after the end of World War II and before the rise of moral relativism, that the attitude of the sophists is terrifyingly relevant today inasmuch as “the general public is being reduced to a state where people not only are unable to find out about the truth, but also become unable even to *search* for the truth because they are satisfied with the deception and trickery that have determined their convictions, satisfied with a fictitious reality created by design through the abuse of language.”⁸⁴

Genuinely overcoming self-centeredness by opening oneself to another requires breaking with the impersonal “they,” and also with the assertion that words are only fictitious expressions, in order to endorse the attitude of “madness.”⁸⁵ Plato describes it as taking

der Macht, in *Werke in acht Bänden*, 6:132–51, at 145–46: “Das publizistische Wort, wenn es einmal prinzipiell neutralisiert ist gegen die Wahrheitsnorm, ist nicht nur von Natur das zubereitete Werkzeug, das darauf wartet, von einem Machthabe in der Hand genommen und für beliebige Gewaltzwecke ‘eingesetzt’ zu werden. Vielmehr schafft es auch selbst, von sich aus, je mehr Boden es gewinnt, eine Atmosphäre epidemischer Krankheitsbereitschaft und Anfälligkeit für die Gewaltherrschaft.” Explicitly citing Pieper’s *Abuse of Language*, *Abuse of Power*, Ratzinger explains that “being resigned to agnosticism about man’s capacity for truth leads first to a purely formalistic use of words and concepts. The unavailability of meaning in turn leads to a pure formalism of judgment, then as now. . . . Here we have reached the really crucial point: When meaning no longer counts, when sheer praxeology acquires dominion, the ability to do something becomes the highest criterion. But that means might becomes the category that prevails over all else”; see *Wahrheit, Werte, Macht*, 47–48 (“Die Resignation gegenüber der Wahrheitsfähigkeit des Menschen führt zunächst zu einem rein formalistischen Gebrauch von Worten und Begriffen. Das Ausfallen der Inhalte wiederum führt zu einem reinen Formalismus des Urteilens, damals wie heute. . . . Hier sind wir am eigentlichen Brennpunkt angelangt: Wo die Inhalte nicht mehr zählen, wo die reine Praxeologie die Herrschaft übernimmt, wird das Können zum obersten Kriterium. Das aber bedeutet: Die Macht wird zu alles beherrschenden Kategorie”).

⁸⁴ Pieper, *Abuse of Language*, *Abuse of Power*, 34–35 (*Missbrauch der Sprache—Missbrauch der Macht*, 148: “für den Durchschnittsmenschen die wirkliche Welt und der wirkliche Mensch nicht bloß unauffindbar werden, sondern unaufsuchbar. Nicht einmal die Frage kommt mehr auf – weil die Fiktion überzeugt und genügt, die perfekte Fiktion von Realität, durch absichtsvollen Missbrauch der Sprache eigens hergestellt”).

⁸⁵ See Josef Pieper, “*Divine Madness*”: *Plato’s Case Against Secular Humanism*, trans. Lothar Krauth (San Francisco: Ignatius Press, 1995), originally *Göttlicher Wahnsinn: Eine Platon Interpretation* (Ostfildern/Stuttgart: Schwabenverlag, 1989). This text is reprinted in an expanded version in *Begeisterung und göttlicher*

leave of oneself, during which the subject renounces his autarchic self-sufficiency and allows himself to be ravished by the otherness of reality for the purpose of trying to know “the ultimate, all-embracing divine foundation of the world.”⁸⁶ This abandonment to contemplative receptivity is exemplified by poetry or *eros*—the foundation of which comes from elsewhere, as Jean-Luc Marion emphasizes⁸⁷—and is different from lazy receptivity, exemplified by “activism” and by “amusement for amusement’s sake,” along with an overvaluation of “work for work’s sake,” which becomes the supreme norm of a flourishing personal life. The appeal to endorse the attitude of Platonic “madness,” this rapture that springs from genuine leisure and from festivity,⁸⁸ is perceived by the “life technician”⁸⁹ and the “culture” of amusement as “something totally unforeseen, something completely alien, without rhyme or reason . . . as a synonym, in fact, for idleness and laziness.”⁹⁰

Wahnsinn: Über den platonischen Dialog ‘Phaidros’ in Werke in acht Bänden, ed. Berthold Wald, vol. 1 (Hamburg: Felix Meiner, 2002), 248–331, at 286.

⁸⁶ Pieper, “Divine Madness,” 35 (*Begeisterung und göttlicher Wahnsinn*, 304: “zum letzten, alles umgreifenden, göttlichen Grunde der Welt”).

⁸⁷ See Jean-Luc Marion, *The Erotic Phenomenon*, trans. Stephen E. Lewis (Chicago: University of Chicago Press, 2008), originally *Le Phénomène érotique* (Paris: Grasset, 2003).

⁸⁸ See Pieper, *In Tune with the World: A Theory of Festivity*.

⁸⁹ See Josef Pieper, *Begeisterung und göttlicher Wahnsinn: Über den platonischen Dialog ‘Phaidros’*, in: *Werke in acht Bänden*, 1:248–331, at 305: “. . . that *mania*, being beside oneself, and enthusiasm do not contradict the dignity of human nature but rather are an essential part of a truly human existence. He already opposed the apparent reasonableness of the ‘life expert’ who smiles condescendingly at enthusiasm and is intent on nothing more than satisfying human needs, whether they be of an economic, carnal or even ‘spiritual’ nature, in a way that is ‘successful’ and above all manageable and safeguarded as much as possible against unforeseen factors” (“. . . daß *mania*, Außer-sich-sein, Enthusiasmus nicht nur der Würde des Menschenwesens nicht widerstreiten, dass sie vielmehr zu einem wahrhaft menschlichen Dasein hinzugehören. Er hat sich bereits gegen die scheinbare Vernünftigkeit des ‘Lebenstechnikers’ gestellt, der die Begeisterung überlegen belächelt und auf nichts weiter bedacht ist als auf eine ‘erfolgreiche’ und vor allem handhabbare, gegen das Unvorhergesehene möglichst abgesicherte Befriedigung der menschlichen Bedürfnisse, seien sie nun ökonomischer oder triebhafter oder auch ‘geistiger’ Natur”).

⁹⁰ Josef Pieper, *Leisure and Culture*, trans. Gerald Malsbary (South Bend, IN: St. Augustine’s Press, 1998), 27; originally *Muße und Kult*, in *Werke in acht Bänden*, 6:1–44, at 20]: “wie etwas ganz und gar nicht Vorgesehenes erscheinen, wie etwas völlig Fremdartiges Ungereimtes, ja Unsinniges, moralisch gesprochen: wie etwas Ungehöriges, wie ein anderes Wort für Müßiggang und Trägheit.”

The predominance of servile activities that give rise to a “new culture” of utilitarian performance that abolishes the difference between feast days—associated with a contemplative attitude—and work days—associated with the practical transformation of the world—was described by Ratzinger, in the wake of Pieper, as “the tribulation of our age” and also as “its most lethal threat.”⁹¹ Heidegger also stresses the danger—which he considers elsewhere as being the greatest danger after the threat of an atomic third World War—of negating meditative thought in favor of an attitude of indifference thereto in the name of instrumental or pragmatic “calculating thought.”⁹² Heidegger claims that it alone can be allowed to exercise itself, which results, as Pieper notes, in “a special form of intellectual subjection.”⁹³ The latter adds that:

As the claim of the purely utilitarian to absolute dominion over our lives increasingly threatens to engulf all of existence . . . man has an ever-growing need of opportunities to escape, from time to time, the auditory and visual pandemonium which surrounds him, the ceaseless blare of demands and appeals (Buy this, drink that, eat this, vote for him, amuse yourself here, demonstrate for or against that!) and to enter a place where silence reigns, so that it becomes possible to really listen and to hear that Reality on which our existence is founded and by which it is continually nourished and renewed.⁹⁴

⁹¹ Joseph Ratzinger, *Im Anfang schuf Gott: Vier Predigten über Schöpfung und Fall*, new ed. (Einsiedeln: Johannes Verlag Einsiedeln, 1996), 43: “was die Bedrängnis unserer Zeit ist”; “seiner tiefsten Gefährdung ausgesetzt.”

⁹² Martin Heidegger, *Gelassenheit* (Pfullingen: Günther Neske, 1959), 25: “das rechnende Denken.”

⁹³ Josef Pieper, “Erkenntnis und Freiheit,” in: *Werke in acht Bänden*, ed. Berthold Wald, vol. 8.2 (Hamburg: Felix Meiner, 2008), 436–43, at 441: “eine besondere Form der geistigen Unfreiheit.”

⁹⁴ Josef Pieper, “What is a Church? Preliminary Reflections on the Theme of the ‘Sacred Building,’” in *Problems of Modern Faith: Essays and Addresses*, trans. Jan van Heurck (Chicago: Franciscan Herald Press, 1985) 87–115, at 109–10; originally in *Werke in acht Bänden*, ed. by Berthold Wald, vol. 7 (Hamburg: Felix Meiner, 2000), 537–58, at 555: “Je mehr der Absolutheitsanspruch des bloß Nutzenden die gesamte Existenz mit Beschlag zu belegen droht, desto mehr bedarf der Mensch, um eines wahrhaft menschlichen Lebens willen, dieser Chance, aus dem akustischen und optischen Getöse (kauf dies, trink das, iss jenes, amüsiere dich hier, demonstriere für oder gegen), aus diesem pausenlosen Angeschrienwerden immer wieder einmal heraustreten zu können in

What is understood in the course of Platonic rapture, or “madness,” must, however, be based on argumentative rational discourse in order to be truthful. If such a foundation should prove to be impossible, we would not be in a position to differentiate between true discourse and lying discourse. We would no longer be capable of declaring definitively that someone’s conscience is erroneous. In other words, we would be compelled to say that every human act is ultimately legitimate. We would be abandoning the moral sphere for a world of despotic rule where might makes right. We could no longer consider “incredible” the statement by Eichmann’s lawyer reducing morality to customs dependent on the individual or on a community.⁹⁵

Conclusion

The rampart set up after World War II against the temptation to succumb to a new totalitarianism is effective only if we follow Newman and continue the urgent appeal to follow our conscience whatever the circumstances may be. However, in order to avoid falling into the totalitarianism of subjectivity (understood as the sole ethical authority), this appeal must be accompanied by two equally necessary ideas. On the one hand, an end of self-centeredness is needed that is brought about by means of silent listening to the otherness of the world, exemplified in the Platonic “madness” that does not allow itself to be swallowed up by instrumental reason. This meditative thought, however, is not sufficient. The case of Heidegger, who defended the importance of such meditative thought yet was affiliated with the Nazi Party, is revealing in this regard. And so, on the other hand, there is an urgent need to get out of the habit of “delegating thought,”⁹⁶ as Emmanuel Mounier

einen Raum, in welchem Schweigen herrscht und also wirkliches Hören möglich wird, das Vernehmen *der* Realität, auf welcher unser Dasein ruht und aus der es sich immerfort nährt und erneuert.” Ratzinger cites Pieper explicitly several times. He cites this passage in *Dogma und Verkündigung* (Munich/Freiburg: Erich Wewel Verlag, 1973), 270; in English in *Dogma and Preaching*, trans. Michael J. Miller and Matthew J. O’Connell (San Francisco: Ignatius Press, 2011), 234. Concerning this thesis that “the word issued from the fullness of silence, and that this legitimizes it”; see Gabriel Marcel, “Preface,” in Max Picard, *Le Monde du silence* (Paris: Presses Universitaires de France, 1954), xii; French translation of the German original, which has been republished more recently as *Die Welt des Schweigens* (Munich: R. Pieper, 1988), although without Marcel’s preface.

⁹⁵ Arendt, *Responsibility and Judgment*, 43.

⁹⁶ Emmanuel Mounier, *Manifeste du personnalisme* (Paris: Aubier, Montaigne, 1936), 99: “la morne habitude de penser par délégation.”

remarks, so as to acquire a certain rigor of thought and judgment and to bring about an authentic rational dialogue in the hope of attaining some knowledge of the truth. It is not easy to overcome self-centeredness in this way. In his search for the truth, the individual embarks on a “path along a mountain ridge”⁹⁷ on a venture that involves “toil and drudgery,”⁹⁸ as the Platonic allegory of the cave gives us to understand. This search also extends to the ethical and political domains, which are preeminently personal and existential.

The appeal for the ongoing conversion of personal conscience so as to oppose totalitarianism nevertheless runs up against a real difficulty, exemplified by the case of Martin Heidegger: the problem lies in the power of the sphere of the impersonal “they” and of public discourse as it was manipulated by the Nazi regime. Plato describes a similar situation when he gives an account of Socrates’ attitude toward Thrasymachus and Callicles. The latter says that anyone who puts Socrates’ philosophical position into practice becomes “worse than before”;⁹⁹ he “deserved blows”;¹⁰⁰ and one has “the right to hit him on the head with impunity,”¹⁰¹ or even to put him to death. He is considered a fool and an idiot, like Apollodorus in Plato’s *Symposium*, or Thales in the *Theaetetus*. Socrates’s attitude nevertheless expresses the humility of reason that hopes to attain the truth in a social setting in which the content of words is defined by the individual subject and the ideology of illusion procured thereby is all-powerful. The pseudo-dialogue between Thrasymachus and Socrates in the first book of *The Republic* marvelously depicts the rhetor’s refusal to listen authentically to reality, since he is so caught up with the force possessed by words that lead to political power. What is to be done about such tyranny? Socrates chooses to be what he is, humbly setting himself up as the model martyr for the *logos* who defies the winds and the waves to affirm the ability of human reason to allow itself to be seized by the truth, “to be determined,” Pieper explains, “in speech and thought by what is real.”¹⁰² His refusal to submit to the

⁹⁷ Ratzinger, *Wahrheit, Werte, Macht*, 59: “Höhenweg.”

⁹⁸ Ibid.: “Mühsal.”

⁹⁹ Plato, *Gorgias* 486b.

¹⁰⁰ Ibid. 485c.

¹⁰¹ Ibid. 486c.

¹⁰² Pieper, *Abuse of Language, Abuse of Power*, 17 (*Missbrauch der Sprache—Missbrauch der Macht*, 138: “Schließlich heißt Wahrheit nichts anderes als Bezug zur Realität”). See also *ibid.*, 18: “Truth . . . amounts to . . . the orientation toward reality,” 18.

dictates of historicism and of power, his perseverance in his laborious, reasonable, and hopeful quest to know the truth about the world and about the human being lead him to become a martyr for the *logos* and, by that very fact, a witness to conscience. After declaring, as we mentioned, that the twenty-first century faces the “temptation” to implement a situation that is similar or even identical to that of the Nazi regime, Ratzinger emphasizes that “only someone who is blind (or complacently wants to be blind) can overlook the fact that the threat of totalitarianism is a question of this hour. And to that extent this is an hour of conscience. Therefore, the men who, in those days, in obedience to their conscience and in the freedom of their conscience, resisted that totalitarian ‘liberation’ again have something quite new to say to us today.”¹⁰³ N&V

¹⁰³ Joseph Ratzinger, “Conscience in its Time,” in *Church, Ecumenism, and Politics*, 162 (“Das Gewissen in der Zeit,” in *Kirche, Ökumene und Politik*, 155: “Nur der blind ist oder aus Bequemlichkeit sein will, kann übersehen, dass die Drohung des Totalitären eine Frage unserer Stunde ist. Und insofern ist dies eine Stunde des Gewissens. Deshalb gehen uns die Männer, die damals im Gehorsam gegen das Gewissen bei der Freiheit des Gewissens gegen die totalitäre ‚Befreiung‘ ausgehalten haben, heute wieder ganz neu an”). We find a similar conviction in the writings of the philosopher Georges Cottier, who, while continuing to call for the education of the conscience of the culture and of judgment, affirms the importance of “the presence of authentic, responsible individuals who are consistent in their fidelity to the fundamental values that are vitally essential to culture and also to society. What is important is the witness of true moral persons”; see *Questions de la modernité* (Paris: Fac-éditions, 1985), 69–70: “la présence d’authentiques personnalités, responsables, cohérentes dans la fidélité aux valeurs fondamentales dont vit la culture et, avec elle, la société. Ce qui importe, c’est le témoignage de vraies personnalités morales.”