Reading the Moral Law: A Hermeneutical Approach to Religious Moral Epistemology

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I

The ancient Daoist writer Zhuangzi asks the very pertinent (and contemporary) question, 'If you and I have a dispute, whom shall we get to adjudicate it?' He notes that if the judge agrees beforehand with either disputant, the judgment is inherently unjust, but if the judge agrees with neither disputant or has no opinion, what, he asks, could such a judge say that would not ultimately be arbitrary? He concludes that 'neither you nor I nor anyone else can decide for each other'.[1] From the issues of universal human rights to the possibility of cultural imperialism by missionaries, from the challenges posed by religious pluralism to the debates between globalization's proponents and detractors, the question of perspective is decidedly crucial to contemporary moral discourse. As the argument from Zhuangzi, or the Socratic dispute with the early Sophists, or the Jains' elaborate seven-fold predication[2] all make abundantly clear, this is neither a new problem nor a simple one.

As with ethics, so also with interpretation: the central question is that of making judgments. Our responsibility in making judgments is to do so with grounds, in a way that we can defend to others and in a manner that scrupulously avoids the arbitrary. Rightness, in the sense of correctness and moral approbation, is thus inextricably linked to reason-giving. Whether the justification comes from 'pure reason', observations, textual evidence, inspiration, intuition, or tradition, this link is crucial to our analysis of the role of religious texts in the common project of moral enquiry.

In every religious tradition, one significant problem in the interpretation of the respective religious texts has always been their application to everyday ethical decisions. Our Christian tradition is no exception in following the typical pattern of conservative, orthodox interpretations vying for legitimacy with liberal, innovative ones. But the reality is not as simple as that perception, and the application of religious text to moral law is not simple either.

The most contentious moral issue within the Mennonite Church today is arguably the set of problems posed by homosexuality. Conservatives are right in principle in calling for us to be faithful to the biblical witness, and in

highlighting the need for membership standards and mutual admonition. They correctly point out that tolerance and acceptance of persons should not be extended to mean endorsing sinful behavior. Liberals (who are generally more comfortable talking about justice than sin) are likewise correct in asking for consistent application of biblical principles such as that of compassion. Both sides are correct in assuming that (for good or ill) the origins of homosexuality in persons and the observed behavior of homosexuals in society are vitally important to the overall moral argument.

It is my intention to stand firmly in line with the Anabaptist tradition that the Bible must be taken seriously for the guidance of our daily lives. But the familiar liberal/conservative dichotomy is here neither helpful nor accurate. It is important to be faithful to the biblical witness and to be alive to the reality of change and the possibility of progress. But the conservative myth of a pristine time of untainted understanding and application of morality to which we must either cling or return, as well as the liberal myth of universal understanding and timeless principles towards which we must strive, are both impugned by the realization that no understanding is devoid of perspective, no application is apart from context. There can be no 'pure' reading of the Bible from which liberals are dragging us away, nor is there 'pure' reason which conservatives are merely too parochial to see. We inevitably bring our biases (cultural, religious, ideological, and even personal) to our interpretation, and our principles must necessarily be applied to particular circumstances.

Both liberal and conservative perspectives ignore their inherent biases and the past and present uses of their standards as tools of oppression. The naïve primacy given to the biblical text ignores the historical proclivity for the Bible to serve as the tool of choice for justifying patriarchy, slavery, misogyny, colonialism, anti-Semitism, and violent conquest. This most obviously occurs when prooftexts are quoted whose interpretation and application may not be questioned. But the innocence of reason has likewise been indicted by critiques from Nietzsche forward and perhaps best laid forth by Alasdair MacIntyre in *Whose Justice? Which Rationality?*[3] Since the Enlightenment, Western liberal reason has been and continues to be a culturally-bound, largely secular, framework, which can itself be an oppressive imposition on others, whether located in another tradition or even among the more religious-minded of our own culture. Both biases equally ignore the inevitable circularity of argument that naturally follows from their exclusive, uncritical application.

The problem with circularity of argument ('begging the question') is that an argument purports to prove something given the truth of certain premises. If those premises themselves depend upon the truth of the conclusion, nothing is properly established. Similarly, if an argument begins with an arbitrary premise, the conclusion may well (even validly) follow, but it depends ultimately on the truth of certain unproven (because arbitrarily chosen) premises. Likewise, establishing the truth of a culturally-dependent claim, based upon and within the framework of a culturally-dependent understanding, may ultimately be arbitrarily based upon circular reasoning. Judging (whether moral or interpretive) involves reason-giving; reason-giving involves values and rules of inference. These in turn not only differ across traditions but are inherently, in principle, impossible to establish absolutely. This is 'vicious' circularity, which opens the door to relativism or even 'indifferentism'.

II

I came initially to the question of hermeneutics troubled by the implications of diverse biblical interpretations for our Anabaptist peace witness. That so many sincere Christians could deny the interpretation that so plainly could be read in the New Testament was not new to me. But that the reading we gave to the whole of the Bible depended on our emphasis on select parts – whose selection in turn depended on our religious upbringing – raised critical questions about the arbitrariness of our Mennonite interpretation. The most basic and original understanding of the hermeneutic circle describes a continuous movement from part to whole and back to part: Our understanding of a section adds to our understanding of the whole, but this in turn gives context and deeper understanding to each part. If such arbitrary factors as our culture, religion of birth, and personal tastes could predetermine how we enter into this cycle of understanding, then there would ultimately be no reason we could give to outsiders that would carry legitimate (*rational*) weight. Not only would our understanding of Jesus' gospel of peace seem irrelevant to the realities of the world (a conclusion grounded in our post-Schleitheim, Two Kingdoms theology), but the subsequently private, parochial ethic of nonresistance would reduce us to a relativism seemingly incompatible with the notion of witness or gospel as universal good news.

We can take hope, however, from observing that we do in fact make judgments that seem to work in various rather successful ways. We

communicate, rightly understanding each other; we interpret texts, often with surprisingly broad agreement; we argue with one another, sometimes convincing the other, but generally understanding the reasons given; and we make moral judgments that may not be agreed to across all cultures but are generally comprehensible when properly explained.

Hans-Georg Gadamer in *Truth and Method*[4] argues that we always *and necessarily* bring our prejudices (fore-understandings) to every act of understanding. These biases are actually constitutive of our possibility for understanding. To borrow Thomas Kuhn's famous term, they make up our paradigms. There is thus no possibility of radical doubt of the Cartesian variety, where we wipe our cognitive slate clean in order to skeptically evaluate everything from scratch and reintroduce only truths that can be established with clear and distinct certitude. In Gadamer's view, though our beginning point may be arbitrary, our result, as we interact with the object of our understanding, whether a literary text or a work of art, will not be. Although we begin with our pre-established biases, each pass in the circle involves learning as we interact with the object in such a way that we come to understand. Gadamer refers here to a 'fusion of horizons', which involves expanding our own horizon of understanding by incorporating that of the other. Even the very fore-understandings we bring to the encounter can ultimately be questioned when we are 'pulled up short' by a failure of our beliefs.[5]

This corrective feature of Gadamer's hermeneutic philosophy bears striking resemblance to aspects of American pragmatism, especially the thought of C.S. Pierce,[6] subsequently developed by W.V.O. Quine and J.S. Ullian in *Web of Belief*.[7] On this pragmatic theory of justification, our beliefs cohere in a web of interdependency. Unlike Cartesian foundationalism, there are no basic beliefs. Rather, they mutually depend on vast networks of justifications. When one belief fails, that calls into question all the beliefs that depended upon it, as well as those that had originally justified it. Revising the error in a web, however, does not require starting from scratch and radically doubting the entire (vertical) edifice, but only doubting and revising those beliefs affected. On this view, those revisions are naturally best that least alter the overall belief set. This model arguably reflects how we learn and draw everyday conclusions, as well as describing the fact of progress (contra Kuhn) found in 'the scientific method'.

In a manner similar to the hermeneutic circle, particular observations provide evidence (via induction) for our general principles that in turn help to explain particulars. There is no vicious circularity, however, because all our beliefs are interconnected and not dependent in simple straight-line chains to a single basic belief for each set. Instead, they mutually reinforce and corroborate. As Jeffrey Olen explains, 'Our webs are not constructed like big circles. They are, rather, vast and intricate criss-crossing networks, which are designed to accommodate the fullest range of experience in the best possible way. If our webs succeed in this task, it is no fatal flaw that there are no self-justifying beliefs.'[8]

Thus, whether on the hermeneutical or pragmatic view, we ultimately avoid relativism because even arbitrary beginnings are corrigible based on testing against reality. Moreover, since there is no single foundation upon which everything rests, any and every single belief is open to testing and appropriate revision where called for by either evidence or inconsistency. If our starting point is arbitrary, it does not lock us into error until we overhaul our foundations. Cartesian radical doubt is not a human possibility. We think in paradigms and conceptual frameworks, and we can only question those fore-understandings as we become aware of them – when, for instance, our Heideggerian hammer breaks, when we are 'pulled up short' by a mistaken belief, when we have too many epicycles for our astronomical model, or when our interpretive principle fails to make sense of a text.

Joel Weinsheimer points to Gadamer's claim that the hermeneutic circle is constantly expanding in the progress of greater understanding, and uses this image to coin a new metaphor—the hermeneutic spiral—to illustrate how directional movement is effected despite the repeated circular motion of the interaction.[9] The possibility of expansion is theoretically afforded by confrontation with the object. In literary interpretation, this is the text; in art, the physical work; in science, some selective aspect of reality. My own proposal is to characterize the common project of moral enquiry as one confronting the reality of the moral law.[10]

III

Discussion of how we might have access to the abstract object I am calling 'the moral law' unfortunately lies outside the scope of this paper. It must suffice here to say that as Christians we must presume we have that ability,

however vague it might be. Not only does the justice of God entail that moral obligations must be knowable (see, for example, Romans 2: 15, where Paul makes reference to the moral law written on all hearts),[11] but the *imago Dei* is arguably located in our ability to choose right from wrong, an ability first gained by Adam and Eve in the Garden (Genesis 3:22).[12]

Our moral obligations cannot be ascertained simply by reading the Bible or any other religious text. The object of our moral enquiry must necessarily lie beyond the simple confrontation with the Bible as text to be read and understood. Not only can texts not interpret themselves, but principles cannot apply themselves. And part of the moral task must involve the appropriate application of moral principles to actual, contextual situations. Nancey Murphy demonstrates how the enterprise of theology can be characterized by the scientific method, complete with projects, core hypotheses, testing, and even objectively discerned progress.[13] Using the overlapping conceptual resources of philosophical hermeneutics and pragmatic epistemology, I intend much the same path for our moral enquiry. Murphy, however, develops her case without recourse to an object of understanding. But without the object, what is that progress towards? If there are real moral obligations, then there are true moral truth claims. If there are such truth claims, we can treat them as valid objects of our understanding and develop an epistemology of moral truths.

I am not advocating a return to the misguided notion of natural law. Even at its best and most sophisticated, natural law thinking cannot escape the problem of circularity. Nor am I proposing a corpus of moral truths devoid of contextual modifiers. As Brevard Childs notes, 'One of the hallmarks of the modern study of the Bible . . . is the recognition of the time-conditioned quality of both the form and the content of Scripture. A pre-critical method which could feel free simply to translate every statement of the Bible into a principle of right doctrine is no longer possible.'[14]

Such a simple translation scheme would falter immediately on much more practical grounds: the inadequacy of Scripture to the task. First, even if we accept the unequivocal normative authority of the Bible as a moral guide, the biblical witness itself is not univocal. On even the simplest reading, contradictions and inconsistencies are evident, even on practical matters of guidance for our daily lives. For example, why did Jesus ask the disciples to buy swords (Luke 22:36), if peace, love, compassion, and mercy are the salient virtues of his ethical teachings? Perhaps more important, how do we

deal with the violence of the Hebrew Bible if Jesus himself claimed not to be abrogating the law of the prophets (Matt. 5:17-18)?[15]

The early Anabaptist Hans Denck compiled a list of forty pairs of Bible verses that form apparent contradictions which may only be reconciled upon adopting a higher viewpoint in order to make a higher-order interpretation.[16] This process of stepping back is required whenever we are confronted with two equally relevant claims that may only admit of adjudication from a standpoint outside. This new standpoint is necessary in order to apply criteria not internal to the two claims. This recalls the conundrum of Zhuangzi at the start of this discussion. There is also a significant parallel here to the work of ethical theorist W.D. Ross, who could not characterize a principled methodology of deciding among competing *prima facie* duties.[17]

The process of stepping back to consider the internal relation of various textual pieces immediately and in principle requires an extratextual perspective. This might involve reasons to favor one text over another or some new interpretative principle, drawn perhaps from other selections, allowing opposing texts to be made compatible and assimilated into the whole interpretive picture. The Radical Reformers engaged in heated debates about the relative weight of the Old and New Testaments, and some of the early Anabaptists accused the magisterial reformers of adopting, as Hans-Jürgen Goertz says, "a selective approach to the Bible, arguing that they were 'wrecking' it, applying only those passages which suited their own designs."[18]

Various touchstones have thus been offered through the millennia for ensuring correct interpretation of Scripture. Walter Klaassen notes,

> As time went on Anabaptists as well as others became more and more aware of the problems which arose wherever the Scriptures were regarded as the sole authority. Which of the many possible interpretations was the correct one and by which marks could one identify it? The established churches could simply enforce their interpretations without explaining. Among Anabaptists one could insist that one had the only valid interpretation and, if possible, excommunicate those who disagreed. But some writers were more perceptive and began to identify marks by which interpretations could be checked for accuracy. Bernhard Rothmann said quite simply that an interpretation is reliable if it leads to behaviour that

> conforms to Christ. If such behaviour is not there, Scripture has not been understood.[19]

On first blush, this particular touchstone fits nicely with Jesus' own admonition to judge by the fruits of the Spirit (Matt. 7:15-20). But again the problem with this and all other such touchstones is that of their origins and the framework used in their application. As already noted, our predilections for choosing interpretive principles cannot themselves originate solely from the text. We inescapably bring biases to our reading. Indeed, there is even no possibility of a 'simple' reading that does not involve an entire complex of fore-understandings.

IV

The difficulty appears yet more starkly when we return to consider Hans Denck and his contradictions. He, like many others, determined that such difficulties with a simple interpretation of Scripture merely illustrated the necessity for the intervention and inspiration of the Holy Spirit, to make clear what is not humanly clear. However, the application of Spirit as touchstone simply removes the issue to one more level. Those appealing to the Spirit's authority as a measure of correct interpretation must demonstrate another process of stepping back to justify their claims with extra-traditional criteria. Notice, however, that appealing to revelation obviates neither the possibility nor the responsibility of further dialogue. As Francis Clooney contends, '[A]ppealing to revelation need not entail abandoning reason. Theologians give reasons even for their appeals to revelation, argue that it is reasonable to give priority to revelation, and strive to have revelation harmoniously guide reasoning in its method and agenda.'[20]

The second major difficulty, that of application, is complicated because the moral law is distinctly underdetermined by the biblical evidence. Scriptural moral admonitions are simply not comprehensive. Issues of global warming or even abortion are never explicitly addressed in the biblical record. And where would one look for the answer to that most pressing of American moral questions: 'How would Jesus vote?' More concretely, moral claims made against the consumption of alcohol cannot appeal directly to the Bible, where Jesus' first miracle was turning water into wine (John 2:1-11), and where we are instructed to remember his sacrifice through breaking bread

and sharing the cup. Such a prohibition must rely rather on a general moral principle of holy living combined with morally relevant facts. In this example, these facts would include knowledge about modern American culture, including the prevalence of alcoholism, problems concerning road safety, connections with child and spouse abuse, all combined with an immoral commercialism that is generally sexist and encourages over-consumption.

Again, on Gadamer's view, the arbitrariness of our perspective is not a liability, since our perspective is our only ground for the possibility of understanding. Still, a consequence of this view is that progress and learning are only possible through the incremental revision of our biases as we become aware of their individual failures. Our perspective should not, therefore, be lent undue legitimation but rather be held tentatively, as our current best framework for understanding. A hermeneutical approach such as I am proposing will thus involve what Clooney calls 'dialogical testing,' whose hallmarks include tentative conclusions and openness to revision and correction.[21] Clooney writes, 'The theologian who puts forward theological arguments seriously is also seriously proposing that his or her beliefs are reasonable. In turn, it is this serious reasonability that saves the beliefs from a splendid isolation in which they are immune to the questions and critiques of outsiders.' [22] The price of engagement, to have our voice heard, is necessarily the vulnerability of hearing others' voices.

What guarantee is there that such 'progress' of our understanding will in fact be an accurate reading of the moral law? Though our perceptions will always be colored by our cognitive framework (therefore, no strict guarantee), there are some tentative principles that a hermeneutical approach can suggest to our moral epistemology. Sin must be evaluated with the humility suggested by Jesus' remarks on judging (Matt. 7:1-5; Luke 6:37-42) and throwing the first stone (John 8:1-11).[23] Justice must be determined in the light of Jesus' life example: in the cross, in service to others, in speaking truth to power.[24] Are these, however, not merely new touchstones that are likewise culturally determined? Perhaps. Childs is right to claim there can be no single hermeneutical key for interpretation.[25] It seems, though, that whether we take the insights to be garnered from postmodernism, the feminist critique, Nietzsche's will-to-power, or a Christian theology of human fallenness, the primary distortion of our reading and our reason derives from self-promotion and the misuse of power. But these tentative, hermeneutical principles themselves involve the openness, epistemic modesty, and non-assertiveness

of one's own interests that are inherently conducive to a reading which is both confessional and corrigible.

By way of contrast, Goertz highlights the relevance of power to interpretation, in the context of the early Anabaptists:

> The Zurich Anabaptists had originally learned to read the Bible with the eyes of people who were forced to watch impotently while their hopes for a fundamental reform of Christianity came to nothing. In their powerlessness they recognised, through their own approach to Scripture, the extent to which the reformers were still using it as an instrument of their authority and rule, in order to triumph in the sphere of church politics. Obviously the Anabaptists' new experience with the Scriptures was not so lasting that it precluded their successors from themselves using Scripture as an instrument of power in their own congregations in later years.[26]

My suggestion is ultimately not as radical as it may at first seem. Part of my contention is that the hermeneutical process (and the pragmatic theory of justification) actually characterize the way we do in fact learn, communicate, argue, and make judgments. A further part of this claim is thus that we are already involved in a hermeneutical process through ongoing comparative study, interfaith dialogue, and everyday moral debates. Yet openness to the reasoned critique of another perspective (even other religious and philosophical voices) must not be viewed as relativism. Rather, treating the moral law as a 'text' requires seeing it as an accessible object, thus undermining the privilege of a community narrative. At the same time, construing the moral enquiry as a hermeneutical process delegitimizes the liberal conceit of timeless, universal truth devoid of contextual modifiers. The relative novelty in my claim is thus that the only faithful reading of the Bible comes from our engagement with the world. The only real grounds we have for truth lie in the dual dialogical mode of speaking with conviction and listening with empathy.

Notes

[1] *The Complete Works of Chuang Tzu*, trans. Burton Watson (New York: Columbia, 1968), 48.
[2] For a discussion of this and other relevant Jain doctrines, see Bimal Krishna Matilal, *The Central Philosophy of Jainism* (Ahmedabad: L. D. Institute of Indology, 1981).
[3] (Notre Dame: Univ. of Notre Dame, 1988). This comment ought not to be construed as an endorsement of his overall project.

[4] Hans-Georg Gadamer, *Truth and Method*, 2nd. ed., trans. Joel Weinsheimer and Donald G. Marshall (New York: Continuum, 1998).
[5] *Ibid*., especially 265-71.
[6] For a very brief description of Pierce's views, see Jeffrey Olen, *Persons and Their World: An Introduction to Philosophy* (New York: McGraw-Hill, 1983), 281-82.
[7] (New York: McGraw-Hill, 1978).
[8] Gadamer, *Truth and Method*, 309.
[9] *Gadamer's Hermeneutics: A Reading of Truth and Method* (New Haven: Yale, 1985), 40.
[10] Though I remain skeptical of his conclusions, the concrete intent of my proposal is roughly parallel to what Paul Knitter calls a 'two-source approach.' See *No Other Name? A Critical Survey of Christian Attitudes Toward the World Religions* (Maryknoll, NY: Orbis), 91-92.
[11] On the closely related (and extremely relevant) issue of special and general revelation, see the brief treatment by Knitter, 98-99.
[12] This is actually an example of intertextual difficulties. The current view of contemporary commentators notwithstanding (see, for example, Gordon J. Wenham, *Genesis 1-15* [Waco, TX: Word Books, 1987], 63), my reading of the two texts is as follows: Though the term 'image of God' originates from the earlier creation narrative (Gen. 1:27) where God created male and female in God's own image, the creation of Eve is recounted later (Gen. 2:22) and it is immediately after they have eaten the forbidden fruit that God says (in the NIV) 'The man has *now* become like one of us, knowing good and evil' (Gen. 3:22; emphasis added). Apart from treating, as many theologians have done to resolve this problem, image and likeness as two separate descriptors (see Wenham, 29-32), there is no simple reading of these passages. Regardless of the timing, however, if God created us as capable knowers with free will, I would argue that the ability to discern good from evil continues as a requisite correlate to those attributes.
[13] *Theology in the Age of Scientific Reason* (Ithaca, NY: Cornell, 1993).
[14] *Old Testament Theology in a Canonical Context* (Philadelphia: Fortress, 1986), 13.
[15] Edward LeRoy Long, Jr. concludes that Scripture is open to a spectrum of faithful interpretations on this point (*To Liberate and Redeem: Moral Reflections on the Biblical Narrative* [Cleveland: Pilgrim, 1997], 162-68). This stance does not, however, derive from any theoretical issue of interpretation, as evidenced by the more definitive claim that he offers by way of contrast: 'I am not sure there is equal latitude about according women an equal role in the life and leadership of the church' (167).
[16] Ludwig Keller, *Ein Apostel der Wiedertäufer* (Leipzig: G. Hirzel, 1882), 70ff. Keller notes that Denck 'stellt . . . achtzig Bibelstellen – „Gegenschriften" wie er sagt – zusammen, die aus höheren Gesichtspunkten vereinigt werden müssen.'
[17] *The Right and the Good* (Indianapolis: Hackett, 1988).
[18] *The Anabaptists*, trans. Trevor Johnson (New York: Routledge, 1996), 53.
[19] *Anabaptism in Outline* (Scottdale, PA: Herald, 1981),141.
[20] *Hindu God, Christian God: How Reason Helps Break Down the Boundaries between Religions* (New York: Oxford, 2001), 129.
[21] *Ibid*., 12.
[22] *Ibid*., 91.
[23] See, for example, Long, *To Liberate and Redeem*, 160-61.
[24] See, for example, Knitter on the testing through *praxis* that he calls 'ethical hermeneutics': *No Other Name*, 163ff.
[25] Childs, *Old Testament Theology*, 15.
[26] Goertz, *The Anabaptists*, 50.