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Book Review: James Mumford, *Ethics at the Beginning of Life: A Phenomenological Critique*

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Studies in Christian Ethics 2014 27: 362
DOI: 10.1177/0953946814530239f

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presently Israel refuses to confess Jesus Christ and praise Him' (p. 154, emphasis original). Moseley detects an increased emphasis in *CD* II/2 on Israel as a nation. She draws attention to Barth's suggestion that both the Holy Roman Empire and Switzerland were (qualified) historic examples of just states on the grounds that they encompassed several *Völker*, and clarifies that Barth retranslated the German Bible rendering of *das Volk* in Matt. 9:36–38 (Gr. *ochlos*) as *die Leute*—that is, a term with a wider, universal meaning that implied no association with the Jewish people.

Chapter 5 discusses what Moseley deems to be Barth's mature theological exegesis in *CD* III/1 on nationhood. Again, the focus is Acts 2, although now supported by readings of Genesis 1–11: 'nations for Barth are neither grounded in the Spirit nor purely the product of the state nor orders of creation, but are the product of human moral agency which operates under divine providence' (p. 169). Nations are not analogous to species of animals but permissible within divine providence and to be understood at least potentially with reference to common language, culture and territory. The survival of the Jewish people in particular is a sign for Barth, she notes, of the word of God in Jesus Christ—the work of election (p. 174). Even though, from a human point of view, the Jews ceased to be a people or nation after the downfall of Jerusalem in AD70, 'the Jews are a people or nation because of God's election' (p. 175). Similarly, the Christian cannot evade the call to live as a Christian 'within the sphere of his or her own nation' (p. 180) whilst simultaneously attending to love of neighbour near and far.

At a time when transnational flows of money and people, viruses and pollution, technological crises and other global risks are increasingly difficult to track, and when the nation-state can no longer be taken for granted as the primary frame for social and political debate, Moseley makes the writings of Karl Barth accessible once again to political theology and Christian ethics. Her analysis does not help us to address directly all of the pressing issues of our day—including what might be hoped of global public authorities and an increasingly global public sphere. Indeed, if Moseley's exposition of Barth's positive account of nations and nationhood within divine providence is accepted (as I think it broadly should be), it requires political theology and Christian ethics to reconsider the rootedness of human experience within peoples and/or nations before framing a tension between communitarian versus cosmopolitan perspectives, or before suggesting that Christianity yields a cosmopolitan vision that too readily transcends a national outlook. The reminder, in effect, is that Christian eschatology does not map onto any secularist cosmopolitanism. 'God's revolution' is told in parables of the kingdom (p. 206). In the meantime, human beings live within peoples and/or nations and may seek Him therein.

James Mumford, *Ethics at the Beginning of Life: A Phenomenological Critique*

Oxford Studies in Theological Ethics series (Oxford: Oxford University Press, 2013). xvi + 212 pp. £60.00 (hb), ISBN 978-0-19-967396-4.

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James Mumford's book is an evocative and wide-ranging phenomenological investigation of human emergence and the ethical questions this raises. How do we as human

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beings appear in the world? What do the concrete realities of this emergence indicate about human relationality? What implications does this have for current philosophical and cultural debates on abortion and the beginning of life? In this review I shall indicate some of Mumford's central claims and achievements, and then suggest one point at which his account would benefit from clarification.

Chapter 1 outlines the phenomenological approach that orientates the book as a whole. Drawing on Merleau-Ponty and Heidegger, Mumford develops a rich account of phenomenology as a committed, first-person description of experience, which he contrasts with idealistic or abstract ways of thinking that displace such description. Moreover, this chapter draws on this account to consider one phenomenon in particular: the unborn child or 'newone'. Recognising that the newone's own first-person experience is inaccessible—'there is no insider perspective on life in *utero*' (p. 17)—Mumford attends to maternal testimonies of the encounter with newones. He collects together a variety of such testimonies witnessing to the extraordinary nature of this encounter. Newones are always initially hidden, and their appearance is both gradual and indirect: 'They appear by way of symptoms, by certain occurrences in the body which show themselves and (thus) "indicate" something which does not show itself' (p. 73).

Chapter 2 steps back to explore whether one standard modern approach to human encounters, Martin Buber's dialogical philosophy, does justice to this extraordinary encounter. While acknowledging nuances and developments within Buber's philosophy, Mumford finds that it ultimately cannot. He insists that Buber's sharp opposition between I-Thou and I-It relations functions as a binary, and displays a narrow view of what counts as an authentic relation: 'The danger of I-Thou philosophy … is that it encourages us to think that the only valid meeting between human beings is one characterized by mutual openness, full reciprocity, a high level of intersubjectivity and heightened emotion' (p. 103). The problem with Buber, then, is that he precludes recognising the encounter between mother and newone as authentic: it is left unclear 'how the relation between the mother and the unborn child is different from the encounter which takes place when I perceive the Doric column' (p. 68). At the end of this chapter Mumford provides a brief and provocative reading of Karl Barth's anthropology (*Church Dogmatics*, III.2) along these same lines. He finds Barth to be 'hyper-Buberian' by making authentic human encounters even more dependent upon reciprocity and agency.

Chapter 3 examines another kind of philosophical approach that is inadequate with respect to the newone: the contract model of human interactions. Mumford traces this model from its beginnings with John Locke to more recent expositors such as Rawls and Parfit. In essence this model makes voluntary, reciprocal interactions between identical individuals paradigmatic of human relationships: 'the contract constitutes a strictly symmetrical encounter: when I do business … I enter into a relationship with someone who is, in all relevant respects, like me' (p. 93). Having traced the genealogy of this model, Mumford returns to phenomenology in order to contest its 'skewed picture of reality' (p. 102). Invoking Heidegger, he insists on the prior 'thrownness' of human beings and thus their basic dependence: 'I do not come forth of my own accord—I am not self-posited—but depend for my existence upon the union of my parents' (p. 104). In other words, this model is once again limited as an account of human relationships generally and the encounter of mother and newone particularly.

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Chapter 4 approaches these issues from a slightly different angle; it explores the question of how we are to recognise and respect the other human being as such. Mumford assesses two influential modern theories of recognition: the empathy-based theory and the capacities-based one. The first holds that we are to recognise the other human being by imaginatively placing ourselves in his or her situation: 'How would you feel if someone did that to you?' (p. 125). Drawing on Edith Stein, Mumford endorses such a theory as making an advance on the Buberian account of relationality: 'Stein does not think you can *only* empathise with a fully fledged Thou—that is, someone who is highly expressive and whose "psychic life" is immediately accessible' (p. 130, italics original). Nonetheless, he concludes that in the final analysis this theory still minimally requires the 'physical visibility' or presence of the other, again in a way that discounts 'the [hidden] way human beings appear in the world' (p. 136).

The second, capacity-based, theory holds that we are to recognise the other human being as such on the basis of some shared *humanum* or capacity (i.e. rationality, self-consciousness, autonomy, moral freedom, etc.). At some deep level we have something in common that makes us equal. One problem with this, however, is that all such capacities seem to admit degrees: 'Why do we not give preference to the genius over five profoundly disabled people, if the genius's intelligence comes in at five times the combined number of the latter?' (p. 145). If capacities admit degrees, and if they change over time and emerge only reciprocally, how can their mere presence (or absence) secure one as definitively human (or non-human)? At the end of this chapter, Mumford mobilises this problem in critique of the reasoning behind the Roe versus Wade judgment—namely, that a foetus might legitimately be terminated up until the point at which it is viable or theoretically possesses the capacity for autonomy.

Chapter 5 draws out some ethical implications of this investigation through a sustained engagement with Judith Thomson's 1971 essay, 'A Defence of Abortion'. As Mumford summarises, Thomson, who later was similarly critical of Roe versus Wade, had sought to shift the debate from the 'what' (of the foetus) to the 'where'. She drew the famous analogy of someone who awakens to find he has been kidnapped and connected to a machine that is sustaining the life of a violinist. Without denying that the violinist is human and deserves to live, is the one who has been kidnapped thereby obliged to remain connected or sacrifice his own quality of life? Thomson thinks not, and by extension she reasons that a pregnant woman is under no obligation to carry her foetus to term (even if this is indeed a human life). In response, however, Mumford points out that this analogy implicitly construes 'ordinary pregnancy' as an invasion or an unprovoked attack, which 'a phenomenological investigation of ordinary human appearing will not admit' (p. 157). Thomson's analogy extends (at best) to a limited number of highly abnormal pregnancies, but not beyond these: 'Pregnancy may indeed seem like illness and therefore describable as an attack. Through time, however—and only through time—the phenomenon is revealed to be something else' (p. 172).

In the final chapter Mumford makes a surprising turn from phenomenology to theology. He invokes Gregory of Nazianzus's use of the *imago Dei* to remind Christians of their obligations to the dispossessed. Gregory identifies this *imago* as neither a capacity held by individuals nor a possession of the human species. Rather, it is 'precisely as the separate, indivisible, non-replicable creature that he or she is' that 'the human being

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bears the divine likeness' (p. 191). For Mumford this understanding of the *imago Dei* provides an 'alternative theological ground for recognition' (p. 192), and one which more clearly secures the value and rights of every human other, including the newone: 'If the *imago Dei* is indeed a normative concept according to which the one made in God's image commands respect, then the creature making his or her first appearance in the world is to be included within the sphere of concern' (p. 191).

Without disagreeing with Mumford, it is at this point that a clarification may be in order. What is the nature of the relationship between this final theological chapter and the preceding ones? In other words, what role does Mumford's appeal to theology play with respect to his 'strictly phenomenological investigation' of human emergence? With this final chapter he seems to hold that theology can provide the solution or alternative to a series of problems and exclusions that have been disclosed phenomenologically. In his *Ethics*, Dietrich Bonhoeffer raises a concern with this use of theology: 'The kind of thinking that starts out with human problems, and then looks for solutions from that [theological] vantage point has to be overcome—it is unbiblical. The way of Jesus Christ, and thus the way of all Christian thought, is not the way from the world to God but from God to the world' (Fortress Press, 2006, p. 356). Bonhoeffer's concern is that appealing to theology to solve worldly (or philosophical) problems limits theology and its significance. A genuinely theological approach, by contrast, more radically resituates how we even understand such problems. The question that arises, then, is whether Mumford, by explicitly turning to theology only in his final chapter, similarly limits theology. Does Mumford foreclose a more critical and irruptive role for theology with respect to a phenomenology of human emergence? What would it mean for theology to resituate such a phenomenology and how it should proceed? Of course the other possibility is that deep theological commitments are driving Mumford's investigation throughout. In either case, however, a more explicit statement on the nature of the relationship between theology and phenomenology would have been helpful.

This issue in no way detracts from Mumford's remarkable achievement in *Ethics at the Beginning of Life*. This book says something genuinely new, and provides a welcome intervention within the context of over-determined and intractable debates about the beginning of life. It deserves to be read carefully by anyone with interests in theological ethics, phenomenology, continental philosophy and human life.

Oliver O'Donovan, *Self, World, and Time: Ethics as Theology, Volume 1: An Induction* (Grand Rapids, MI: Eerdmans, 2013). xiii + 138 pp. £16.99/US$25.00 (pb), ISBN 978-0-8028-6921-0.

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For those of us tilling the soil in the strange field of Christian ethics, a new book by Oliver O'Donovan is something worth lifting up our heads for from our narrow furrows in order to lean in and listen well. This is especially the case for a book that presages a distilled vision of how to plough, plant and harvest in productive ways. It seems appropriate to begin with a farming metaphor because, for O'Donovan, ethics entails not

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