I. Self-Creation?

The absurd desire of humans to become self-creators—be it in an individual or a collective way—is as old as humanity itself. Martin Luther put it sharply: “Man is by nature unable to want God to be God. Indeed, he himself wants to be God, and does not want God to be God”2 And Friedrich Nietzsche decrees: “If there were gods, how could I endure not to be a god? Therefore there are no gods.”3

The question of humankind’s self-creative abilities—in this hamartiological sense; namely, whether and to what extent human beings can be or are creators of themselves and of their circumambient world—does not arise for the first time only today in a technological context where the topic of the biological ‘makeability’ of human beings has captured such wide attention. Nevertheless, in modernity this question becomes increasingly pressing in a specific way.4 Indeed, the urgent manner in which this question forces itself upon us is connected—and not only incidentally connected—with a fundamental transformation of the Judaeo Christian understanding of creation, which can be seen, perhaps most prominently, in Johann Gottfried Herder. His idea of a “creation working itself out”5 focuses on human beings as destined to be self-creators “as representative of the Elohim, as visible providence, as God at work”,6 such that humans are self-creators at least to the extent that they are to develop “towards humanity and . . . continue and complete creation through culture”.7 But as heterodox as this claim may appear, probably the most thorough-going negation of the traditional doctrine of creation and providence takes place when humans usurp the predicate of ‘creator’, as happens for instance in the atheism of Friedrich Nietzsche.8 Here the divine predicate ‘poet’, which in the Nicene Creed is synonymous with ‘creator’,9 now becomes attributed to humankind: it is the “homo poeta”,10 “poet and continuator (Dichter und Fortdichter) of life”, who is able in the first place to create the world “that concerns man in some way”.11
Herder and Nietzsche have thus bequeathed to us a legacy that cannot but help generate a number of conflicting perspectives on the *homo poeta* and *homo faber*, a conflict aggravated by a striking obscurity. For instance, the figure of Prometheus, who epitomizes the very notion of self-creation, is often played off against the creator-God of the Christian creed. But this is unjust because the “Prometheus” of the young Goethe revolts against a jealous and merciless Zeus and not against the One who—as the Almighty and at the same time Merciful One—grants the *dominium terrae* to humankind, entrusting them with it, all the while remaining himself free from envy. Unfounded, too, is the way in which the Herderian/Nietzschean genealogy frequently construes the concept of sin. From the time of Francis Bacon up to the present day, modern technology has been seen as a means to overcome the Fall of humanity, as the great restoration (*instauratio magna*) of the former *dominium terrae*—albeit now conceived as *imperium*.

To be sure, such a soteriological over-estimation of technology can only be sharply rejected; nevertheless, the inventive and constructive aspects of human dignity to reign over itself and over the world must also be given their due. Alternative approaches such as the romantic or neo-romantic apotheosis and invocation of ‘organological thinking’ directed against analytical precision are as misleading as certain naturalistic hopes of evolutionists. Theological anthropology and ethics, by contrast, insists that our reason (*Vernunft*) is not only receptive (*vernehmende*), but also constructive—as Descartes postulates in the third of his four rules in the *Discours de la Méthode*. There reason is seen analyzing the dissected, isolated members and then synthesizing, re-membering them in a way they did not at all follow naturally. There is an element of truth here, if it is the case that a fundamental part of our human dignity is to partake of God’s linguistic reason (*Sprachvernunft*; *λόγος*) (Genesis 2:7), a partaking which enables—and obliges—us to give “names” to the animals (Genesis 2:19f.). Even anthropo-technology—conceived as any technical formation of our human nature in the broadest sense of that term, such as surgery for instance—belongs to this constructive reason. Indeed, the word “anthropo-technology” must not be allowed to become a bogeyman for theological anthropology and ethics.

The Cartesian rule quoted above is not just an invention of modernity—although modernity has unmistakeably followed this rule to extreme intensity and extensity, a development which has led not only to quantitative advances, but to an actual qualitative leap as well. The biblical creation narrative already knows of this rule when it speaks of the freedom granted to human beings to give names to the animals. Artificial synthesizing is specifically human—for human beings are cultural beings by nature. The ability to synthesize artificially is therefore not to be demonized, but to be used in a responsible manner.

Although in principle theological anthropology and ethics can only affirm anthropo-technology, there are nonetheless limits to be recognized and
marked. In order to determine what those limits are, I will focus, through a key example, on one vital question within the contentious field of bio-ethics; namely, the question of how to evaluate consumptive research on embryos. “Consumptive research” is a term of art indicating the practice of taking an embryo generated extra-corporally or removed from a woman before its nidation in the uterus in order to use it for a purpose that does not serve its preservation, but entails consuming it as a material means to some other end—which, in effect, means that it is killed.

Consumptive research on embryos is presently banned in the Federal Republic of Germany by the Embryo Protection Law (ratified since 1 January, 1991 (§2)). But this is not the case in other countries, from which we are not hermetically secluded—especially since the Bundestag in January 2002 has voted in favor of importing stem cells, albeit under severe restrictions. The German bio-ethical debate is de facto not hampered by the law anyway, but is generally part of a wide-ranging set of efforts to restrain the protection of unborn human life in the interests of research and the economy. Frequently these restraints are implemented by the use of certain linguistic qualifiers, i.e., by adopting a certain exact language in the shaping of public policy. Thus the embryo is not referred to as a “person”, but simply as a “human being” or, even weaker, as “human life” or—extremely weak, in a purely naturalistic way—as “embryonal cells” or a “lump of cells”, the latter terms suggesting that the embryo is linked to human life in the full sense not in an essential way but only arbitrarily and accidentally.

Under these laws and policies, the protection of unborn human life is rather tightly delimited. For instance, some deem the embryo worthy of protection only from the point when the brain starts to be shaped and not any earlier. It has been widely suggested that the seventieth day after conception ought to mark the caesura after which we “meet beginning human life with undivided ethical solidity and respect and grant to it full juristic protection”. Prior to that date research on embryos, abortion, etc., are said to be generally legitimate. According to the utilitarianism of Peter Singer, an even later caesura must be attained. Here humans are worthy of protection only from birth onwards or even later: that is, only when the infant displays certain qualities—such as autonomy, rationality and self-consciousness—and disposes of them, that is, is able to manifest these qualities by certain acceptable standards of performance. Consequently, Singer would under certain circumstances allow handicapped babies to be killed because they are, according to his criteria, not yet “persons” in the full sense of the word.

Such bio-ethical debates rigorously challenge Christian faith in the Creator. The main question is: Wherein lies the “dignity” of human beings? Wherein lies his or her being as a “person”? The following reflections try to give an answer to this double question—which in my view is one and the same question.
II. Dignity and Personhood (theological)

II.1. Element and Word of Institution: Categorical Gift

According to the classical formulation of Johann Georg Hamann, creation is “an address to the creature through the creature”.27 If this is true, then one cannot speak of creation—and together with it of humans—without referring to a material substrate or element. This is not at all “a remnant of earth, embarrassing to bear”.28 Rather, the human (Adam) is “son of the earth”,29 taken from the dust and soil (Adamah; Genesis 2:7).30

Our biological knowledge—in contrast, for instance, to the level of knowledge at the time of Thomas Aquinas31—tells us that the starting point of new human life is co-terminous with the merger of sperm and ovum.32 This event certainly implies a qualitative leap; something completely new comes into being. From this point onwards, the development runs quite continually. There are of course significant caesuras in this more or less continuous developmental process, such as the beginning of brain formation. But all these distinct stages of development do not undercut or disrupt the continuity of the whole process in which a living being develops—not into a human, but as a human.33 From a biological perspective, it is arbitrary and unconvincing to take certain caesuras within this continuity as points of reference for stages according to which (emerging) human life is to be partitioned.

The least problematical and most convincing option is thus to take the merger of ovum and sperm as the crucial point of reference and to attribute personhood34 to the new human life that begins with this merger. Acknowledgement and protection refer to the new being that comes into existence with the merger of ovum and sperm: this lump of cells is endowed, clothed, illuminated with the dignity of being a person.

To be sure, this radiance cannot be deduced from the material substrate and element as such, not φυσή, not by nature. This element is unquestionably a part of creation, it is called into life by God—but in such a way that a word of institution is connected to it, indeed indissolubly intertwined with it by virtue of its taking part in the divine linguistic reason (λόγος).35 With the speech-act “This lump of cells is a person”—in no way an analytical but a totally synthetic sentence—element and personhood are brought together, spoken together, thereby becoming an indissoluble unity. Thus, God’s authority is brought to bear through and by humans, i.e., the parents. This word of consecration, or rather, institution establishes and determines something; it is a φυσή, a stipulation. This is the simultaneously divine and, by consequence, human-cultural institution of law. It encompasses and permeates nature, without being itself an act of self-creation or co-creation, but rather cooperation.36 We as human beings are deemed worthy to cooperate in this act of institution as well as in the generation of the lump of cells (the element). This indissoluble intertwining of nature and institution, of element and word, is expressed by the significant sentence Genesis 2:7: “The Lord
God formed the man from the dust of the ground and breathed into his nostrils the breath of life [i.e., the linguistic reason (λόγος)], and the man became a living being.” Recognizing this indissoluble intermingling of earth and breath of life, of element and instituting word, excludes a merely naturalistic perspective as well as a purely spiritualist-philosophical or personalistic perspective. On this view, not only Kantian dualism can be avoided but the evolutionist monism of Herder as well; forma and materia have the same weight.

The dignity of any human being lies in the indissoluble intertwining of element and instituting word. It is attributed to him or her—bestowed, given on loan—by the One who promises and gives himself unconditionally to humankind: namely, God. Thus, my dignity as a human being is attributed to me “without any merit or worthiness on my part.” This dignity is at the same time categorically withheld from me and categorically granted to me; it is given to me totally without merit—and precisely because of this, it cannot be taken away from me by any other human.

This categorical gratuity provides the decisive viewpoint for ethical judgement. It solicits an unconditional acknowledgement of human life, an acknowledgement not to be justified or warranted by the presence of certain qualities, “merits” and self-acquired “dignities”—as if human life without these features was a “wrongful life”, not worthy of existence. Indeed, the phrase “wrongful life”, time and again surfacing in bio-ethical debates, is most revealing.

It is so crucial to emphasize strenuously that the categorical gratuity offers the decisive viewpoint for determining human dignity because until our time—although in different forms—the old European tradition has prevailed, according to which human dignity and personhood is widely or even exclusively seen as residing in human reason conceived as self-determination, the ability to exercise self-mastery. Furthermore, the person is thought to be an individual rational substance rather than as originating from a granted community and thus as a relational phenomenon. If, by contrast, the dignity and personhood of human beings are seen to be primarily as based on the proleptic, unmerited acknowledgement which is attributed unconditionally to a human as creature of God—and creatio ex nihilo, creation out of nothing, means nothing less than that—then this has far-reaching consequences not only for bio-ethics, but for ethics as a whole. These consequences have as yet not been sufficiently explored, either by reflection or by action.

The one who perceives his or her own life—together with every life—as categorical gift, thereby acknowledging the “out of nothingness” of all creation, cannot help but be “merciful”. Indeed, among all fellow creatures, he or she will recognize precisely as fellow humans those who share the same ontological condition. Accordingly, the “least of these brothers” (Matthew 25:40) and sisters, the minimae and minimi, are not strangers in principle,

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others with whom we would have to develop solidarity. Rather, we are already—at any rate ontologically—identical with them from the start, equal insofar as we, too, are in an elementary way dependent: in need of food, clothing, housing, of help in sickness and in captivity. Even an animal—to say nothing of a human embryo—can never be taken and consumed as a mere means and thus reduced to status of a “thing”. Even in making use of an animal, we cannot withhold our respect from it, we cannot but allow such a creature to be in its own self-purpose. 

II.2. The Human as Child and King

However, it would be the wrong approach to oppose in an abstract way the traditionally prevailing determination of human dignity and personhood (as a self-subsisting, individual, rational and self-determining being) to a determination of human dignity and personhood shaped by the theology of justification—i.e., human being created as dependent, vulnerable, in need of protection, constituted as a person by proleptic acknowledgement. We are rather—and this is my main thesis—to perceive the indissoluble connection and intertwining of any human being’s elementary dependence on their being acknowledged as a person prior to invoking any language of merits or qualities, together with the dominium terrae, the commission to rule, which is given and attributed to any and all humans—even to an extremely handicapped person; namely, the commission to work and take care of the earth (Genesis 2:15), which is identical with “giving names to the animals” (Genesis 2:19f.).

This indissoluble connection, the intertwining of elementary dependence and attributed dignity to rule, is articulated in a classical way by Psalm 8. A careful reading of this text leads one to a surprising discovery that could in a certain sense—namely, concerning the coherence of defining the term “person”—utterly revolutionize the bio-ethical debate. At least the insight that I am about to elaborate has to my knowledge not been adequately recognized even in theological ethics, to say nothing of the philosophical debate. In this respect, the juristic tradition affords a positive exception by supplying the concept of the “composite legal person”. We will return to this later. Before treating the concept of “composite legal person”, a brief indication (a) of the decisive insight of Psalm 8, along with (b) its elaboration, is in order.

(a) Psalm 8, the hymn of the glory of God’s name, brings together two extreme double contrasts—in each case an almost paradoxical unity. This is done with respect to the human being as creature as well as with respect to God as creator. The tension of the Psalm lies not only in the fact that the deeply dependent and needy human is granted the highest dignity to rule, but also in the fact that the One who in his omnipotence created the magnificent universe is at the same time the merciful father who remembers the human who is deeply dependent and permanently
threatened by extinction. God looks after these human creatures, visits them, even dwells among them.

(b) The question “What is man?”—i.e., the question of human dignity and personhood—is articulated in Psalm 8 as a prayer, which is to say: before God.

O Lord, our ruler,
how majestic is your name in all the earth!
You have set your glory
above the heavens.
[. . .]
When I consider your heavens, the work of your fingers,
the moon and the stars, which you have set in place,
what is man that you are mindful of him,
the son of man that you care for him?

This hymn is in no way intended—as it is for instance in the famous choir song in Sophocles’ Antigone—to magnify human glory, but instead aims at the glory of the name of God. God’s being is his name: “I am who I am” (Exodus 3:14)—the promise of his unconditional, loving presence and accompaniment. God’s being is his name in which he reveals himself, lets himself be heard in the promise “I am the Lord, your God” (Exodus 20:2). Such a promise does not presuppose the existence of humankind, but first of all constitutes it, calls it into life, creates it. The human being is called not only into being, but also into thinking and thanking—foremost into praising God—as the one who is by God’s effective promise enabled to listen (Vernehmen), to have reason (Vernunft).

The praising can be heard in a physical, elementary way “from the lips of children and infants” (Psalms 8:2)—through the first noises uttered by a new-born baby, noises of satisfaction, but also demanding, even angry crying because not willing to wait any longer for milk. What comes out of the mouth of a suckling, however, is more than mere crying. Rather, it is a crying that draws our attention to the baby’s helpless, vulnerable and threatened state, to its elementary dependency on milk and warmth, on the love of mother and father. So from the open mouth of the suckling, longing for something to drink, it becomes clear who we are as human beings; we are a “throat” (this is the basic meaning of the Hebrew word for “soul”—nafesh), thirsty and hungry for what we need in order to live: air, food, clothes, and other humans, including the “true neighbours” of whom Martin Luther speaks when interpreting the request for bread from the Lord’s Prayer in his Small Catechism. “‘Give us this day our daily bread!’ What does ‘daily bread’ mean? Answer: ‘Everything we need to satisfy our bodily needs, such as food and clothing, house and home, fields and flocks, money and property, a pious spouse and good children, trustworthy servants, godly and faithful rulers, good government, seasonable weather, peace and health, order and honour, true friends, faithful neighbours, and the like’.”

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Out of the crying and avidly drinking mouth of a suckling, with irresistible force it becomes clear who we humans are, how needy we are, how dependent we are on the One who has given us life and still preserves it. “From the lips of children and infants” it becomes overwhelmingly apparent that our being is grounded outside ourselves in an other, in One who grants life anew every moment or, as the case may be, who withdraws it, in which case the transitory breath we are returns to dust (cf. Psalm 104:27–30).

The fact that precisely this deeply dependent human being, permanently threatened by enemies (Psalm 8:2b) and not able to exist self-sufficiently even for one instant, is granted the highest dignity to rule. The fact that humans are simultaneously children and kings, kings and children in personal union—this is a reason to be truly amazed!

You made him a little lower than God
and crowned him with glory and honour.
You made him ruler over the works of your hands;
you put everything under his feet:
all flocks and herds,
and the beasts of the field,
the birds of the air,
and the fish of the sea, all that swim the paths of the seas.
O Lord, our ruler,
how majestic is your name in all the earth!

Who is the human? Who is the one to whom, inevitably, this commission to rule, the “critical and archontic dignity of a political animal”, as Johann Georg Hamann states aptly and allusively, is attributed and communicated? The dignity of which this psalm speaks is not first merited, but received. I cannot gain it by looking into myself; I cannot even reassure myself of it by self-determination. It meets me from an external vantage. It is given to me as a fief, entrusted to me as a mandate; I have to account to God the Giver for the way I administer it.

II.3. God as Lord and Servant
I have to account before the One who is almighty Lord and merciful father; verses 3 and 4 of the Psalm 8 articulate this intertwining of God’s omnipotence and God’s mercy: “When I consider your heavens, the work of your fingers, the moon and the stars, which you have set in place, what is man that you are mindful of him, the son of man that you care for him?”

The tension in vv. 3 and 4 is perhaps nowhere better captured than in the precise and expressive interpretation given in Jochen Klepper’s hymn, “God dwells in a light where no one can draw near” (Evangelisches Gesangbuch [Hymnbook of the German Protestant Churches] 379, stanza 2 and 3)—summarized in the last four lines:

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And yet he does not remain aloof,
but is close to each of us.
Though he witnesses moon and stars
and suns as they came into being,
he does not want to miss
you in creation’s host,
each hour he intervenes for you
and grants you days and years.

Each single hair of yours
is counted well by him.
He upholds the wondrous one,
not losing the tiniest thing.
Neither captured by the seas
nor by any mountain ridge,
he himself left his kingdom,
to come to you as man.

Recognizing that the creator himself becomes creature—that the Lord of the heavens becomes a servant in order to “visit” us earthly beings and to dwell among us, to live with us—is the deepest and last answer to the question “What is man?” (Psalm 8:4) and his secret?

Are we humans? We are those attended to by the almighty, creator of heaven and earth, as merciful father, who “remembers” us as he remembered Noah (Genesis 8:1; cf. 9:15). God’s “remembering” is in no way merely a noetic remembrance, but an energetic intervention: his deed of creation and new creation. God remembered Noah by saving him—together with all his fellow creatures—from the flood, from deepest peril, in order to grant him anew the critical and archontic dignity of a political animal (Genesis 9:1–17). Thus, the human is enabled to answer: “Praise the Lord, O my soul; all my inmost being, praise his holy name [. . .], who redeems your life from the pit and crowns you with love and compassion” (Psalm 103:1 and 4).

III. Dignity and Personhood (Philosophical and Juridical)

Our social and political public insists on its ideological and religious neutrality. Christians, too, have to be aware of this neutrality, even support it in a certain way, not least for reasons of theological ethics; otherwise it would not be possible for different people with different worldviews and religions to live together peacefully. For such a public and its consensus—rather its search for consensus—the thesis just elaborated cannot have more than a heuristic function. This understanding of the term “person” with its theological foundation and its explicit reference to biblical texts, such as Psalm 8, is no convincing argument for the general public.

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But luckily, there is a common ground, a field where biblical language overlaps with the conscience of our present social and political public, even with the language of the highest legal norm of the Federal Republic of Germany (Article 1 of the Grundgesetz), repeated in the scheduled text for the charter of basic rights in the European Union: the concept of “dignity” and “person”. Concepts and terms like these are “terms of critical mediation”. Their history and semantics make them apt to trigger a constructive conflict about the truth of Christian faith and life. The internal perspective of Christian faith and practice is mediated by and mixed with an external socio-political perspective—which is, again, not uniform but extremely plural and internally controversial.

If the truth of Christian life and faith is just as much betrayed by unreflected adaptation to the spirit of the times as by fundamental and abstract contradiction, if it is, in contrast to these two extremes, to be heard in an “uncontemporary contemporaneity”, then theology serving this Christian truth must engage in controversies. A theology of controversies, as a science of conflict, moves beyond sweeping solutions, whether that be the wholesale adaptation or the outright rejection of philosophical concepts of human dignity and personhood. A theology of controversies is content neither with a chasm between theological and secular understanding, nor with the presumption of an identity between them. Rather, it works hard not to overplay the conflict, but to make its statements within it, i.e., within a concrete debate.

“Terms of critical mediation”—in our case: “dignity” and “person”—are also used by other worldviews. This makes a discussion, even a dispute, possible and at the same time necessary. Revisiting these terms from the vantage of their theological roots helps the theologian to avoid, on the one hand, the pressure to do theology under the conditions of modern consciousness, but, on the other, enables him or her to refer to those conditions in a precise manner. This reference might well also take, in a given case and context, the form of contradiction. “Dignity” and “person” are not assumed to be neutral terms in which theological and secular understanding simply converge. On the contrary, they provide a formal basis on which the different and contesting views do not fall apart or retreat into themselves, but remain related to each other, their differences notwithstanding. Thus, theology and theological ethics is more a science of conflict than of integration.

This approach not only fits the internal theological perspective—the Magna Carta of Israel and the church: “I am the Lord, your God. You shall have no other gods besides me!”—but simultaneously the external perspective, insofar as the concepts of “dignity” and “personhood” are, precisely as concepts of public law (öffentliches Recht), extremely formalistic, empty and therefore require interpretation. Consequently, they are de facto filled in radically different ways. The emptiness in need of interpretation requires a dialogue in order to achieve a consensus on necessary determinations—a
dialogue which not always, but frequently may turn into a dispute, in which Christians cannot but take part.

If Christians let themselves be guided by an understanding of humanity as articulated in Psalm 8—child and king at once, child and king in a personal union, i.e., in an intertwining of deepest dependency and highest dignity to rule—then they will try to take this stance in the realm of the public law as well. This means arguing for an understanding of human personhood that includes that compassion and elementary solidarity outlined above. Christians should point out that self-determined actions are humane only under the condition that they do not exclude categorical acknowledgment of, for instance, an unborn child as unconditionally justified, and that appropriate care and advocacy go hand in hand with such acknowledgment and compassion. For an account of this which is relevant also in the philosophical field, we may learn from Paul Ricoeur’s *Love and Justice* as well as his *Oneself as Another*, the latter of which was written in dialogue with Emmanuel Levinas. Of course, one could mention in this respect Levinas himself, as well as Albert Schweitzer.

It is at first a task of juridical theory to point out the connection between human personhood and compassion according to the intertwining of deepest dependency and highest dignity to rule in its validity even for the realm of public law. A theory of law that follows the dominant philosophical tradition outlined above and locates the dignity of a human—his or her being as a person—in the ability to be self-determined and ready to act, has great difficulties answering the questions: Why should legal provisions *de facto* apply to those humans who are widely or wholly unable to act? Why attribute human dignity, the quality of being a person, to the unborn, the baby, the mentally ill, someone unconscious, or even to the dead person? Within a political system committed to neutrality in terms of *Weltanschauung*, one cannot draw on an explicitly religious foundation. How, then, can a caring, representative way of acting be justified, or at least be explained in an acceptable way, to all? To my mind, the figure of the “composite legal person” seems to come very close to the insight of Psalm 8 regarding the personal union of child and king. It differs remarkably from the theory of legal representation, according to which the representative is a person separate from the one unable to act; it differs as well from the so-called “contract theory”, according to which the one unable to act is presumed to have a legally relevant will carried out by the representative as his or her “legal executive body”. However, if one follows the figure of the “composite legal person”, the one unable to act and his or her representative are indissolubly linked already at the level of personhood, i.e., ontologically. This concept does not any longer refer to theory of the person as an autonomous, self-determined, competent and capable, individual rational being; but—as pointed out above—it comes remarkably close to the biblical-theological understanding of human beings as child and king in personal union.
The main question is: Does compassion—as if that were something to be ashamed of!—remain on the edge of public awareness? Or does it in a certain sense belong at the heart of the concepts of “dignity” and “person”?

Compassion definitely moves away from the center to the edge—threatened with more or less arbitrary limitation—when an expert of political law claims that human dignity results only from the mutual acknowledgment of concrete individuals and then draws the consequence: As “mutual promise of the partakers of the constituting power of the people, the guarantee of dignity does not say anything concerning those who do not yet or do not any more belong to this community of acknowledgment, so it does not say anything about prenatal and extinct human life”.51 Once reciprocity is introduced in this symmetrical way as a ruling principle, an unconditional, prevenient, unmerited acknowledgment cannot be conceived any more and will soon no longer be granted.

IV. Conclusion

Theological anthropology and ethics are able to encounter the challenge of the biological “makeability” of human beings only by revising and rectifying the traditionally dominant determination of human dignity and personhood. This understanding of humans as individual, rational and self-determined beings dominates, to a large extent, the common imagination. This is true even in ecclesial and theological discourse where this perspective influences the talk of human beings as created in God’s image and as holding, in common anthropological terms, a special position within the cosmos.

If the key to understanding human dignity and personhood is to be found in Psalm 8, as I have argued it does; and if therefore the answer to the question “What is a human being?” (cf. Psalm 8:4) is inseparable from the insight regarding the fundamental intertwining of elementary dependence with the dignity of a ruler, of deepest vulnerability and powerlessness with highest power, then this has the most wide-ranging implications. Perhaps the most central implication is that a humane way of dealing with the awesome power of human knowledge, both to do good and to do evil, will become possible—a power of knowledge which in modernity has been gained and applied scientifically and technologically in qualitatively new ways.

Recognizing and acknowledging the indissoluble connection and intertwining of our elementary dependence with our commission to rule, makes the slogans of Richard Seed and others—who claim that humans would now be able to become gods52 by virtue of our knowledge in the field of genetic engineering, through controlling our own evolutionary fate—sound ridiculous and become the object of mockery. “How the almighty creator must laugh”, says a poem from the eighteenth century, “when the nothing wants to turn itself into something, and turn him [God] into nothing”.53 Shall I not be a transitory breath, finally becoming dust, any more? Shall the verse from
Job be suddenly invalid: “Naked I came from my mother’s womb, and naked shall I return there” (Job 1:21)? He or she who realistically and honestly perceives his or her humanity and that of all others, will have to continue to speak at the grave: “Earth to earth, dust to dust, ashes to ashes.”

Hence, the first consequence must be: disillusion! The second consequence, which immediately follows, must concern the setting of priorities in research. If human embryos are no mere material that may be consumed, then attention must focus on procedures like somatic gene-therapy instead of cloning. Worldwide, the guarantee of basic medical supplies should clearly claim the larger share of attention. The criteria for the direction and the limits of research are to be shaped in accountability before God, the creator and judge. This must happen when we become aware that our highest dignity to rule, in which “everything is put under our feet” (Psalm 8:6), is the dignity of the one who—being deeply dependent and elementarily needy—has received linguistic reason (λόγος) in order to “till and to keep” the habitat, the “garden” in which we are placed (Genesis 2:15). Care, advocacy and compassion are then not unjustifiably marginalized, but receive their place, with full justification, at the center.

NOTES

1 Lecture given at Humboldt-University, Berlin on 29 November, 2000 during the ninth Werner-Reihlen-Lecture, “Die biologische Machbarkeit des Menschen” (The Biological ‘Makeability’ of Human Beings). The main text of the essay was translated into English by Martin Abraham and Tim Beech, and the notes by Jeff Cayzer.


4 This assumes the experiment in reasoning—one that is only possible on the basis of the Judaeo-Christian view of creation—of the annihilation of the world and the corresponding radical reconstruction of the previously notional into something fruitless, which was impossible for Greek cosmic religion. See Oswald Bayer, “Descartes und die Freiheit” in Leibliches Wort: Reformation und Neuzeit im Konflikt (Tübingen: Mohr Siebeck, 1992), pp. 176–204, and: idem, Autorität und Kritik: Zu Hermeneutik und Wissenschaftstheorie (Tübingen: Mohr Siebeck, 1991), p. 4. Cf. Martin Heidegger’s critique of technology (below, n. 19).


6 Ibid., p. 409.


9 As found in the Greek of the Nicene Creed. For the Greek text, see e.g. BSLK, pp. 26, 25.


12 On this see Alfred Dedo Müller, Prometheus oder Christus: Die Krise im Menschenbild und Kulturrethos des Abendlandes (Leipzig: F. Meiner, 1948).


Ibid., p. 221 (“inventa quasi novae creationes”). “Quod si quis humani generis ipsius potentiam et imperium in rerum universitatem instaurare et amplificare conetur, ea proculdubio ambitio (si modo ita vocanda sit) reliquis et sanior est et augustior. Hominis autem imperium in res, in solis artibus et scientiis ponitur. Naturae enim non imperatur, nisi parendo” (p. 222). “Recuperet modo genus humanum jus suum in naturam quod ei ex dotatione divina competit, et detur ei copia: usum vero recta ratio et sana religio gubernabit” (p. 223). Cf. Raymund Schwager, Erbsünde und Heilsdrama. Im Kontext von Evolution, Gentechnologie und Apokalyptik. Beiträge zur mimetischen Theorie 4 (Münster: Lit, 1997), p. 92: “If the sin of humankind has left its stamp on the human organism, may it then not only be permitted, but even be our duty to again overcome these negative imprints as far as possible?”

‘Organological thinking’ is a movement within German romanticism—running from Herder and Schelling up to New Age evolutionism—that counters the French rationalism of 1789. Organological metaphors have been ideologized by National Socialism. Main representatives of the movement are, within theology and biblical studies, Johann Tobias Beck and, within sociology, Ferdinand Tönnies.


Klaus Koch, “Der Güter Gefährlichstes, die Sprache, dem Menschen gegeben … Übergänge zu Gen 2,7” in idem., Spuren des hebräischen Denkens: Beiträge zur alttestamentlichen Theologie (Gesammelte Aufsätze, Vol. 1), B. Janowski/M. Krause eds. (Neukirchen-Vluyn: Neukirchener Verlag, 1991), pp. 238–247. Koch demonstrates convincingly that nesa ma in Gen 2,7, contra the common translation, does not mean the breath of human beings, but the breath belonging to language, the spirit of language (ibid., p. 240), by which human beings are distinguished from other forms of life and are placed especially close to God.


Thus the discussion about revising the law for the protection of embryos has already begun in Germany. Cf. e.g., the position paper “Humane embryonale Stammzellen” by the Deutsche Forschungsgemeinschaft of 19 March, 1999, in: Deutsche Forschungsgemeinschaft, Humangenomforschung—Perspektiven und Konsequenzen/Genome Research—Perspectives and Consequences, ed. by the Senatskommission für Grundsatzfragen der Genforschung (Bonn: Deutsche Forschungsgemeinschaft, 2000), pp. 3–13, esp. p. 12f.


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hörigkeit zur Spezies Homo sapiens ist, für die Unrechtmäßigkeit seiner Tötung ohne Bedeutung ist; entscheidend sind vielmehr Eigenschaften wie Rationalität, Autonomie und Selbstbewußtsein. Säuglinge haben diese Eigenschaften nicht. [. . .] Kein Säugling—mag er nun behindert sein oder nicht—hat in gleichem Maße Anspruch auf das Leben wie Wesen, die fähig sind, sich selbst als distinkte, in der Zeit existierende Entitäten zu sehen” (p. 233).

Die “Tötung eines behinderten Säuglings ist nicht moralisch gleichbedeutend mit der Tötung einer Person. Sehr oft ist sie überhaupt kein Unrecht” (p. 244).

28 Johann Wolfgang von Goethe, Faust II,5 (11954f).
29 The Hebrew word emphasizes the creatureliness and neediness (Bedürftigkeit) of human beings.
30 Luther underscores the fact that the Creator in his humility and condescension gets his hands dirty, putting them in the earth in order to create human beings. This is in contradistinction to the god of metaphysics, who is self-absorbed, not showing any material or physical interest in humans. The latter is particularly true of the god of Aristotle. Cf. Martin Luther, ‘The Disputation Fragment’, LW, Vol. 34, p. 143: “In short, philosophers know nothing about God the creator and man made of a lump of earth.” See also LW, Vol. 28, p. 193.
32 German Law is not consistent on this point. While §218(1) of the Strafgesetzbuch declares: “Actions whose effect occurs before the completion of the lodging of the fertilized egg in the womb, do not count as abortion according to the meaning of this law”, the law for the protection of embryos looks back to the moment when the sperm and the egg come together. On the other hand, in Great Britain, the law sees a hiatus (caesura) after the first fourteen days of the embryo’s development; namely, at the time of its lodging in the wall of the uterus. Under British law there is closer protection for the “pre-embryo”, even when from the beginning there is no question of its meriting such protection.
33 See above, n. 17.
34 On the distinction between personhood (das Sein einer Person) and the status of person, see R. Wimmer, “Ethische Aspekte des Personbegriffs” in Biologie und Ethik, ed. Eve-Marie Engels (Stuttgart: Reclam, 1999), pp. 329–345; pp. 340–345. This distinction may be compared to the legal difference between the “objective” personhood of a human being before birth and “subjective” personhood after birth.
35 Martin Luther is right to insist that we human beings are “cooperatores, non concreatores”, See LW, Vol. 33, pp. 241–244.
36 Oswald Bayer, “Wer ist der Mensch?” in Freiheit als Antwort (see above, n. 15), pp. 76–82; p. 81f.
38 Martin Luther, “The Small Catechism”, II.1 (“Creation”), BC, p. 344.
39 In his influential formula, Boethius defines “Person” as “rationalis naturae individua substantia” (“De persona et duabus naturis Jesu Christi”, MPL 64, 1343 C).
41 John Rawls, A Theory of Justice (Oxford: Clarendon Press, 1972), pp. 132–136. In Rawls’ rule of the maximum minimorum, the social and political form of the requirement of justice approaches the Christian—the original—understanding of mercy. Yet to say it approaches it does not mean that it is identical with it, since the calculation of reason comprised in the maximin rule is something different from mercy. The rule is born from a fictive fear—fear of the enemy. The principles are to be chosen for a society where one’s enemy can accord a place to the one choosing (p. 136).
42 This fits in with Kant’s third formulation of the categorical imperative (“Act in such a way that you always treat humanity, whether in your own person or in the person of any other,
never simply as a means, but always at the same time as an end” [Immanuel Kant, *Groundwork of the Metaphysics of Morals*, trans. H. J. Paton (New York, NY: Harper Torchbooks, 1964), p. 96], where he presupposes the differentiation between (reasonable) “persons” and “things”. However, what we are saying here also acts as a corrective to Kant: this formulation must not remain limited to reasonable persons.

44 See below, n. 53.

45 BC, p. 347.

46 Cf. Oswald Bayer, *Zeitgenosse im Widerspruch* (see above, n. 38), esp. pp. 108–137 (Chs. 5 and 6).

47 On this see Oswald Bayer, *Freiheit als Antwort* (see above, n. 15), p. 9f.


49 Cf. Oswald Bayer, “Von der Freiheit menschlichen Lebens ‘inmitten von Leben, das Leben will’” in *Freiheit als Antwort*, pp. 64–75.

50 On this and the following, see G. Husserl, “Rechtssubjekt und Rechtsperson”, *Archiv für die civilistische Praxis*, Neue Folge (New Series), Vol. 7 (1927), pp. 129–209.


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