

In What Sense Equal?

Amy Laura Hall

A caricature emerged during the recent presidential campaign—the broadminded, rational pursuit of science versus the myopic, irrational protection of human embryos. This should evoke neither surprise nor dismay. Politics have been fraught many times before at precisely the intersection of supposedly forward-thinking science and supposedly backward-looking religion. In the last century, populist William Jennings Bryan held an “irrational” fear that evolutionism would undermine democracy’s commitment to equality, and the fight over whether public schools would teach faith or science divided the party that had three times nominated him for president. Bryan believed that creationism halted the slippery slope back down to the unjust hierarchy from whence we came; use evolutionary science to link us to beasts of burden, and we would again make distinctions between humans born to pull the cart and humans born to hold the whip. Thanks in part to Spencer Tracy, most Democrats now know where to jump when a line is drawn between science and religion.

The current conversation is as rhetorically tangled as preceding ones. The campaign to promote embryonic stem cell research unabashedly tugs at sentiment, and those opposed to the research insist that the boundary

between incipient and fully formed human life is not science-bound. The stakes are sufficiently high to warrant Eric Cohen's continued attention to the twists and turns of rhetoric, and I am grateful for his latest essay on the topic. At the heart of this astute piece is the following democratic affirmation, an affirmation arguably at stake as we consider the systematic disaggregation of human embryos.

So long as we are alive, we *are not* things and we are *more than* animals—even when our rational faculties decline, and even when we behave in beastly ways. This democratic belief in human equality can be rationally defended, but it cannot be proved by human reason. It is a commandment we obey or a proposition we seek to uphold, not an indisputable natural fact like gravity.

What Cohen calls this “democratic view of human dignity” has, as he notes, deep “roots that trace back to biblical religion.” While Bryan's party is loathe these days to admit such roots, many causes near and dear to the democratic heart depend on the abiding moral valence of “equality.” It is arguably worthwhile therefore to back up and ask: In what sense do we affirm that humans are *equal*?

At the risk of over-clarifying what is complicated, one may loosely distinguish three ways that scripture (and the western canon drawing from scripture) affirms that human beings are equal. While all three are crucial to bioethics, I will argue for the particular relevance of one.

So God created Adam in his image, in the image of God he created him; male and female he created them. (Genesis 1:27)

You shall not wrong or oppress a resident alien, for you were aliens in the land of Egypt. (Exodus 22:21)

... for in Christ Jesus you are all children of God through faith. (Galatians 3:26)

First, the western moral tradition variously affirms that each human bears an equally important imprint of the maker who fashioned us all. This roughly corresponds to the creation story in Genesis, and it appeals to the most fundamental affirmation of equality as *imago dei*. When “we hold these truths to be self-evident, that all men are created equal,” and “that they are endowed by their Creator with certain unalienable rights,” citizens are drawing on a particular story about a creator, creation, and creatures. While the history of hermeneutics is hardly weighted toward

democracy, the democratic affirmation of equality between each and among all assumes a common maker, common materials, and an image held in common. Democracy runs on at least a generalized sense that we all come from the same source, are made from the same sort of stuff, and feature an abiding, identical, foundational imprint. This imprint of the Creator is what presumably distinguishes humans from oxen. When an ox resists her yoke, we do not do violence to her ox-ness to put it on her anyway. (Creating non-ambulatory oxen in order to maximize meat production is another matter, but for another essay.) If a human is treated thus, we commit violence against her as a creature bearing the image of God.

The most resilient representatives of this view in western bioethics are Kantian, in part due to Kant's rough and ready categorical imperative, shorn of religious trappings. But Kant's supposedly shorn imperative relies on the idea that the image imprinted on all human creatures shows itself in the capacity to reason—the *imago dei* is revealed in the *logos*. This notion has a venerable genealogy, from Aristotle through Saint Augustine through Thomas Aquinas. But it left Kant's disciples unable to make much of the South Sea Islanders, and it now leaves bioethicists unable to make much of embryos in a vat or of Great-Aunt Mabel in a nursing home. Our democratic experiment breaks from the venerable genealogy in that the notion "all men are created equal" came eventually, ostensibly, to include all humans, even those who cannot, will not, or would rather not read Aristotle. And yet, the advance of biotechnology forces us to reflect again upon the origins of our own democratic ideal: Is the notion of intrinsic dignity merely a noble falsehood, now stretched to the breaking point? Or are there other images of human equality that are more inclusive, that compliment or redeem the idea of creation in God's image?

A second construal of equality is *equality through redemption*. This is the construal I find particularly relevant in current bioethics, so I will for now skip to the third construal, that of *equality through adoption*.

Equality through adoption is a less serviceable notion in a pluralistic society, given that it is not only thoroughly theological but also soteriological. And yet it still holds significant influence in our society. This perspective on equality accentuates the distinction between humans and God, thereby humbling all human aspirations to divinity. It further emphasizes humanity's equal and utter dependence on the gift of a savior—on God's adoption of us—placing less importance on any residual image of God remaining after humanity's fall from grace.

In articulating the Christian vision of human beings, Saint Paul drew on multiple themes in scripture, depending on the vice or error of the recipient congregation. But his letter to the church in Galatia stresses the theme of adoption through grace alone. Jonathan Edwards drew on Saint Paul's sense of gracious adoption, and Edwards's "covenant of grace" remains important to American civil thought. Protestant preachers and theologians in America have often accentuated a sense of wholly *conferred* equality through adoption and have argued against reliance on notions of natural, created goodness. The claim that our lives, children, homes, cities, and nation are contingent, either held or dropped into hell by the sheer grace of God, is one to which religious leaders resort to properly chasten human striving.

Such an understanding of adoption works itself backward toward a different understanding of creation itself, emphasizing the *ex nihilo* in *creatio ex nihilo*. Human beings are thus equal in that we are all equally created out of nothingness by a thoroughly gratuitous act of God. This has import for the civic polity. To paraphrase a twentieth-century Swiss theologian on whom many American theologians have drawn (Karl Barth), God chose Jacob over Esau because God chose to choose Jacob over Esau, and a human city that now flourishes flourishes less due either to its inherent goodness or to its holy striving than to an unfathomable divine choice to cause such flourishing.

This elucidation of equality is not necessarily a recipe for anarchy—leaving humans without decently reliable, working norms for human interaction. Religious leaders who emphasize this perspective draw also on a long Protestant respect for civil order. Due to our universal incapacity to recognize the face of God on our brother, and our concomitant incapacity to restrain ourselves from violence, theologians who emphasize grace also emphasize the need for basic structures to contain vice. But civil ordering, and the proportionate ordering of all created nature, is seen as resting on a prior, fundamental disproportion between God and mere humans. Within a democracy, the sense of equality through gratuity may provide a vital check on hubris. Within an ambitiously technological democracy like the United States, this version may rightly resituate the priests of medicine—reminding them that the solar system does not in fact revolve around their laboratory. Any given scientific project may be good, but it may also be earnestly pursued and gravely in error. And while scientific research is potentially good, it is always a limited, proportionate good. Cohen's interpretation of this insight is spot-on. When scientists seek to force apparent-

ly arbitrary nature into unqualified conformity to the good, even to a good like equality, Americans rightly worry. Most citizens retain a sense that we are all *equally ill-equipped* to play God on this scale.

Yet are we not still to play God on some scale? Should not the tired, the poor, the huddled masses, and the sick still expect care and hospitality? Prior to Saint Paul's articulation of equality through Christological adoption is the notion that God's chosen people must show mercy, because they were themselves redeemed from slavery, fed on manna, and sustained in a new land. This sense of *equality through redemption* is also a salient strand in American democracy, and the scriptural narratives of liberation, redemption, and hospitality in Exodus, Leviticus, and Deuteronomy also inform bioethics, even if as faint echoes. Citizens are called to act on behalf of the enslaved, the homeless, the hungry, and the sick, because there before the grace of God were we. By this perspective on equality, humans are, in some fundamental sense, equally vulnerable to contingency, equally dependent on the largess of God, neighbor, and stranger, and equally called to extend care to both neighbor and stranger. We are thus not only called to play God, but to play a particular God who hears the cries of widows, orphans, and aliens.

The thirteenth-century theologian Thomas Aquinas interprets here a difference between love and mercy, in that mercy involves relating to another human being primarily due to equal need, not due to either a created consanguinity or a kinship through gracious adoption. For Aquinas, to take pity is to become involved in another's suffering rather than to eschew the danger of such association. In one of the relevant questions in the *Summa Theologiae*, Aquinas explains that the impetus towards mercy may be friendship, natural inclination, or a kind of merciful wisdom born of age or virtue. This latter impetus—mercy born of wisdom—is the virtue contrary to unmerciful pride. He elaborates further on the vice by which a person misunderstands her own freedom from suffering, explaining, “the proud are without pity, because they despise others, and think them wicked, so that they account them as suffering deservedly whatever they suffer.” Aquinas names this vice “false godliness,” revealing one of the many ways that Aquinas adapts Aristotle (who is for Aquinas, “the Philosopher”). Mercy born of wisdom is subtly different from Aristotelian magnanimity, whereby one who is excellent reaches down to one who is not. Wise mercy involves the insight that suffering is no respecter of persons.

This sense of equality through suffering and redemption is particularly relevant to the question of embryonic stem cell research. From one perspective, this is precisely the string on which research advocates pull to persuade the public to support their research. The imperative to medical research is not solely a creation of the medical-industrial complex. The imperative to seek cures for those who suffer deterioration and disease arises in part from the calling that humans are, in science, to seek true godliness born of mercy. When faced with the detailed narrative of human beings suffering from a potentially curable disease, we are only human to experience the strong pull toward embryonic stem cell research. And while medical research is only one means of seeking to emulate a God who hears the cry of the suffering, it is increasingly the means that garners the most public attention.

But why? Why is medical research more gripping than other, competing, calls to alleviate suffering? More particularly, why are we so willing to sacrifice human embryos in pursuit of cures?

Here it is helpful to take up Cohen's question about the pursuit of equality and the sacrifice of equality. One need not have an overly jaundiced view of American democracy to admit that the citizenry chooses in various ways to limit equality in the pursuit of equality. The restriction of civil liberties in times of perceived danger, the promotion of gender or race equity through affirmative action, even the progressive income tax rate—in multiple ways, Americans compromise equality for the sake of equality. But in times of war, when the majority of citizens deem it necessary to *sacrifice* human life for the sake of liberty, we retain a sense that it would be wrong to demand such sacrifices only from those with little power and little influence. To enlist primarily the poor and otherwise disadvantaged to give their lives is to compromise the basic premises for which we presumably fight.

With the call to sacrifice human embryos for the sake of research, we have a blatant, unapologetic, systematic call for the wholesale sacrifice of a vulnerable form of human life for the sake of pursuing equality. This goes against a basic democratic instinct—that when it becomes necessary to call for sacrifice, the call should come first to the most powerful. Is it right, we must ask, to call for the sacrifice of embryonic life in a nation that lets most of us off so easily, especially the most powerful and most comfortable?

But my suspicions run deeper. I suspect that the allure of embryonic stem cell research cuts even further into the heart of democratic equality.

The appeal to find a cure for Superman, an elixir to return the Peter Pan of my generation to his former youthfulness, and a balm for what besets America's most beloved girl next door is potent. Each of these public figures attests in disturbing ways to the relentless passage of time and the danger of living mortal lives. But nowhere, as Cohen notes, does the amorality of nature hit as hard as with the "sweet, sick child."

In June 2002, *The Atlantic Monthly* addressed embryonic stem cell research in a provocative cover article on "Cloning Trevor." The author, Kyla Dunn, asked implicitly throughout: "Would you not be willing to sacrifice the principle of intrinsic dignity in order to save this child?" In answering, it seems only honest to admit: Well, that depends. Am I so viscerally moved to sacrifice an otherwise deeply held-principle to alleviate the suffering of each and every child, or do I only feel compelled by the suffering of particular children? Is the child in question white, or black? Are the child's teeth clean and evenly spaced, or are they darkened and crooked? Are his parents at least upper-working class? In sum, will the child's face evoke the fear that my child might some day suffer similarly?

This call to put aside the moral principle of intrinsic equality for the pursuit of equality works best if the summons hits home, literally. Those of us who listen to NPR and watch *The West Wing* expend considerable effort earnestly avoiding twists of fate that would bring us into contact with suffering. We have ways to avoid and distance the plight of "other" people's children who suffer from lead paint exposure or emission-induced asthma. But this dying child, with his blue eyes and light brown hair, taps into my deepest fear that I am not in control and cannot ultimately protect my daughters from the anguish of finite, fragile, human existence. For all of our care and attention, our private-schools, gated communities, and combat-style vehicles, the children of the upper classes may still end up with a life-altering or even fatal disease. Disease still creeps through the fortress, and that child on the cover of the magazine could just as easily be my own. His face thus compels not only my mercy, but my reconsideration of the status of incipient life.

On this, Cohen and I differ slightly in terms of emphasis. My primary concern with embryo research is not so much the threat it poses to a democratic affirmation of equality but the threat it poses to the lives of those who seem otherwise extraneous. Of course, these concerns are related. To affirm that all men and women are created equal is to give even the most vulnerable a claim on our protection. It is also to realize that we, too, do

need or will need the loving protection of others.

The field of bioethics currently functions within a loosely Kantian framework, and the forms of life that do not meet the criteria of rationality are at risk. When attempting to determine “who counts” as a created person in the operative framework, Americans are tempted to qualify the affirmation of universal equality. This temptation occurs in labor ethics, military ethics, and other loaded moral conversations in America, but the biotechnological landscape is now particularly fertile for error. With embryo research, pre-implantation genetic diagnosis, and pre-natal testing, we distinguish between those forms of human life that are not really quite human and those forms of life that are clearly kin and thus non-negotiably human. With embryonic stem cell research in particular, the former are sacrificed for the sake of the latter.

But the idea of equality through adoption, with mercy kept properly in view, discourages any separation between the human wheat and the human chaff. This is uniquely God’s work. (This is one reason why the pro-research argument regarding the spontaneous abortion of early embryos is hardly helpful.) It has been precisely at those times in human history when humans have tried to discern who “counts” as created in the image and who lacks the attributes for counting that we have proven ourselves the most dangerous. Given the sheer gratuity of each and every human being, the effort to calculate, measure, and time a human life in order to deem its worth is at least miserly and arguably vampiric. Given the deep propensity to make such calculations based on benefit to ourselves and those near and dear to us, we do well to halt when the temptation to calculate arises.

When at our best, Americans call on the powerful to protect the vulnerable; we pursue health and safety first for those whom we are otherwise tempted to ignore. To encourage the disaggregation of embryonic life, even for the sake of this precious child who shares my teeth, my eyes, and my hair is, I believe, further to harden our moral imaginations to the plight of those whose predicaments are beyond our carefully built fortresses, beyond the gates at which Lazarus sits, covered with sores.

Amy Laura Hall is assistant professor of theological ethics at Duke University Divinity School and the author of Kierkegaard and the Treachery of Love (2002).