

5-2006

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Recommended Citation

Vogel, L. "Natural Law Judaism? The Genesis Of Bioethics In Hans Jonas, Leo Strauss, And Leon Kass." *Hastings Center Report* 36.3 (2006): 32-44. Web.

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Natural-Law Judaism?:

the Genesis of Bioethics in Hans Jonas, Leo Strauss and Leon Kass *

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The shadow of Martin Heidegger looms large over his most original Jewish students. Each offers a philosophical diagnosis of their mentor's moral failings. Emmanuel Levinas follows Martin Buber's criticism that Heidegger forgets the Thou or Other in his account of authenticity. Hannah Arendt and Leo Strauss accuse Heidegger's "politics of Being" of distorting a more human politics. And Hans Jonas develops Karl Loewith's charge that Heidegger fails to do justice to nature as what gives rise to life and the body as the medium of our existence.

The University of Chicago's Leon Kass is the most important bioethicist writing out of the work of Hans Jonas today and, as Chairman of President Bush's Council on Bioethics, the most politically powerful. Though Jonas has a Jewish theology that supplements his ontological vision of nature, his ethic does not depend on revelation. For Kass, on the other hand, a satisfactory account of human dignity must go beyond what "unaided reason" can tell us about human nature. He offers an interpretation of sexuality and reproduction based on Genesis to "correct" Jonas's philosophy of nature. And given what Genesis teaches him about living "worthily in God's image," Kass adopts a far more broad-sweeping conservatism than the stance Jonas officially held.

Kass's appropriation of Jonas is deeply influenced by the work of another Jewish

thinker of University of Chicago fame, Leo Strauss. One gets a glimmer of this in Kass's critique of "the post-moral ambience" of modern liberal democracies and his remark that because conservative moral views rooted in "natural hierarchy" will never be popular with more than a few, "we should put our trust neither in nature nor in philosophy but in our religious traditions."ⁱ For his part, Jonas did not want religious argument to be used in the service of public, ethical debates. In any case it is not clear that Jewish sources should be read as justifying the sort of "hierarchy" that Kass apparently thinks they do when he defends "patriarchy" as "the primary innovation of the new Israelite way."ⁱⁱ

That Kass's work has heretofore been of less interest to Jewish commentators than to the Bush administration should not conceal the fact that, by blending American-style neo-conservatism with Judaism, Leon Kass has become the most influential public Jewish intellectual on matters bioethical. His understanding of Judaism, however, supports a position quite close to what William Galston has called the "Catholic-evangelical entente."ⁱⁱⁱ Halakhic Judaism, according to Galston, tends to be much more accommodating than "the Catholic-evangelical entente" on issues like stem-cell research, new reproductive technologies, abortion, and euthanasia. If this is correct, then Kass is really out of the Jewish mainstream, and we must ask whether he is a reliable transmitter of Jewish values on these matters. Or, to put it bluntly, is he driven by a natural-law perspective through which he filters his readings of Torah so that they end up supporting a position closer to the Pope or even Jerry Falwell than the rabbis?

But before turning to Kass we need to consider the thinker Kass calls "my first real teacher in philosophical biology," Hans Jonas.^{iv}

I. Jonas on Contemporary Ethics from a Jewish Perspective

In 1968, Hans Jonas saw the biotechnological wave on the horizon and posed a challenge as relevant today as it was then: “If we are Jews – and a corresponding question Christians and Muslims must ask themselves – what counsel can we take” from our tradition in the face of “the pressing dilemma of our time”?^v The dilemma stems from the explosion of our technological powers coupled with the demotion of our metaphysical rank within nature. If the Copernican revolution left “the nature of things, reduced to the aimlessness of their atoms and causes, with no dignity of its own” revolutions in evolutionary biology, psychoanalysis and the social sciences left us with no image of our own higher nature, nothing analogous to the Biblical idea that we are created in the image of God.^{vi} If we can manufacture new and improved versions of ourselves, then why not – for example - screen fetuses to weed out the ‘unhealthy’ or even unwanted, genetically engineer healthier babies, clone desirable individuals, forestall the aging process so that people can have much more of a good thing, harvest the organs of brain-dead patients to save potentially flourishing people, and let doctors gently kill when their patients have ceased to lead meaningful lives?

Confronting the Pandora’s box of biotechnology, Jonas raises a question still pertinent today:

Can we afford the happy-go-lucky contingency of subjective ends and preferences when (to put it in Jewish language) the whole future of the divine creation and the very survival of the image of God have come to be placed in our fickle hands?...

We need wisdom when we believe in it least.^{vii}

But, Jonas contends, science does not “refute” the symbolic meanings of four key Biblical propositions: that God 1) created heaven and earth, 2) saw His creation was good, 3) created humanity in His own image, and 4) makes known to humanity what is good because His word is written in our hearts.” And these meanings, he states, must be preserved “if we are still to be Jews.”^{viii} Jonas sets out not to prove the truth of these propositions, but only to articulate the wisdom that can be gleaned from “the Jewish stance” on the relation between power and responsibility.

On the negative side, Torah teaches us “modesty in estimating our own cleverness in relation to our forebears.”^{ix} And caution rooted in modesty “requires that we go slow in discarding old taboos, on brushing aside in our projects the sacrosanctity of certain domains hitherto surrounded by a sense of mystery, awe and shame.”^x On the positive side, the idea of creation sanctions an attitude of reverence for “inviolable integrities.” Torah, according to Jonas, teaches us to be responsible caretakers of the integrity of the life-world. “While Biblical piety saw nature’s dependence on God’s creative and sustaining will, we now also know its vulnerability to the interferences of our developed powers.” Respect for the phenomenon of life on earth demands that we cry out “an unconditional ‘no’ to the depletion of the six-day’s plenitude – and also, we might add, to its perversion by man-made genetic monstrosities.”^{xi}

Torah teaches us not only reverence for nature but also for our human nature, for we are “made in God’s image.” The main meaning of imago Dei, according to Jonas, is our ability to distinguish between good and evil and our responsibility for promoting the good, symbolized by the commandment, “Be ye holy, for I am holy, the Lord your God.” Jonas concludes that respect for the mystery of human freedom should make us seek the improvement of character through education, not genetic manipulation, and prefer

persuasion under conditions of freedom to psychological manipulation in the hands of behavioral engineers. Finally, Jonas contends that Biblical wisdom teaches us to balance a love of life with an acceptance of mortality, for “the birth of new life is life’s answer to mortality,” and if we abolished death, we would have to abolish the birth of new life, too. The upshot of the Psalmist’s words – “Teach us to number our days that we may gain a heart of wisdom” (Ps. 90:10-12) – is that medicine should not be transformed into the Promethean effort to eliminate imperfection or to prolong life at all costs.^{xii}

So Hans Jonas speaks as a Jew about how veneration for humanity under God might help us resist the tide of “modern reason” which holds that there is no human essence, for revelation gives us an “image of man” sufficient to put ethical limits on what we have the right to do to ourselves in the name of bettering our God-given nature. In his role as a philosopher, however, Jonas insists that his imperative of responsibility can be “ontologically” grounded without appealing to theistic premises, for “an image of man” is rooted in “the integrity of nature,” even if nature is not God’s creation. This grounding depends on a description of “the phenomenon of life” at odds with the assumptions of modern materialism.

II. Jonas’s Ontological Grounding of an Imperative of Responsibility

Jonas uses Heidegger’s own existential categories to subvert the modern credo that human being is the origin of all value. He provides “an existential interpretation of the biological facts” that lets us see, in the spirit of Aristotle’s psychology and against

Cartesian dualism, how all organisms, not only humans, have “concern for their own being.” Value and disvalue are not human creations but are essential to life itself. Every living thing has a share in life’s “needful freedom” and “harbors within itself an inner horizon of transcendence,” for each organism must reach out to its environment in order to stay alive.^{xiii}

The extension of psyche or self-concern to all organisms enables Jonas to venture two ontological conjectures that cannot be proven but are consistent with the biological facts, existentially interpreted: 1) that matter’s feat of organizing itself for life attests to latent organic tendencies in the depths of Being; and 2) that the emergence of the human mind does not mark a great divide within nature, but elaborates what is prefigured throughout the life-world. And these two points make room for a third speculation with dramatic ethical consequences: 3) insofar as we see ourselves, with our capacity for reflecting Being in knowledge, as “a ‘coming to itself’ of original substance,” we should understand ourselves as being called by nature, our own source, to be her guardian. By extending the category of “existence” to all organisms, Jonas makes possible a radical conversion of modern thought: “a principle of ethics which is ultimately grounded neither in the authority of the self nor the needs of the community, but in an objective assignment by the nature of things.”^{xiv}

But the primary focus of our responsibility ought to be humanity itself.

Since in [man] the principle of purposiveness has reached its highest and most dangerous peak through the freedom to set himself ends and the power to carry them out, he himself becomes, in the name of that principle, the first object of his

obligation, which we expressed in our “first imperative:” not to ruin, as he well can do, what nature has achieved in him by the way of his using it. ^{xv}

Unlike Plato’s eternal Form of the Good, the good-in-itself of living nature is at the mercy of our actions. Our primary duty is to protect the future of humanity because we are "executor[s] of a trust which only [w]e can see, but did not create." ^{xvi} Jonas’s precautionary imperative enabled him to level early criticisms of environmental degradation, human cloning, germline genetic engineering, crude forms of behavior control, and the immortality project on the grounds that these risk closing “the horizon of possibilities which in the case of man is given with the existence of the species as such and – as we must hope from the promise of the imago Dei – will always offer a new chance to the human essence.” ^{xvii}

In effect, Jonas claims to have found an ontological analogue to the theological idea that we are created in the image of God. Once the prejudice of modern reason - materialism - has been challenged by Jonas's "existential interpretation of the biological facts," he can defend three Biblical propositions without recourse to the premise at the heart of the Biblical tradition: that God created heaven and earth. In each case, we must be able to translate a theological proposition into a naturalistic one. First, "God saw that His creation was good" gets reinterpreted in Jonas's metaphysics as the good-in-itself of living nature whose very being imposes an "ought-to-be" whenever a responsible agent is there to appreciate it. Second, "God created man in His own image" gets recast as the notion that “the Idea of Humanity” is an event of cosmic importance because our power to reflect Being in knowledge and to put our imprint on nature is constrained by our responsibility for the good-in-itself: the transcendent measure of our cognitive and

technical powers. Finally, “God makes known to man what is good because His word is written in our hearts” gets translated into the idea that the objective imperative of responsibility is answered by our subjective capacity to feel responsible for the totality, continuity and futurity of the fragile object that commands our respect: namely, the existence and essence of humanity on planet Earth.^{xviii}

Though nature may be God’s creation, there is no need to ground ontology in theology, for nature is purposive even if there is no “purposer.” The goodness of life must speak for itself. If it falls silent, Jonas contends, theology cannot rescue it from the nihilist’s protest that “the whole toilsome and terrible drama isn’t worth the trouble.”^{xix}

The outcome of Jonas’s philosophy is a defense of the Biblical idea that “the human essence” lies in “our ability to distinguish between good and evil, which is said to be the main meaning of the phrase, ‘imago Dei.’^{xx} But the means of this defense – an ontological grounding of the imperative of responsibility – is true to the Greek idea that the human mind shares in the divine because reason is able to grasp the good-in-itself. It remains unclear, therefore, whether Jonas is a philosopher of nature whose project is informed by Judaism – or rather a philosopher who happens to be Jewish. The question is particularly pressing in the face of Leo Strauss’s claim that the Hebrew people had no concept of nature as a measure available to human reason: a standard in light of which we might evaluate the variety of human conventions.^{xxi} Mustn’t Jonas’s project be seen as an essentially “Athenian” move – contrary to the temper of “Jerusalem”? To be sure, Jonas develops a theology, most forcefully presented in his essay, “The Concept of God after Auschwitz: a Jewish Voice.”^{xxii} And he does speak to a religious audience as a Jew about how the idea that we are created “in God’s image” might help us address quandaries in bioethics. Nonetheless, in his role as philosopher, Jonas insists that

ontology is likely to provide a more universal footing for ethics than theology and that appeals to revelation too easily place irrational dogmas on higher ground.

III. Kass's "Correction" of Jonas: Why Accounting for Human Sexuality and Reproduction Requires Returning to Genesis

In his essay, "Appreciating The Phenomenon of Life" Leon Kass calls Hans Jonas "my first real teacher in philosophical biology," applauding Jonas's attempt "to think nonreductively about living nature."^{xxiii} Jonas seeks to bypass "the quarrel between the ancients and moderns" by showing how the modern view that "mind even on its highest reaches remains part of the organic" need not preclude the ancient credo that "the organic even in its lowest forms prefigures mind." By Kass's lights, Jonas "succeeds" in demonstrating 1) that and how every organism is a psychophysical unity, "the living concretion of embodied awareness or of feeling-and-striving body," 2) that the form of an organism is causally primary, 3) that life-forms are hierarchically ordered with the human animal possessing "unquestionable [ontological] superiority" over merely nutritive and sensitive souls, and 4) that teleological notions are indispensable to an explanation of life that is true to both the functioning of organisms and the upward trajectory of evolution.

^{xxiv}

Yet Kass finds "something missing from this otherwise truthful account of rising individuality" which tells us how "animals, and especially the higher animals, are more pronounced selves who live in a more pronounced world." The missing ingredient is "the specially focused kind of desire... rooted in sexual difference."^{xxv} Though Jonas brilliantly describes how metabolism is a defining power of life, he admits, when Kass

challenges him, to giving short shrift to sexuality and reproduction. And he concurs with Kass's diagnosis: that Jonas remains in the grip of his mentor, Heidegger, who viewed existence as a struggle between the solitary, mortal individual and an inhospitable world.

Kass speculates on where "a corrected teaching" on the phenomenon of life might lead. For hunger, the world comprises prey, predators, and a vast sea of indifference. But for eros the world contains "some very special, related but complementary beings: members of the same kind but opposite sex towards whom one reaches out with special interest and intensity." In sex, Kass says, life is not self-centered individuality but self-sacrifice: "unbeknownst to themselves animals desire their own replacement, voting with their genitalia for their replacement." Still, the full truth of sexuality is not so self-denying. In reproduction life offers to life a kind of transcendence, for organisms have the chance to leave behind another like themselves – "participating in the eternal in the only way they can." To conceive of life apart from its reproductive whence and whither, as Jonas following Heidegger tends to do, is "to homogenize the outer world and exaggerate its loneliness."^{xxvi}

Kass concedes that "the wisdom of finitude and the redemptive possibility of now-precarious perpetuation comprise the cornerstone of Jonas's teaching on responsibility."^{xxvii} Jonas, after all, calls the parent/child relationship "the archetype of all responsibility," for a parent is responsible for the "totality, continuity and futurity" of the child, on the basis not of a revocable contract, but the unconditional, one-sided claim of the vulnerable object. In this respect parental responsibility is a precursor to our obligation to protect the future of humanity as such, for this, too, calls for total, continuous and future-oriented caretaking. But whereas the desire to protect one's own is "implanted in us by nature," Jonas's imperative requires a level of veneration for "the

Idea of humanity” that does not come naturally, for it calls on us to control our present-centered inclinations for the sake of a distant future that will not serve our own happiness.^{xxviii}

Kass alleges, however, that Jonas’s wisdom regarding how “children provide life’s (partial) answer to mortality” derives not from Heidegger or even Aristotle, but from his Jewish heritage, “a more loving and just tradition” whose anthropology is anchored in Genesis.^{xxix} Though Jonas “knew all this in his bones,” according to Kass, he does not go far enough in spelling out the meaning of sexuality, for Jonas treats the parent/child relationship in a gender-neutral way, and uses it as a vehicle for an ontological grounding of an imperative of responsibility in an intellectual intuition of a good-in-itself speaking through nature. Kass’s Genesis, on the other hand, understands the ultimate meaning of “generative love” in terms of the heterosexual difference between male and female. The telos of this difference is realized, Kass tells us, in the institutions of marriage and patriarchy that, because they are “somewhat against the grain of nature,” must be authorized by revelation.^{xxx} It is worth considering The Beginning of Wisdom, Kass’s 700-page interpretation of Genesis, as an elaboration of his “correction” of Jonas: a midrash on what his teacher failed to acknowledge, but supposedly “knew in his bones” all along. My purpose is not to retrace the twists and turns of Kass’s long argument, but to elicit its basic structure so that we can see how his reading of Genesis serves as both a reply to Jonas and a lever for Kass’s critique of modernity.

IV. Kass on Genesis: the Way of Right Replaces the Way of Nature

Kass holds that Genesis offers a philosophical anthropology: an account of “the timeless psychic and social principles... of human life... in all their ambiguity.”^{xxxii} This anthropology provides the basis for an ethics and politics, for it shows how “it is possible to find, institute and preserve a way of life, responsive both to the promise and the peril of the human creature, that accords with man’s true standing in the world and that serves to perfect his god-like possibilities”^{xxxiii} In one respect, the Bible anticipates modern natural science, for it “recognizes the silence of the heavens and the earth regarding the human good and, therefore, emphasizes the incompetence of human reason, thinking only about nature, to find a decent and righteous way to live.” But, unlike science, the Bible compensates for the deficiencies of nature and reason with revelation: “a teaching for human life that, though accessible to human reason, is apparently not available to unaided human reason as it ponders the natural world.”^{xxxiii} Because Biblical stories dramatize and codify the meaning of human eros in a way unavailable to unaided reason, Kass concludes, what it means to live “worthily in God’s image” cannot be gleaned, Jonas notwithstanding, from an ontological vision of nature alone.^{xxxiv}

In the creation stories Kass identifies “two crucial strands of our emerging humanity”: the linguistic (or rational) and the sexual (or social). The linguistic/rational strand culminates in the Noahide code whereby “man uses his freedom and reason to promulgate moral and legal rules and to pass moral and legal judgments, first among which is the judgment that manslaughter is to be punished in kind because it violates the dignity of such a moral being.” The Noahide code founds civil society on rudimentary but explicit notions of law and justice rooted in the idea that all human beings are created equally in God’s image. “God’s image is tied to blood,” the high depends on the low, for “human elevation is achieved only through a law that reminds the god-like man to honor

and defend his precarious, animal-like mortal existence.”^{xxxv} Kass claims that belief in the covenant is as important to the new civil society as belief in the code of law, for “God’s covenant... overcomes by agreement nature’s indifference, not to say hostility, to human aspiration,” and so supports our hope for a future that will redeem the exercise of our “higher” possibilities.^{xxxvi}

The sexual/social strand of human nature, however, is crucial to perpetuating this new civil order across generations. Generative love, rooted in the difference between male and female, shows how we are unlike God, but in ways that bear on the idea that we are created in God’s image. The Bible’s genius, according to Kass, is to make the rational and sexual strands of human nature inextricable. For Genesis (and against Heidegger) man became man when he became conscious of his own sexuality, not mortality.

Human eros...takes wings from the recognition that there are higher possibilities for man than finally unfulfilling acts of bodily union, among which is the establishment of long-lived familial societies, grounded in the awareness that sex means children, human children need long-term rearing for sociality, morality and love, and children are life’s (partial) answer to mortality.^{xxxvii}

The story of the Garden of Eden shows that “gender-neutral humanity is an abstraction or, at most, a condition of childhood.”^{xxxviii} Furthermore, the primordial story of man and woman” Kass contends, “hints that complementarity – the heterosexual difference – and not just doubleness... may point the way to human flourishing altogether.”^{xxxix} God’s later legislative efforts [in Leviticus], Kass states, will codify what became clear at Sodom: that acts of incest and sodomy embody unjust principles of “love

of like, aversion to unlike” and “sexual selfishness.”^{xi} Sodomy in particular shows what happens, Kass avers, when “city dwellers, devoted both to political unity and immediate self-satisfaction, and indifferent to their vulnerability and need for replacement, take nonprocreative sex to its logical and sterile conclusion.”^{xii}

Division of labor, inequality, and rule and authority enter the sexual picture in Genesis 3 with the coming of children: the woman’s desire, God predicted, would be to her man, and he would rule over her; he, in turn, would toil and trouble to provide for her and her children (3:16-19)^{xiii} Kass interprets Genesis from Chapter 12 on as a story about what it takes to educate young men to become worthy husbands and fathers - against the wayward tendency of their male nature, for “most men, left to their own devices, do not readily leap to this task,” pursuing instead ways of life devoted to wealth and pleasure, power and domination, or even heroic quests for personal honor and glory.

“Law, custom and instruction are everywhere needed to shape and transform the natural attractions between man and woman into the social and moral relations of husband and wife.”^{xiii} Though “the Noahide code is silent on this subject,” Kass states, God Himself supports all three elements of the marital bond: 1) respect for woman’s chastity and marital sexual fidelity, which anticipates 2) the gift of children within marriage, which makes necessary 3) the right ordering of the household, with the husband endorsing his wife’s devotion to the well-being of their children.^{xiv} This by no means diminishes the role of women, Kass tells us, for “it takes the right women to attach their husbands to the high-minded and reverent rearing of the next generation.”^{xiv}

Though Kass describes a “true wife” as “an equal partner,” he states that “the primary – not the last but the first – innovation of the Israelite new way” is

“patriarchy.”^{xlvi} He admits that “patriarchy” has become “a dirty word” today because it is thought to refer to “the hegemonic and arbitrary rule of men over women and children, justified simply because they are men.”^{xlvii} But he insists that:

“patriarchy properly understood turns out to be the cure for patriarchy properly condemned. The biblical sort of patriarchy is meant to provide a remedy for arbitrary and unjust male dominance and self-aggrandizement, for the mistreatment of women, and for the neglect of children... [And] patriarchy properly understood... depends on marriage rightly understood, [and both are] essential element[s] in promoting holiness and justice. [But] they are hardly the natural ways of humankind. They have to be learned – to begin with, somewhat against the grain.”^{xlviii}

“Abraham must learn that founding and leading a great nation depends on woman, whose generative power holds the key to the future.”^{xlix} Like most men, Abraham needs more instruction than women in tending to the family because women as childbearers are naturally closer to the claims of “generative love.” And Abraham must learn that proper founding and rule, like proper fatherhood, requires a reverent orientation to “the fatherhood of God.” Abraham, Kass claims, is “the model father of his family and his people because he loves God more than his own.”¹ All fathers, states Kass, “sacrifice” their sons to some “god” by what they respect and teach in their homes. We rear our children not for ourselves but to do without us, to take our place, to aspire to righteous and holy ways. The “true father” is even willing to part with his son altogether - witness Isaac - recognizing him rather as a gift and blessing from God. This anticipates the “true

founder's" acceptance of the fact that his own innocent sons must suffer for the sake of the righteous community, that one's own life is not worth living if there is nothing more sacred for which one will sacrifice oneself. ⁱ

The psychological structure of what Kass calls "proper patriarchy" is clear enough. Future generations provide life's answer to mortality. Women must lure men away from their lustful and worldly exploits and get them to acknowledge their dependence on women's reproductive powers, but out of pious regard for the transcendent imperative "to be fruitful and multiply." Parents, however, owe their children not only life but a good life, and the "true father," more independent as he is than mother from the natural connection to "one's own," is better able and duty-bound to transform "family values" into a civic piety oriented by devotion to what is higher than politics altogether. Though women as wives and mothers initiate and ground the transformation from animal lust to human eros, men must complete the transformation as fathers and leaders whose patriarchal authority is oriented by "fear of the Lord."

Kass claims, in effect, that important aspects of what it means to "live worthily in God's image" are not captured by Jonas's philosophical biology, oblivious as it is to the place of sexuality in the meaning of life. Jonas – with his ontological analogue to the idea of humanity in the image of God – fails to appreciate the depth of the tension between Athens and Jerusalem, reason and revelation, nature and right. His gender-neutral interpretation of the imago Dei motif overemphasises equality at the expense of heterosexual difference and "natural hierarchy." "God's instruction consists in replacing the way of nature with the way of right," Kass tells us, for "natural sexual impulses will not by themselves establish the proper institutional forms." ⁱⁱ Revelation allows for a "completion" of Jonas's "more natural science," but one with serious implications for

Kass's whole view of bioethics, which now goes well beyond (in its specificity concerning our "proper" limits) Jonas's quite general "imperative of responsibility."

V. Kass on Genesis and the Crisis of Bioethics:
from the End of Courtship to the Beginning of Cloning

Kass's reading of Genesis is the lever for his critique of the "post-moral ambience" of modern liberal democracies. At the end of his discussion of the tower of Babel, Kass describes modernity as a return to the Babylonian vision. The language of Cartesian mathematics and method, he states, promise that the world might become a cosmopolitan city devoted to universal "equality in freedom," a city made ever more comfortable by the conquest of nature for the relief of man's estate. As an antidote to the proliferation of opposing nations, "our modern Babel constructs the United Nations, the worldwide web, the globalized economy, and the biomedical project to recreate human nature without imperfections." Kass suggests, however, that modern Babel falls prey to the same failures as its ancient predecessor. Its inhabitants – we - know no reverence, are inhospitable to procreation and childrearing, lack nonarbitrary and nonartificial standards for human conduct, and are unable to be self-critical. "The city is back," Kass laments, "and so, too, is Sodom, babbling and dissipating away." ^{liii}

In his essay, "The End of Courtship," Kass indicts liberal democracy and modernity for "hamper[ing] courtship and marriage" by destroying "cultural gravity about sex, marriage and the life-cycle." ^{liv} Liberal principles were, for the Founding Fathers, "narrowly political"; morals and mores were informed by Biblical religion. But as our nation became more pluralistic and secularized – and as rights became the sole

coinage of moral discourse – liberal principles became “corrupted by expansion and exaggeration.”^{lv} “The right ordering of family relations” is lost on “democratic man” for whom “all hierarchy is suspect, all distinctions are odious, and all claims on his modesty and respect are confining.” Announcing himself liberated from archaic and stultifying norms, “democratic man” asserts, “We’re all pals now.” Filial piety and paternal excellence are precarious virtues, Kass notes, and “the supply may be shorter than ever.” Evidence of our moral decline lies in “the sins that unfatherly fathers visit upon their sons and grandsons.” Kass avers that “Canaan is again cursed to live slavishly like a pagan.”^{lvi}

But the brunt of Kass’s critique falls upon unmotherly women who are all too willing accomplices in the decline of traditional family values. The “most devastating” social outgrowth of the Enlightenment, according to Kass, is the sexual revolution, “facilitated by cheap and effective birth control.”^{lvii} Liberated from the generative consequences of sexual activity, a woman can declare herself free from “the teleological meaning of her sexuality – as free as a man appears to be from his.”^{lviii} The first casualty of the sexual revolution is “the supreme virtue of the virtuous woman” - modesty – “a necessary condition of transforming a man’s lust into love...” But immodesty is endorsed by public sex education which promotes “safe sex,” treats contraception as a morally neutral tool, and regards “offspring and disease as equally avoidable side-effects of sex, whose primary purpose is pleasure.”^{lix}

Fueled by the sexual revolution, feminism turns against marriage by radically attacking sex roles: in particular, “the worth of motherhood and the vanishing art of homemaking.”^{lx} Equal education tempts women to put career above marriage, and the legitimate quest for meaningful work can lead to a “disordering of loves” in which economic independence – “no asset for marital stability” – comes at the price of a

commitment to husband and children.^{lxi} “Without powerful nonliberal cultural forces, such as traditional biblical religion, that defend sex-linked roles, androgyny in education and employment is the likely outcome.”^{lxii}

With the rise of out-of-wedlock births and divorce, the stable, monogamous marriage is no longer the accepted cultural norm. As Kass puts it, “new family forms allow children to have between zero and four parents.” In the meantime, the feminist and the gay rights movements have pushed for the reproductive “rights” of single women, homosexual men and lesbians, treating natural heterosexual difference and its preeminence as “matters of cultural construction.” “With adultery almost as American as apple pie, few appreciate the awe-ful shame of the Scarlet Letter. And the sexual abominations of Leviticus – incest, bestiality, and homosexuality - are going the way of all flesh: homosexuality with religious blessings, no less!”^{lxiii} These social changes are the “bittersweet fruits” of the successes of modern democratic cultures that value freedom, equality and universal, secularized education and are characterized by prosperity, mobility and progress in science and technology.^{lxiv}

Kass’s diagnosis of the demise of courtship contains the kernel of his critique of contemporary bioethics. The “post-moral ambience” of modern liberal democracies explains both why marriage has become so troubled and why, in matters bioethical, “we are getting used to everything,” for “‘human nature’ is dead in the water as a moral guide.”^{lxv} When contraception is justified as part of a woman’s right to privacy, abortion as belonging to a woman’s right over her body, and procreation as a matter of a woman’s right to reproduce, Kass tells us, it is hard to make sense of the Biblical understanding of male and female as “unavoidably complete and dependent children of the Lord” ordered “to be fruitful and multiply.”^{lxvi} The easy availability of contraception and abortion

bespeaks our “anti-natalist” belief that all children should be wanted: a belief implying, according to Kass, that “only children who fulfill our wants will be fully acceptable.”^{lxvii} We are on a slippery slope to genetic engineering. Furthermore, contraception and abortion violate women’s “generative nature,” for, by separating sex from its serious consequences, they foster the irresponsible and ultimately dehumanizing view that sex primarily means self-gratification. And having abandoned the idea that babies have a necessary connection to sex, “it must seem anachronistic to fight, in the name of nature, against IVF and surrogate pregnancy.”^{lxviii}

Finally, in spite of official opposition to human cloning, the prospect offers “the perfect embodiment of the ruling opinions of the new age: the ultimate single-parent child.”^{lxix} Cloning symbolizes our desire to control the future but not to be subject to any control ourselves. Kass warns of “a posthuman future” in which we prevent all genetic disease but only by turning procreation into manufacture, promote safe and shame-free sex but at the expense of romance and lasting intimacy, create “happy souls” but people who want and know only chemically induced satisfactions, and aspire to “ageless bodies” that house people who cannot remember why they want to live for so long.^{lxx}

Because these developments are facilitated by our liberal-democratic values of life (welfare) and liberty (autonomy), we “are slow to recognize” them as threats to human dignity. But we are naive to believe that “the evils we fear can be avoided by compassion, respect for autonomy, and regulation.” Kass searches for “nonarbitrary standards” based on “unalterable human nature” and known by way of our “repugnance” towards these violations of natural limits.^{lxxi} To avoid a posthuman future we need to be devoted not primarily to life and liberty but to a “higher” image of “dignity” rooted in “richer ways of doing, feeling and being.” Convinced of the insufficiency of nature for

ethics, Kass turns to the idea of “living worthily in God’s image” to reveal “our proper standing.”^{lxxii} Perhaps, he suggests, “we should pay attention to the plan God adopted as an alternative to Babel, walking with Father Abraham.”^{lxxiii}

Kass wants to retrieve what he takes to be “the [Biblical] core of our culture’s wisdom” that, until the post-War era, comprised “a common and respectful understanding” of sexuality, procreation, nascent life, family, the meanings of mother and father, and links between generations.^{lxxiv} This would demand, Kass states, the restigmatization of promiscuity and illegitimacy, the reversal of anti-natalist prejudices implicit in the practice of abortion, the correction of anti-generative sex education, and the revalorization of marriage as an ideal, including the encouragement of earlier marriage and child-bearing and the postponement of the training of women for careers. But these reforms would depend on restoring the conditions for successful courtship, especially the virtue of female modesty. But in the age of “democratic man,” Kass predicts, the likelihood of this is slim.^{lxxv}

VI. “Leo-conservatism”: the Influence of Leo Strauss on Leon Kass

I hope it is clear how Kass’s Judaic “correction” of Hans Jonas makes Kass at home in the company of the so-called “traditional family values” and “right-to-life” crowd in Washington today. But it would be mistaken to dismiss Kass as a Republican ideologue who tailored his ideas to please the powers-that-be so that he could break out of the ivory tower and into halls of power. His views germinated during thirty years of teaching, first in the early 70’s at the “great books” program of St. John’s College in Annapolis where he crossed paths with Leo Strauss, and then at the University of

Chicago's Committee on Social Thought where Strauss himself had taught for two decades and exerted such an influence, especially through his student, Allan Bloom.

Let me suggest that if Jonas was Kass's first teacher in philosophical biology, then Strauss was Kass's professor of philosophical anthropology and theology. Kass's ethical stance is not a calculating power-grab, but, whether one likes it or not, a logical outgrowth of Strauss's misgivings about modernity in general and America in particular. Strauss's leading idea is that modernity is essentially "nihilistic." No longer believing that humanity belongs to a sacred order of creation or an objective order of essences in the totality of nature, moderns think of humanity as "freely projecting existence" who must create values on the basis of nothing but the shifting soil of history. Values, as we have come to say, are "social constructions"; there is no natural or God-given standard of right. According to Strauss, "German historical relativism," epitomized by Heidegger, is the culmination of the modern tenor.^{lxxvi}

Strauss bids us to return to "Athens" and "Jerusalem" as antidotes to the nihilism and relativism of modernity. But there is a problem. Athens (philosophy) and Jerusalem (the way of Torah) are at loggerheads and cannot be "synthesized." Philosophy depends on unaided reason, and presupposes the possibility that the human mind can autonomously comprehend "the whole," although, at the end of the day, reason must admit its own finitude and remain open to the infinity of reality and so to the possibility of divine transcendence. Torah presupposes the incomprehensibility of the whole to our intellect and so our need for "obedience" to law through faith in a mysterious but omnipotent Creator, although religious piety, too, should admit that it may have given up on reason too soon. Though these two ways of life are incompatible, their irresolvable conflict, according to Strauss, comprises "the secret of the vitality of Western

civilization." Neither can prove the other wrong, and yet, because Socrates and the Hebrew Bible provide alternatives to the "nihilism" of modernity, Strauss hopes that they can cohabitate in creative tension.^{lxxvii}

Although Greek philosophy and the Bible "proceed in entirely different ways" – reason versus revelation - Strauss makes the stunning claim that they agree about "the essential content of morality": that "murder, theft, adultery, etc., are unqualifiedly bad" and that "the proper framework of morality is the patriarchal family, which is, or tends to be, monogamous, and which forms the cell of a society in which the free adult males, and especially the old ones, [properly] dominate" because "the male sex is in principle superior."^{lxxviii} While Greek philosophy allegedly grounds human patriarchy in natural hierarchy known to reason, the Bible traces human patriarchy to law obeyed out of love of the divine patriarch. Philosophy, however, "weakens the majesty of the moral demands [because they are not backed up by the promises and omnipotence of God]."^{lxxix} For this reason, Strauss states, "[divine law] is accepted by Greek philosophy for the education of the many," although "not as something which stands independently."^{lxxx}

Though Strauss never quite puts his cards on the table, I conclude that he sides with Socrates over Torah. One cannot preclude the possibility of revelation, but Strauss puts his trust in reason since a believing Jew's faith in revelation ultimately calls for a "childlike obedience" which Strauss, devotee of Socrates that he is, cannot muster.^{lxxxi} Yet he still insists that "it is impossible [for a Jew] not to remain a Jew," because it is impossible, even for an unbeliever, "to get rid of one's past by wishing it away."^{lxxxii}

For the Socratic political philosopher like Strauss, "fear of the Lord" cannot be ruled out as a valid attitude, but revelation must be considered "a noble lie" from the perspective of the philosopher's love of wisdom and faith in reason. But even if Biblical

religion is false, Strauss suggests, it plays an important role in liberal societies because, left to their own devices, the "hoi polloi," when loosed from "sacred restraints" and allowed to philosophize, tend to end up hedonists, relativists or nihilists: the "democratic men" described by Kass. So "the many" need the stabilizing "structure" of religion in order to reinforce civic piety. But "the wise" are able to recognize on the basis of reason alone "the natural hierarchy" that ought to inform the good society.^{lxxxiii}

Kass shares Strauss's critique of modernity: a critique foreshadowed by Plato's worries about democracy in his Republic. Liberal pluralism produces "souls without longing": a desire for comfort and freedom, but no "high" aspirations and, ultimately, a belief that truth is "relative" and that life is for pleasure - in other words, a version of Plato's democratic soul whose culmination is Nietzsche's "last man." Strauss calls "liberal tolerance" a cover for "nonjudgmental relativism": a commitment to equality ("I'm OK, You're OK") that leads to a refusal to make distinctions between good and evil or to condemn anything absolutely.^{lxxxiv}

Strauss's core idea (elaborated by Allan Bloom) is that "the American mind" is becoming "closed" to the possibility of "higher Truth" - in the name of a liberal, tolerant and ultimately relativistic "openness to diversity." He worries that the U.S. (and especially its liberal universities) is infected by the very "German historical relativism" that left Weimar with no intellectual defense against Nazism.^{lxxxv} This leads him to return to Athens and Jerusalem as alternatives to the elements of liberal modernity that incline it towards doom.

Kass purports to side with Jerusalem over Athens, Abraham over Socrates. He wants to believe that revelation conveys the Truth, not merely a "noble lie" that serves political ends. Kass is trying to take "the leap" that Strauss, who remained a "zetetic

skeptic" like Socrates, seemed unable to take.^{lxxxvi} Though Kass claims to speak from "Jerusalem," I shall argue that he really arrives at his conclusions on Straussian, i.e., philosophical, grounds. But practically speaking, it doesn't matter, for his social agenda converges with Strauss's claim that the moral substance of Greek philosophy and the Bible is the same: the second table of the Decalogue and patriarchy.

VII. Kass's Natural-Law Judaism and Neoconservative Politics

Earlier I argued that Hans Jonas's invocation of "humanity in the image of God" owes a greater debt to ontology than to theology. Jonas, taking his cue from Kant's "enlightened" effort to defend "religion within the limits of reason," fashions a rapprochement between Athens and Jerusalem: an ontology of nature that can - but need not - be supplemented by a theology of creation. Jonas is a kind of "natural theologian" whose imperative of responsibility comprises "natural law." For just this reason, Leon Kass finds Jonas's defense of our responsibility for future generations to be untrue to Jonas's own Jewish heritage. A satisfactory account of the meaning of human sexuality and reproduction, according to Kass, requires that the way of nature - and Jonas's path, too - be "corrected" by revelation and divine legislation. But does Kass's account depend on his reading of Genesis - or is it an outgrowth of his "more natural science"?^{lxxxvii}

When Kass speaks of the "more loving and just tradition" embodied by Genesis, it is not clear that he is speaking as a Jew, and this for several reasons. First, Kass reads Genesis without seriously engaging the other four books of the Pentateuch, not to mention the vast corpus of rabbinic and postrabbinic interpretation that, according to Rabbi Soloveitchik, defines what "Torah" - or revelation - is. Second, Kass admits to

approaching Genesis as a Humanities professor: not on the basis of “a leap of faith or commitment in advance to the truth of the biblical story, but, rather, [through] a suspension of disbelief.”^{lxxxviii} He holds himself open to glean what lessons he can from what the Biblical tales offer him, reading the text in the “wisdom-seeking spirit of philosophy.” But as Leo Strauss puts it, “By saying that we wish to hear first and then to act to decide, we have already decided in favor of Athens against Jerusalem.”^{lxxxix}

Finally, Kass acknowledges how closely his view approximates a natural-law perspective. The Noahide code, he states, stands on ontological ground more solid than the needs of society, the will of the victim, or even the authority of divine commandment.^{xc} Though Kass contends that “the most important insights on which decent society rests – for example, the taboos against incest, cannibalism, murder and adultery – are too important to be imperiled by reason’s poor power to give them convincing defense,” he also reminds us, echoing Strauss, that “the entire second table of the Decalogue propounds not so much divine law but natural law, suitable for man as man, not only for Jew or Christian.”^{xc1} And these “reasons immanent in the nature of things” were evident even to pagans like Aristotle, though the vehicle of our discernment of these taboos is not pure reason, but, as Kass calls it, “the wisdom of repugnance.”^{xc2} Regarding the Noahide covenant, political philosophy can at most show the “utility, even the necessity” of faith in divine providence. But even if “decent human life requires a belief in a secure future and in the justice of law and the sureness of punishment,” and these beliefs are “considerably more stable in the presence of a belief in divine backing,” this impulse, Kass concedes, “may originate, without external cause, entirely from within the human soul.”^{xc3}

As for the erotic side of human nature, Kass admits to embracing the idea, associated with the natural-law tradition and “a more ancient and teleological understanding of nature,” that “a proper understanding of the inner procreative meaning of... human sexuality points exactly to the institution of exogamous, monogamous [and heterosexual] marriage as the institution best suited to rearing decent and upright children, that is, children who are truly human (or, as our text might put it, worthily in God’s image).”^{xciv} Kass, to be sure, states that “since moral views rooted in natural hierarchy will never be popular with more than a few, we should put our trust neither in nature nor philosophy, but in our religious traditions.”^{xcv} But in saying this, he seems to side with Strauss’s pagan defense of piety: that although “natural hierarchy” can be defended on philosophical grounds, the wise man’s reasons will fail to persuade “the many” in a democratic culture, and so the promotion of “family values” and patriarchy in particular are better left in the hands of religion.

When Kass refers to the insufficiency of nature and reason for ethics, however, he claims to speak not merely from a political perspective, but from belief in the superiority of revelation over philosophy, Jerusalem over Athens. Here he goes beyond Leo Strauss’s Socratic or “zetetic” skepticism. For Kass concludes that “only with the Bible’s help” could he have discovered the truths he thinks he has found, and so “my sympathies have shifted toward the biblical pole of the age-old tension between Athens and Jerusalem,” for “I am no longer confident of the sufficiency of unaided human reason. I find congenial the moral sensibilities and demands of the Torah, though I must confess that my practice is still wanting.”^{xcvi}

Nature is an insufficient guide, for the heavens don’t teach us how to live and, although sex has “inner procreative meaning,” proper marriage and patriarchy do not

come naturally, especially given males' "inborn polygamous nature."^{xcvii} And philosophy is inadequate because even though the Bible's lessons are available to "the wisdom-seeking mind," the inaccessibility of these lessons to reason unaided by revelation indicates "the presence of some higher yet mysterious cosmic power to which human beings can and should be open"^{xcviii} In short, "the right ordering of loves" requires revelation, for "natural sexual impulses will not by themselves establish the proper institutional forms."^{xcix}

Kass's claim is puzzling, for an advocate of natural law or natural theology need not hold that we are immediately inclined, regardless of the quality of our education, to apprehend moral truths or develop moral virtue. Human nature requires cultivation if we are to have any hope of understanding or actualizing our potential. The real question is whether the ends, the proper goals of culture and education, can be discerned on the basis of reasonable inquiry into the human condition. Kass's protests notwithstanding, one senses that the truths he traces to revelation are foregone conclusions based on his own philosophical stance towards life. God's manifest wisdom in structuring human nature the way He has, not His incomprehensibility, comprises the ground of Kass's faith in revelation. And, as Strauss, puts it, "natural theology... is the forgotten basis of modern free thought."^c

If Kass is really a natural philosopher wearing the mantle of Judaism, then his arguments about the moral norms that follow from human nature must be addressed in philosophical terms. I think that Hans Jonas's reluctance to deduce moral norms like heterosexuality, gender roles, the nuclear family and patriarchy from his "existential interpretation of the biological facts" proves to be an asset, not a liability. Though his imperative of responsibility - "Don't do what risks jeopardizing the existence or essence

of humanity" - may seem too "thin" and lacking in content from Kass's perspective, Jonas might reply that Kass projects his own moral and social judgments onto nature and so ends up with norms that are all too "thick" to be universal. The question for bioethics is: at what point should a possible intervention be prohibited on the grounds that it violates what Jonas calls "the integrity of the human essence" or, in a Biblical key, the imago Dei?

Jonas's imperative gives us a direction or orientation, but no decision-procedure leading from "the human essence" to what is right in any particular case. Still, it puts us on guard against nightmares lurking within the utopian dream of manufacturing a "new and improved" humanity. This is the conservatism in Jonas that resonates so deeply with Kass. But Jonas never launches into the full-scale critique of liberal democratic culture that Kass, following Leo Strauss and Allan Bloom, does. On their view of modernity, the liberal values of freedom and equality cease to be "narrowly political" and instead masquerade as the ultimate ends of human life, thereby corrupting culture as a whole. "Democratic man" has a shallow soul: hollowed out by the relativism inherent in the view that all choices are equally good so long as they are freely chosen. And the promise of radical autonomy tempts moderns with the fantasy of technological liberation from "merely natural" constraints.

Kass extends the Straussian critique of modernity to the sphere of bioethics. "The wisdom of repugnance" before the prospect of human cloning awakens Kass's antipathies towards a whole set of social changes that allegedly pave the way to cloning because they overextend the values of freedom and equality and comprise "violations of human nature": feminism, the sexual revolution (spurred on by the availability of safe and effective contraception), the pro-choice movement on abortion, the gay rights movement,

and the acceptance of divorce and arrangements other than the "traditional nuclear family." So-called "women's liberation" is the root of the "postmoral ambience" into which "cloning fits perfectly." This makes Kass sympathetic to the "family values" agenda of the neo-conservative movement. Hans Jonas, so far as I can tell, neither anticipates nor shares this expansion of his critique of biotechnology. Kass's "correction" of Jonas, facilitated by his reading of Genesis, opens up a far more broad-sweeping conservatism.

If Kass's case for revelation is really a version of natural theology, then his position confronts the familiar criticisms of natural-law ethics, and, I have argued, Jonas's minimalist version of natural-law fares better. But given that Kass professes to speak from "the biblical pole of the age-old tension between Athens and Jerusalem," he must address William Galston's claim that one should hesitate to refer, as neo-conservatives including Kass tend to do, of "Biblical religion." For "Judaism (including Jewish orthodoxy, which makes common cause with Catholics and evangelicals on other matters) is much more accommodating" about the legitimate uses of biotechnology than "the Catholic-evangelical entente." Galston writes:

Judaism accords a very high value to reproduction and healing, and less value to the status of nonimplanted pre-embryos. It also sets forth an activist vision of human beings as co-creators of the world. These basic features of the Jewish outlook lead it to embrace many applications of biotechnology.^{ci}

I am not qualified to assess Galston's claim, but hope to open it up for dialogue among those who are, for only then can Jews judge whether Kass's normative

pronouncements fulfill what David Hartman calls the teaching of the rabbis: namely, that “the Sinai moment of revelation, as mediated by ongoing discussion in the tradition, does not require passive obedience and submission to the wisdom of the past,” but instead requires Jews to “live by the Torah as if it had been given in [our] own time.” (9) For Leo Strauss “Jerusalem” was a symbol for the recovery of Jewish identity – a kind of “inner Judaism” - against a modernity whose “enlightened” solution to “the Jewish question” – namely, assimilation – had proven to be a disaster. How ironic that this symbol allows Leon Kass to assimilate into the civil religion espoused by the architects of the new pax Americana: a mainstream connected to the most bellicose and perhaps suicidal strand of Israeli politics today. Though halakhic Jews may find Kass's reliance on Genesis so restricted that he shouldn't be taken seriously as a Jewish voice, the fact remains that in Leon Kass the White House has found its official standard-bearer for the neo-conservative agenda in bioethics, thereby promoting its arguably evangelical aims in the guise of an inclusive “Biblical morality.”

* Thanks to audiences at the University of Chicago, Trinity College and Dartmouth College for helpful responses to earlier drafts of this paper, originally given as one of the 2003 Sharpe Lectures at the University of Chicago Divinity School.

ⁱ Leon R. Kass, “The Troubled Dream of Nature as a Moral Guide,” in *Hastings Center Report* (November-December, 1996), 24.

ⁱⁱ Leon R. Kass, *The Beginning of Wisdom: Reading Genesis* (New York: Free Press, 2003), 249.

ⁱⁱⁱ William A. Galston, “What’s at stake in biotech?,” *The Public Interest* (Fall 2002), 106.

^{iv} Leon R. Kass, “Appreciating The Phenomenon of Life,” *Hastings Center Report* (Special Issue: The Legacy of Hans Jonas, 1995), 4.

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- ^v Hans Jonas, “Contemporary Problems in Ethics from a Jewish Perspective,” *Philosophical Essays: From Contemporary Creed to Technological Man* (Chicago: University of Chicago Press, 1974), 178.
- ^{vi} *Ibid.*, 173.
- ^{vii} *Ibid.*, 176 and 178.
- ^{viii} *Ibid.*, 177.
- ^{ix} *Ibid.*, 178.
- ^x *Ibid.*, 179.
- ^{xi} *Ibid.*, 180.
- ^{xii} For other references in Jonas’s work to the image of God motif, see Hans Jonas, *Mortality and Morality: A Search for the Good after Auschwitz*, ed. Lawrence Vogel (Chicago: Northwestern University Press, 1996), 75 and 178.
- ^{xiii} For his most complete account of “an existential interpretation of biological facts,” see Hans Jonas, *The Phenomenon of Life* (Chicago: Northwestern University Press, 2001).
- ^{xiv} *Ibid.*, 283.
- ^{xv} Hans Jonas, *The Imperative of Responsibility: In Search of an Ethics for the Technological Age* (Chicago: University of Chicago Press, 1984), 129.
- ^{xvi} Jonas, *The Phenomenon of Life*, 283.
- ^{xvii} Jonas, *The Imperative of Responsibility*, 140.
- ^{xviii} For Jonas on “the fundamental biblical propositions” negated by contemporary ethical theory, see Section II in “Contemporary Problems of Ethics in a Jewish Perspective.”
- ^{xix} For Jonas’s argument that the response to “nihilism” must be ontological, not theological, see Jonas, *The Imperative of Responsibility*, 47-8.
- ^{xx} Jonas, “Tool, Image and Grave: On What is Beyond the Animal in Man,” *Mortality and Morality*, 75.
- ^{xxi} Leo Strauss, “Progress or Return,” *The Rebirth of Classical Political Rationalism*, ed. Thomas L. Pangle (Chicago: University of Chicago Press, 1989), 253.

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- ^{xxii} Jonas, "The Concept of God after Auschwitz: A Jewish Voice," Ch. 6 in *Mortality and Morality*.
- ^{xxiii} Kass, "Appreciating *The Phenomenon of Life*" 3-4.
- ^{xxiv} *Ibid.*, 4-5.
- ^{xxv} *Ibid.*, 11.
- ^{xxvi} *Ibid.*, 12.
- ^{xxvii} *Ibid.*.
- ^{xxviii} For a comparison of the responsibilities of parents and statesmen, see Jonas, *The Imperative of Responsibility*, Ch. 4, Sec. III.
- ^{xxix} Kass, *Appreciating The Phenomenon of Life*, 12.
- ^{xxx} Kass, *The Beginning of Wisdom*, 250.
- ^{xxxi} *Ibid.*, 10.
- ^{xxxii} *Ibid.*, 11.
- ^{xxxiii} *Ibid.*, 6.
- ^{xxxiv} *Ibid.*, 294.
- ^{xxxv} *Ibid.*, 186.
- ^{xxxvi} *Ibid.*, 188.
- ^{xxxvii} Kass, "Appreciating *The Phenomenon of Life*," 12.
- ^{xxxviii} Kass, *The Beginning of Wisdom*, 98.
- ^{xxxix} *Ibid.*, 121.
- ^{xl} *Ibid.*, 294-5.
- ^{xli} *Ibid.*, 329-30.
- ^{xlii} *Ibid.*, 270.
- ^{xliiii} *Ibid.*, 268.
- ^{xliv} *Ibid.*, 292.

xlv Ibid., 266.

xlvi Ibid., 291.

xlvii Ibid., 249.

xlviii Ibid., 250.

xlix Ibid., 266.

¹ Ibid., 348.

li Ibid., 350.

lii Ibid., 294.

liii Ibid., 242-3.

liv Leon R. Kass, "The End of Courtship," *The Public Interest* (Winter 1997), 44.

lv Leon R. Kass, "Introduction," *Life, Liberty and the Defense of Dignity: The Challenge for Bioethics* (San Francisco: Encounter Books, 2002), 13.

lvi Kass, *The Beginning of Wisdom*, 215-6.

lvii Kass, "The End of Courtship," 44.

lviii Ibid., 45.

lix Ibid., 46.

lx Ibid., 49.

lxi Ibid., 50-1.

lxii Ibid., 53.

lxiii Ibid., 56.

lxiv Ibid., 53.

lxv For Kass's reference to "the postmoral ambience in which we now live," see "Cloning and the Posthuman Future" in *Life, Liberty and the Defense of Dignity*, 144. For his suggestion that in this environment "human nature is dead in the water as a moral guide," see "The Troubled Dream of Nature as a Moral Guide," 24.

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- lxvi Kass, "The End of Courtship," 53.
- lxvii Ibid., 62.
- lxviii Kass, "The Troubled Dream of Nature as a Moral Guide," 24.
- lxix Kass, "Cloning and the Posthuman Future," 143-4.
- lxx Leon R. Kass, "Ageless Bodies, Happy Souls," *The New Atlantis* (Spring 2003).
- lxxi Leon R. Kass, "The Age of Genetic Technology Arrives," *Life, Liberty and the Defense of Dignity*, 132 and 138.
- lxxii Leon R. Kass, "The Permanent Limitations of Biology," *Life, Liberty and the Defense of Dignity*, 297.
- lxxiii Kass, *The Beginning of Wisdom*, 243.
- lxxiv Kass, "Cloning and the Posthuman Future," *Life, Liberty and the Defense of Dignity*, 143.
- lxxv Kass, "The End of Courtship," 62-3.
- lxxvi See Leo Strauss, "An Introduction to Heideggerian Existentialism," Ch. 3 in *The Rebirth of Classical Political Rationalism*.
- lxxvii Strauss, "Progress or Return?," *The Rebirth of Classical Political Rationalism*, 270.
- lxxviii Ibid., 246-7.
- lxxix Ibid., 252.
- lxxx Ibid., 252.
- lxxxi Ibid., 257.
- lxxxii Leo Strauss, "Why We Remain Jews," in ed. K. H. Green, *Jewish Philosophy and the Crisis of Modernity* (Albany: SUNY Press, 1997), 317.
- lxxxiii For Strauss on the role of "divine law" in Greek philosophy, see "Progress or Return?," *The Rebirth of Classical Political Rationalism*, 256.
- lxxxiv See Strauss's critique of the liberalism of Isaiah Berlin in "Relativism," Ch. 2 in *The Rebirth of Classical Political Rationalism*.
- lxxxv For Strauss's argument that the United States faces a philosophical peril similar to the relativism that weakened Weimar Germany's resistance to Nazism, see Strauss's classic *Natural Right and History* (Chicago: University of Chicago Press, 1950).

^{lxxxvi} For the interpretation of Strauss as a “zetetic skeptic,” see the writings of Steven Smith of Yale University.

^{lxxxvii} For Kass’s fullest development of Jonas’s idea of “an existential interpretation of biological facts,” see Leon R. Kass, *Toward a More Natural Science: Biology and Human Affairs* (New York: Free Press, 1985).

^{lxxxviii} Kass, *The Beginning of Wisdom*, 17.

^{lxxxix} Leo Strauss, “Jerusalem and Athens: Some Preliminary Reflections,” in ed. K.H. Green, *Jewish Philosophy and the Crisis of Modernity*, 380.

^{xc} Kass, *The Beginning of Wisdom*, 174 and 178.

^{xc i} Kass, “Death with Dignity and the Sanctity of Life,” in *Life, Liberty and the Defense of Dignity*, 236 and 239.

^{xcii} Kass, *The Beginning of Wisdom*, 187. For Kass on “the wisdom of repugnance,” see “Cloning and the Posthuman Future.”

^{xciii} Kass, *The Beginning of Wisdom*, 194-5.

^{xciv} *Ibid.*, 274-5.

^{xcv} Kass, “The Troubled Dream of Nature as a Moral Guide,” 24.

^{xcvi} Kass, *The Beginning of Wisdom*, xiv.

^{xcvii} *Ibid.*, 250.

^{xcviii} *Ibid.*, 195.

^{xcix} *Ibid.*, 194, 250 and 294.

^c Strauss, “Progress or Return?,” *The Rebirth of Classical Political Rationalism*, 267.

^{ci} William A. Galston, “What’s at stake in biotech?,” *The Public Interest* (Fall 2002), 106.