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RELIGIOUS ATTITUDES TOWARD CLONING: A TALE OF TWO CREATURES

*Dena S. Davis**

INTRODUCTION

A scholar looking for a rich and coherent account of religious responses to cloning at this early point in the debate is likely to be disappointed. Religious responses range from the thoughtful to the predictable to the hysterical. Groups that come up with something that looks like a definitive response are either those, like the Roman Catholic tradition, that already have a theological construct—in this case, “the right of every human person to be conceived and born within marriage and from marriage”¹—into which cloning fits reasonably well, and thus joins the list of illicit reproductive technologies such as gamete donation, or those, like the Southern Baptists, who do not blanch from making statements devoid of argumentation, for example, the statement *Against Human Cloning*, which simply states that Baptists are known for “their strong affirmation of the sanctity and uniqueness of human life” and therefore request that cloning be made illegal.² Not surprisingly, the definitive statements are negative, while more positive ap-

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1. John Cardinal O'Connor, *Diminished Humanity*, REFLECTIONS (Program for Ethics, Science, and the Env't, Dep't of Philosophy, Or. State Univ.), May 1997, at 13, 13. This special issue presents responses from scholars in a number of religious traditions, who were asked to comment on cloning by Joan Woolfrey and Courtney Campbell, who in turn had been asked to do a “study of the religious issues and themes raised by human cloning” for the National Bioethics Advisory Committee’s Report on cloning, which was presented to President William J. Clinton. Joan Woolfrey & Courtney S. Campbell, *Cloning: Fact, Fiction, and Faith*, REFLECTIONS (Program for Ethics, Science, and the Env't, Dep't of Philosophy, Or. State Univ.), May 1997, at 1, 1.

2. The Christian Life Comm’n of the S. Baptist Convention, *Against Human Cloning*, REFLECTIONS (Program for Ethics, Science, and the Env't, Dep't of Philosophy, Or. State Univ.), May 1997, at 14, 14.

proaches are more tentative and open-ended.

This Essay offers one analytic structure with which to approach the study of religious responses to cloning and suggests that, whereas the negative reactions are tied to a Frankenstein approach—that is, one which uses all the horror of that myth to express our fears about humans getting into the creation business—the more positive reactions express what I will call the Golem approach, based on a lesser-known legend.

I. FRANKENSTEIN

Frankenstein,³ as everyone knows, is a horror novel written in 1816 by Mary Shelley as part of a friendly competition among four friends, who included the poet Lord Byron and Percy Bysshe Shelley (Mary's husband) to enliven a rainy holiday.⁴ Dr. Frankenstein, the novel's protagonist, becomes enamored of the more arcane scientific arts and, while still a student, manages to create a human being.⁵ This being, possessed of amazing intelligence but misshapen and untutored, eventually becomes so enraged at his pariah status that he murders the scientist's young brother, best friend, and eventually his new bride. Frankenstein, who tries for a long time to ignore his responsibility for the creature, eventually accepts that their fates are entwined, and that he will have no peace until he destroys his creation. The novel ends with the scientist tracking the creature through the frozen Arctic.⁶

II. THE GOLEM OF PRAGUE

Although the idea of a *golem* existed from Talmudic times, it crystallized with the stories of the golem created by Rabbi Judah Loeb⁷ in 16th century Prague.⁸ Prague in those days was a mystical and magical place,⁹ full of creative people ranging from the great astronomers Tycho Brahe and Johannes Kepler to a crowd of alchemists who claimed they could turn lead into gold.¹⁰ Presiding over all this was the Emperor Rudolph, often thought to be mad, who was certainly erratic in

3. MARY SHELLEY, *FRANKENSTEIN: OR, THE MODERN PROMETHEUS* (Signet Classic 1983) (1816).

4. *See id.* at viii-ix.

5. *See id.* at 56.

6. *See id.* at 192-99.

7. Pronounced "Lerb," and sometimes spelled Low or Lowe.

8. *See* BYRON L. SHERWIN, *IN PARTNERSHIP WITH GOD: CONTEMPORARY JEWISH LAW AND ETHICS* 181 (1990).

9. *See id.*

10. *See* EDUARD PETIŠKA, *GOLEM* 30 (Jana Šváblová trans., 1991).

his on-again, off-again protection of his Jewish subjects.¹¹ Rabbi Loeb, whose grave you can see today if you go to the Jewish cemetery in Prague, was the most important rabbi, and indeed the most important Jew, in the ghetto, and a renowned miracle worker and magician.¹² There are many stories about how Rabbi Loeb saved his people, beginning even with his birth.¹³

Rabbi Loeb was born in Germany, to a rabbi who lived in the ghetto of Worms.¹⁴ During Passover, all the Jews were inside their houses celebrating the seder feast, and the streets of the ghetto were deserted.¹⁵ Right in the middle of the seder, Rabbi Loeb's mother went into labor.¹⁶ Servants were sent out to find a midwife, and while they were looking for her, they spied a man furtively slipping through the streets with a big sack on his shoulder.¹⁷ The man was stopped, and the sack contained a dead body. The corpse was of a Christian man who was murdered elsewhere, and was being dumped in the ghetto in order to revivify the libel that Jews killed Christians to get blood with which to make their matzoth. Had the servants not been sent out to find the midwife, no one would have seen the man, and the result almost certainly would have been a pogrom. So, even in the act of being born, the Rabbi saved his people from injustice and destruction; for that reason, he was named Judah the Lion.¹⁸

At one point during Judah's reign as High Rabbi of Prague, the people felt more threatened than usual. The elders of the community went to Rabbi Loeb for help. Rabbi Loeb prayed long into the night and then fell asleep, during which he dreamed that he received a command from heaven to create a golem to protect his people.¹⁹ Over the course of a week, the Rabbi, his son-in-law, and a pupil prayed, fasted, and went to the *mikvah* (ritual bath). Finally, in the dead of night, they molded a creature from wet clay, and put in his mouth a paper on which they had written the name of God.²⁰ The three men bowed to all the cardinal

11. *See id.* at 45. For a wonderful description of Prague during the reign of Emperor Rudolf II, see LEO PERUTZ, *BY NIGHT UNDER THE STONE BRIDGE* (Eric Mosbacher trans., 1990).

12. *See* SHERWIN, *supra* note 8, at 182.

13. *See, e.g.,* PETIŠKA, *supra* note 10, at 18-22 (describing how Rabbi Loeb stopped a deadly plague that was killing the people of Prague).

14. *See id.* at 11-13.

15. *See id.* at 11.

16. *See id.* at 11-12.

17. *See id.* at 12.

18. *See id.*

19. *See id.* at 50-51.

20. *See id.* at 51-52.

points, while pronouncing together the following: "Lord made a man from the clay of the Earth and breathed the breath of life into his mouth."²¹ When they next looked, they were no longer three but four; the golem came to life.²²

The Rabbi named the golem Joseph, dressed him in some old clothes, and took him to his home as a servant.²³ However, the Rabbi made sure that, just as ritual objects cannot be used for mundane purposes, so Joseph should not be used for domestic tasks like bringing wood, but only for the purpose of protecting the Jewish people.²⁴ He did a very good job at this, especially around the time of Passover, when some Christians persisted in trying to revive the "blood libel."²⁵

The reason for the golem's destruction varies with different accounts. In one legend, relationships between Christians and Jews in Prague improved so much that he was no longer needed.²⁶ In another, the golem frightened the people by running amok in the ghetto until stopped by Rabbi Loeb.²⁷ In any case, Loeb and his two assistants killed the golem by removing the name of God from his mouth, and by doing backwards all the rituals they had initially performed in his creation.²⁸ Supposedly, the golem's clay remainders still exist in the attic of the Altneuschul (Old-New Synagogue) in Prague, and various stories recount the misadventures of lesser men than Rabbi Loeb who sought to

21. *Id.* at 53.

22. *See id.* The golem is usually described as very large and powerful. *See, e.g., id.* at 57 (describing the golem as "of a tall stature"). Laurie Zoloth-Dorfman contrasts this with the racist image of the time in which Jews were depicted as puny and misshapen. *See* Laurie Zoloth-Dorfman, *Mapping the Normal Human Self: The Jew and the Mark of Otherness*, in *GENETICS: ISSUES OF SOCIAL JUSTICE* 180, 194 (Ted Peters ed., 1998). One is reminded of the small child who creates a large and powerful imaginary friend to protect him from danger.

23. *See* PETIŠKA, *supra* note 10, at 53-54.

24. *See id.* at 54.

25. *See id.* at 62. In one of the stories about the golem, he averts an impending incestuous marriage. *See id.* at 68-73. This is interesting because one of the reasons some Jewish scholars are cautiously positive about cloning is because it offers a means of helping infertile couples that does not involve third-party gamete donation, with the attendant risk of hidden consanguinity. *See* 1 NATIONAL BIOETHICS ADVISORY COMM'N, *CLONING HUMAN BEINGS: REPORT AND RECOMMENDATIONS OF THE NATIONAL BIOETHICS ADVISORY COMMISSION 53-54* (1997) [hereinafter *CLONING HUMAN BEINGS*]. Zoloth-Dorfman points out that the "blood libel" is predicated on the assumption that Jews are not fully human until they have ingested the blood of Christians. *See* Zoloth-Dorfman, *supra* note 22, at 182. If so, we see here the double irony that the golem, not considered fully human by his creators, saves the lives of Jews who are not considered fully human by the majority culture that surrounds them.

26. *See* PETIŠKA, *supra* note 10, at 81.

27. *See generally* MICHAEL ROSEN, *THE GOLEM OF OLD PRAGUE* (1990) (exploring another version of the golem myth).

28. *See* PETIŠKA, *supra* note 10, at 82.

revivify the golem for their own venal purposes.²⁹ Even in our own century, the golem is said to come to life in times of need. A Jewish soldier in Bologna in 1945 reports the following story told to him by a resident of Prague, a survivor of the Holocaust (Interestingly, the man was also described as a “free-thinker,” in other words, an atheist):

“When the Germans occupied Prague, they decided to destroy the Alt-neuschul. They came to do it; suddenly, in the silence of the synagogue, the steps of a giant walking on the roof, began to be heard. They saw a shadow of a giant hand falling from the window onto the floor. . . . The Germans were terrified and they threw away their tools and [fled] away in panic.

I know that there is a rational explanation for everything; the synagogue is ancient and each and every slight knock generates an echo that reverberates many times, like steps or thunder. Also the glasses of the windows are old, the window-panes are crooked and they distort the shadows, forming strange shades on the floor. A bird’s leg generates a shade of a giant hand on the floor . . . and nevertheless . . . there is something.”³⁰

III. DISCUSSION

There is much in both these stories that does not pertain to our discussion of cloning. It is clear in all the accounts that the golem, which lacks intellect in some stories and the power of speech in others, is not considered a full human being. (Otherwise, of course, Rabbi Loeb would have been guilty of murder when he killed him!)³¹ There is a fascinating rabbinic discussion of whether a golem can be counted in a minyan.³² Most commentators, including Zevi Ashkenazi (who was related to Rabbi Loeb and also to Rabbi Elijah of Chelm, another golem-maker) say no, because a golem is not fully human, but at least one Hassidic scholar has concluded that if a golem had intelligence, it must

29. See *id.* at 88-91; ROSEN, *supra* note 27, at 106-110; SHERWIN, *supra* note 8, at 184.

30. MOSHE IDEL, *GOLEM: JEWISH MAGICAL AND MYSTICAL TRADITIONS ON THE ARTIFICIAL ANTHROPOID* 256 (1990).

31. However, contemporary Jewish scholar Michael Broyde is quick to point out that “Jewish law prohibits killing of a deaf-mute, a lunatic, or an infant. Humanness . . . is not dependent on intelligence.” Michael Broyde, *Cloning People: A Jewish Law Analysis of the Issues*, 30 CONN. L. REV. 503, 521 (1998).

32. A “minyan” is the quorum of adult Jews necessary to perform certain liturgical functions. See WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY 1441 (1986).

be considered fully human for all purposes.³³ Obviously, this is not a path we want to walk down today, as all religious commentators have affirmed that the child born of cloning (or of any other assisted reproductive technique for that matter) is fully human.³⁴ James Childress, a member of the National Bioethics Advisory Committee ("NBAC") and a scholar of religious ethics, affirms "a strong consensus, perhaps even unanimity, among Jewish and Christian thinkers, that a child created through somatic cell nuclear transfer cloning would still be created in the image of God."³⁵ Nothing I have seen from other religious traditions suggests that there is disagreement on this point.³⁶

The purpose here is to mine these two stories for an *attitude* toward technology and toward human uses of power. If we compare these two legends, we see that the Frankenstein myth exhibits an attitude of fear and transgression toward this act of creation (and by extension to technology and science in general), while the golem legend expresses a much more positive attitude. This calls to mind Moshe Idel's hypothesis that "[m]odern man, alienated as he is from the divine, is afraid of the inherent theological implications of his creative powers; the medieval masters, probably because of their sense of closeness to God, were able to strive toward . . . aims that are beyond the modern frame of mind."³⁷

The framework for comparative remarks falls under three headings.

A. *The Moral Character of the Protagonists*

The actors in these two legends are as different as night from day. Frankenstein is a callow youth, intellectually precocious but emotionally and socially retarded. His goals in creating his creature are purely those of pride and power—he wishes to push back the boundaries of science merely to show that he can do it and with literally no thought at

33. See SHERWIN, *supra* note 8, at 200-03.

34. See Broyde, *supra* note 31, at 521-22.

35. *Ethics and Theology: A Continuation of the National Discussion on Human Cloning: Hearing Before the Subcomm. on Public Health and Safety of the Senate Comm. on Labor and Human Resources*, reprinted in [1998 Edition, Volume 2, Special Sections] *BIOETHICS* (Univ. Pub. Am.) S:101, S:106 (May 1998).

36. Michael Broyde, for example, says that a clone meets the Jewish definition of a human because it gestates in the uterus of a woman, and thus meets "the prima-facia test for humanness." Broyde, *supra* note 31, at 522. Elliot Dorff states that clones would be entitled to the same rights and protections as any other child, and would be "independent people with histories and influences all their own and with their own free will." ELLIOT N. DORFF, *MATTERS OF LIFE AND DEATH: A JEWISH APPROACH TO MODERN MEDICAL ETHICS* 318 (1998).

37. IDEL, *supra* note 30, at xv-xvi.

all to the immediate or long-term consequences of his act.

By contrast, Rabbi Loeb is a mature man when he creates his golem. This act of creation is simply one more step in a life which began, as we saw, with saving his people by his very birth. In another story, he saves his people from extinction (by a terrible plague which is killing all the children in the ghetto) by forcing the dead to leave their graves and speak to him.³⁸ Although the Rabbi, too, seems a bit of a show-off, he subordinates his magical powers to the single goal of protecting his people. Thus, his example challenges Paul Ramsey's statement about cloning humans, that "[m]en ought not to play God before they learn to be men, and after they have learned to be men they will not play God."³⁹

Interestingly, the possibility of using cloning as a way to support the survival of minority peoples is echoed in the two statements from Native Americans in Campbell's report to the NBAC. The Reverend Abraham Kahikina Akaka of Hawaii says:

For aboriginal people of our planet who see themselves as dwindling and endangered species, cloning of the best of their race will be a blessing—a viable avenue for preserving and perpetuating their unique identities and individualities upon lands they revere as father and mother; a way to extend their longevity on earth.⁴⁰

B. The Moral Themes of the Stories

The moral themes expressed in these two stories are also completely different. Young Dr. Frankenstein recognizes no limits to human endeavors, no sense of encroachment on sacred turf; perhaps more accurately, he sees limits only as challenges to be broken for the sake of his own pride. In his total lack of responsibility, he resembles a four-year-old. When he succeeds in creating the "monster" in his lodgings, he is terrified by its weird and misshapen aspect. He runs from his rooms, spends the night on the street, and is tremendously relieved to return the next day and find the monster gone.⁴¹ He never expresses any concern about where it might be and what it might be up to, either in terms of its own needs for food and shelter, or in terms of its danger to other people. He simply puts it out of his mind until years later, when he realizes that

38. See SHERWIN, *supra* note 8, at 181-84.

39. PAUL RAMSEY, *FABRICATED MAN: THE ETHICS OF GENETIC CONTROL* 138 (1970).

40. Abraham K. Akaka, *Cloning: Monster or Messiah?*, REFLECTIONS (Program for Ethics, Science, and the Env't, Dep't of Philosophy, Or. State Univ.), May 1997, at 2, 2-3.

41. See SHELLEY, *supra* note 3, at 56-60.

the “fiend” has killed Frankenstein’s small brother.⁴²

Much later in the story, Frankenstein finally confronts his creation. The fiend’s story is heart-rending. Despite his adult form, he had, when first awakened, the knowledge and skills of a newborn. Thrust into the world naked and alone, abandoned by his creator, he nearly starves and freezes to death.⁴³ Because of his hideous and terrifying aspect, he is stoned and persecuted every time he approaches human habitation. Eventually, he finds a hovel attached to a rural cottage, takes shelter, and begins to spy on the inhabitants through a convenient hole in the wall.⁴⁴ The family consists of three young people, all beautiful and virtuous, and a wise and heroic old man who is blind. For a long time, the fiend is content to spy, through which he learns to speak and read.⁴⁵ In true 19th century fashion, his favorite books are *Paradise Lost* and *The Sorrows of Werter*.⁴⁶ Because the family is in straightened circumstances, the fiend helps out by replenishing the woodpile and shoveling snow from the paths, all performed secretly at night.⁴⁷

Eventually the creature perfects a scheme to win the family’s “kindness and sympathy.”⁴⁸ He waits until the young people are out walking and throws himself upon the mercy of the father, hoping the old man’s blindness will allow him to judge the creature on his educated speech and mild manner, rather than on his terrifying looks.⁴⁹ Unfortunately, just as he is winning the old man’s sympathy, the young people arrive on the scene, there is screaming and pandemonium, the monster escapes, and the family quits the house forever.⁵⁰ Again, the creature is alone and destitute. Despite this horrid experience, the monster’s better nature becomes ascendant once again, when he is wandering in the woods and spies a young girl drowning.⁵¹ He wades into the river to rescue her, only to be shot and wounded by a peasant who thought he was abducting the girl.⁵²

All this the creature tells to his creator, in a manner that probably caused tears to flow in 19th century readers, but Frankenstein is moved

42. See *id.* at 69-73.

43. See *id.* at 95-101.

44. See *id.* at 102-03.

45. See *id.* at 106-16.

46. See *id.* at 122.

47. See *id.* at 106.

48. *Id.* at 126.

49. See *id.* at 126-29.

50. See *id.* at 129.

51. See *id.* at 134.

52. See *id.* at 134-35.

only for a moment. He concludes, "I was guiltless, but I had indeed drawn down a horrible curse upon my head, as mortal as that of crime."⁵³

In contrast, the golem is created within a context of limits, surrounded by sacred rituals that acknowledge God as Creator, in response to a mandate from God that Loeb receives in his dream. Rabbi Loeb immediately clothes the creature, names him Joseph (after one who is famous for saving the Israelites), and takes him into his house. Loeb both acknowledges the fearsome, liminal nature of the act of creation (that is why he prays for seven days and goes to the *mikvah*), and comfortably fits it into the strong moral structure of his daily life.

A number of religious thinkers, primarily from outside the Western traditions, echo these themes of limits and responsibility so sharply highlighted in these two stories. Arvind Sharma, for example, points out that in Indic religions (Hinduism, Buddhism, Jainism), "the range of possible rebirths includes animals and 'angels.' Thus the partition between the natural, the supernatural and the subnatural is thinner than in the Western religions and that open attitude rubs off on the issue of cloning."⁵⁴ An editorial in *Hinduism Today* informs President Clinton that "Hinduism neither condones nor condemns the march of science. . . . The simple rule is this: Cause no injury to others and let dharma—the law of good conduct and harmony with the universe and its many forces and creatures—be the guide for all such explorations."⁵⁵

Two Buddhist commentators have differing attitudes to cloning. Damien Keown can see no purpose for cloning, except to use the cloned individuals in ways in which we would not normally use human beings, and thus he concludes that Buddhism ought to oppose it.⁵⁶ Ronald Nakasone, however, has a more optimistic attitude:

Since, for the Buddhist, change is the nature of reality, the questions are how to accommodate change and expand our moral imaginations. Change pushes the boundaries of what we once considered to be the norm. . . . The cloning of human beings . . . is really about expanding

53. *Id.* at 155.

54. Arvind Sharma, *When It Comes To Karma . . .*, REFLECTIONS (Program for Ethics, Science, and the Env't, Dep't of Philosophy, Or. State Univ.), May 1997, at 11, 11.

55. *For the President, Mr. Bill Clinton*, REFLECTIONS (Program for Ethics, Science, and the Env't, Dep't of Philosophy, Or. State Univ.), May 1997, at 9, 9 [hereinafter *For the President*].

56. See Damien Keown, *Is the Genie Out of the Bottle?*, REFLECTIONS (Program for Ethics, Science, and the Env't, Dep't of Philosophy, Or. State Univ.), May 1997, at 8, 8. He also points out that Buddhism is more concerned about animals than other religions, and thus would be more critical even of non-human cloning experiments. See *id.*

our notion of humanity and our moral parameters.⁵⁷

C. *The Meaning of Co-creation*

Although Mary Shelley's novel is not overtly religious, a powerful theme is Dr. Frankenstein's transgression of boundaries and "playing God." Towards the end of the novel, the creature begs Frankenstein to create a mate for him. He pleads that his "vices" (for example, a murderous rage toward humans) "are the children of a forced solitude that I abhor, and my virtues will necessarily arise when I live in communion with an equal. I shall feel the affections of a sensitive being and become linked to the chain of existence and events from which I am now excluded."⁵⁸ Like Adam, it is not good for the creature to be alone,⁵⁹ but unlike Adam, this poor creature has to beg and blackmail his creator to address his loneliness, and in the end Frankenstein refuses.⁶⁰ Frankenstein (without acknowledging his own guilt in the matter) now sees the creature as dangerous,⁶¹ and does not believe his promise to go with his mate to some forsaken part of the world and live peacefully on nuts and berries.⁶² In an ambiguous act of belated heroism, Frankenstein eventually refuses to create a female monster,⁶³ even though his refusal results in the death of his young wife and his own self-imposed exile from civilization.⁶⁴

Mary Shelley herself, in her introduction to *Frankenstein*, describes her protagonist as a "pale student of unhallowed arts,"⁶⁵ and describes his actions as "mock[ing] the stupendous mechanism of the Creator of the world."⁶⁶ In fact, Dr. Frankenstein perfectly illustrates the reasons given by theologians who employ warnings "not to play God" as a "moral stop sign" against some types of scientific research:

Human beings should not probe the fundamental secrets or mysteries of life, which belong to God.

57. Ronald Y. Nakasone, *The Opportunity of Cloning*, REFLECTIONS (Program for Ethics, Science, and the Env't, Dep't of Philosophy, Or. State Univ.), May 1997, at 6, 7.

58. SHELLEY, *supra* note 3, at 140-41.

59. See *Genesis* 2:18 (King James I).

60. See SHELLEY, *supra* note 3, at 159.

61. See *id.* at 206.

62. See *id.* at 139.

63. See *id.* at 159.

64. See *id.* at 186.

65. *Id.* at x-xi.

66. *Id.* at xi.

Human beings lack the authority to make certain decisions about the beginning or ending of life. Such decisions are reserved to divine sovereignty.

Human beings are fallible and also tend to evaluate actions according to their narrow, partial, and frequently self-interested perspectives.

Human beings do not have the knowledge, especially knowledge of outcomes of actions, attributed to divine omniscience.

Human beings do not have the power to control the outcomes of actions or processes that is a mark of divine omnipotence.⁶⁷

In contrast, when Rabbi Loeb calls the golem into being (out of clay, as God created Adam)⁶⁸ he is participating in an act of co-creation that is not only permitted, but required by Judaism. As Jewish ethicist Elliot Dorff points out, people are “God’s ‘partners in the ongoing act of creation’ when we improve the human lot in life.”⁶⁹ Loeb improved his people’s lot by providing them with a powerful protector (as God told him to do in a dream).⁷⁰ Thus, creating the golem is akin to “working and preserving” the Garden of Eden.⁷¹ The fact that Loeb and his students prayed and went to the *mikvah* before beginning their work, and that it is God’s name itself written on parchment that animates the golem when it is inserted into his mouth, bespeaks Loeb’s moral comfort with his act of creation.⁷² At every step in the story, Loeb is acting in partnership with God. In fact, one take on the golem legend is that the Kabbalists⁷³ who preceded Loeb primarily created their creatures as part of their goal of attaining knowledge through act and experience. “By creating an anthropoid the Jewish master is not only able to display his creative forces, but may attain the experience of the creative moment of God, who also has created man in a similar way to that found in the recipes used by the mystics and magicians.”⁷⁴

From this concept of humans as co-creators with God comes Judaism’s extraordinary commitment to medicine, and also the lack of re-

67. CLONING HUMAN BEINGS, *supra* note 25, at 42-43.

68. See PETIŠKA, *supra* note 10, at 90.

69. DORFF, *supra* note 36, at 318.

70. See PETIŠKA, *supra* note 10, at 51.

71. See DORFF, *supra* note 36, at 318.

72. See PETIŠKA, *supra* note 10, at 51-52.

73. “Kabbalah” is a system of Jewish esoteric and mystical theology. See THE OXFORD DICTIONARY OF THE JEWISH RELIGION 387 (1997).

74. IDEL, *supra* note 30, at xxvii.

spect for the "natural" as a moral category. Thus, it is no surprise to find that Jewish ethicists are cautiously positive about the potential of cloning humans both for medical purposes and as a way of overcoming infertility.⁷⁵ As Rabbi Barry Freundel said, "Judaism affirms an optimism in the face of scientific uncertainty about unanticipated consequences that is rooted in divine control and care."⁷⁶ Part of this optimism is expressed in one of the golem stories, where Joseph runs amok and begins to destroy the ghetto. By pulling the name of God out of Joseph's mouth, the Rabbi is able to reexert control and render him harmless.⁷⁷ The human (with God as partner) is in control even when the consequences are unforeseen and unintended.

A similar optimism is expressed in the *Hinduism Today* editorial quoted earlier:

For many religionists, it is frightening to have humans tinkering with God's universe. There's no manual, they fret. What if we break something permanently? The Creator made it with loving intent and divine intelligence, they offer, and it is arrogant, foolhardy and downright sinful for humankind to play God with something as profoundly consequential as the human genetic instruction.

It is possible to understand such a prudent warning and still disagree. While the argument makes sense with a Biblical God, Hinduism does not separate man and woman from God so completely. Humanity is God; and God is humanity. Indian yogis and mystics speak of the cocreative process of evolution. Humans are not merely following a distant Deity's decrees in fulfillment of the Divine Plan; they are engaged, alongside the Architect, in engineering that Plan; or you could say God is working His will through humankind, including scientists.⁷⁸

CONCLUSION

It is still too early to say anything definitive about religious responses to cloning. And it is probably not a good idea, however tempting, to try to draw any conclusions from the early commentaries quoted

75. "This mode of balancing the divine and human roles in medical care has made the Jewish tradition very aggressive in trying to promote health both preventively and curatively. Human cloning certainly pushes this envelope very far, but ultimately it must be understood within these parameters." *Id.* at 319.

76. Barry Freundel, *Human and Divine Responsibility*, REFLECTIONS (Program for Ethics, Science, and the Env't, Dep't of Philosophy, Or. State Univ.), May 1997, at 12, 13.

77. See *supra* notes 27-28 and accompanying text.

78. *For the President*, *supra* note 55, at 9-10.

throughout this Essay. It is interesting, however, that a predominant theme in the conservative Christian responses is the one set forth by Stanley Harakas:

Cloning would deliberately deny by design the cloned human being a set of loving and caring parents. The cloned human being would not be the product of love, but of scientific procedures. Rather than being considered persons, the likelihood is that these cloned human beings would be considered "objects" to be used. Given the fallen and sinful condition of our personal and social lives, it is easy to project selfish, greedy, and heartless uses of "manufactured" human clones.⁷⁹

Harakas's view has much in common with Mary Shelley's. His reaction is reminiscent of Shelley's goal in her book, to "speak to the mysterious fears of our nature and awaken thrilling horror."⁸⁰ In contrast, all the Jewish commentators I read are insistent that, to save a life, it is permissible to clone a child in order to, for example, donate bone marrow to an older sibling, and they appear to share Moshe Tendler's conviction that a child created for this purpose "would then be doubly loved."⁸¹ What seems to be driving at least some of these early responses, at least as much as theology, is a fundamentally optimistic or pessimistic view of the world and of human motivation. Thus, as we continue to observe—and perhaps take part in—the religious debates over the cloning of animals and humans, keeping the stories of Frankenstein and the golem in the back of our minds will help us to understand what is going on.

79. Stanley S. Harakas, *To Clone or Not to Clone?*, REFLECTIONS (Program for Ethics, Science, and the Env't, Dep't of Philosophy, Or. State Univ.), May 1997, at 3, 3.

80. SHELLEY, *supra* note 3, at ix.

81. Vincent Kiernan, *The Morality of Cloning Humans: Theologians and Philosophers Offer Provocative Arguments*, CHRON. OF HIGHER EDUC., July 18, 1997, at A13.

