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What Is Man?

Crawford Morris

Mr. Morris is troubled by man's facility to create and to destroy through genetic manipulations and human experimentation. Although he feels that time is running out, the author believes that the common law is flexible enough and legislative perspective is farsighted enough to adopt guidelines to control new scientific progressions. His response supports Professor Wald's inviolability of the human germ plasm, and differs substantially from Professor Miller's hypothesis concerning the common law.

What is man, that Thou art mindful of him?
And the son of man, that Thou visitest him?
— THE OLD TESTAMENT¹

This is man [H]e will cheat for two sous, and kill for forty dollars

[he] will steal his friend's woman, feel the leg of his host's wife below the table cloth, dump fortunes on his whores . . . and let his poets die. . . .

. . . .

[Yet] [b]ehold his works:

. . . He was born to creep upon the earth — and . . . he launched great wings into the air, he put great ships upon the angry sea! . . .

. . . .

For there is one belief, one faith, that is man's glory . . . and that is his belief in life. Man loves life, and, loving life, hates death

Thus it is impossible to scorn this creature. . . .

So this is man — the worst and best of him And yet, he is immortal, too, for both the good and evil that he does live after him. Why, then, should any living man ally himself with death, and, in his greed and blindness, batten on his brother's blood?

— THOMAS WOLFE²

¹ *Psalms* 8:4 (King James); *accord*, *Hebrews* 2:6.

² T. WOLFE, *YOU CAN'T GO HOME AGAIN* 434-36 (1940); *accord*, T. WOLFE, *A STONE, A LEAF, A DOOR* 51-57 (J. Barnes ed. 1945), wherein the quotation has been arranged in verse.

SOMEWHERE between the cynicism of the Old Testament and the romanticism of Thomas Wolfe lies the essence of the court-

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room — that last arena short of a shooting war where man acts out his *Territorial Imperative*³ — if indeed he has one. It is here, in the heat of battle, that one comes to such close grips with the basic drives of

man, both good and evil. It is from such a background that I must respond — for the rough-and-tumble of the courtroom has been my life. Such is the reality of the law I know. Such is the nature of the man I know — the human being in the courtroom. There we see it all — the good and the bad, the genius and the incubus, the paid perjurer, the pathological liar, and the ignorant laborer clinging steadfastly to the truth through a brutal cross-examination that made him cry.

This then is the creature man as I see him. We are genius and incubus as we sit here, evil looks and adulterous thoughts; beautiful, creative thoughts, too. This is what we are and this is all we are. If you doubt it, you have but to reread James Joyce's *Ulysses*.

Upon such a creature now comes the geneticist, the seeker after truth, the scientist in his "ivory tower," and thrusts into the hand of this creature, man, a power so great that it makes the power of the atomic physicist look like a nursery school plaything, the power to transform and change life itself.

I. SCIENCE AND THE COMMON LAW

Professor Wald, citing Dean Roscoe Pound, correctly analogizes the open ended organic design of natural selection to the function of the common law in our democratic society. The glory of the common law is that it is not a creature of technological design, to use Professor Wald's words, such as the rigid Napoleonic Code but is, instead, a living, breathing, dynamic, functioning institution which is highly adaptive to changing circumstances. It is therefore able to survive even the rapid changes of our present era and continue to serve mankind by continual adaptation. The history of the past 10 years proves that fact, for it is our common law courts rather than our legislatures that have produced most of the vast and funda-

³ R. ARDREY, *THE TERRITORIAL IMPERATIVE* (1966). See also R. ARDREY, *AFRICAN GENESIS* (1961).

mental changes deemed necessary to adapt to our rapidly changing world.

I disagree radically with Professor Miller in everything he has said. I believe in the common law system; I believe in the case-book method. The trouble is not with the law or the law schools; it is with the lawyers who would rather have a noncourtroom practice than go out into the courtroom and fight in that white-hot heat of hell, fight for truth, because that is where the law is made and that is where it serves mankind. I think that this difference between Professor Miller and myself is what Professor Wald meant when he talked about unpredictability as being the basis of human freedom.

Our common law is indeed an open ended, organic designed, natural selection phenomenon: No court wants to decide anything beyond the narrow issue presented to it by the "case at bar." The rule of thumb of the law is perhaps just the opposite of medicine — "never volunteer." Thus our body of common law rules arose from a series of cases, each decided upon its own narrow issue. Each such decision and the reason for it became a precedent for similar cases. Over the years, a body of laws evolved, a set of rules extrapolated from such precedents which we call "the common law."

For example, when judges saw case after case come before them in which a plaintiff, badly injured from the use of a defective product, was turned out of court unredressed for injuries allegedly due to the negligence of the defendant manufacturer who had made the offending product, simply because of the plaintiff's inability to prove just what negligent act was committed in defendant's plant during the manufacturing process, the judges began to search for a way to meet the needs of society and each such plaintiff. In this instance the courts, as a matter of public policy, changed the rules of the common law from the concept of liability for fault to the concept of strict liability for manufactured products, thus relieving the plaintiff of part of his burden of proof, namely, that of trying to prove negligence.⁴

In recent years, the courts seem to have been much more sensitive to the changing needs of our dynamic, rapidly changing society than the legislature. Never has the common law changed so fast⁵

⁴ *E.g.*, *Greenman v. Yuba Power Prods., Inc.*, 59 Cal. 2d 57, 377 P.2d 897, 27 Cal. Rptr. 697 (1963).

⁵ Dean Prosser of the Hastings College of the Law has noted the rapid deviation from traditional common law rules in the area of products liability. Speaking before the Cleveland Bar Association, he stated that "[Products liability] involves the most

in what has been termed the "law explosion." It is this very flexibility of the common law, with the extreme sensitivity to the changing needs of our modern society displayed by our judges in recent changes,⁶ that makes one optimistic about the future of human testing as herein envisaged.

Perhaps Mr. Justice Holmes put it best:

As law embodies beliefs that have triumphed in the battle of ideas and then have translated themselves into action, while there still is doubt, while opposite convictions still keep a battlefield against each other, the time for law has not come; the notion destined to prevail is not yet entitled to the field. It is a misfortune if a judge . . . forgets, that what seem to him to be first principles, are believed by half his fellowmen to be wrong. . . . We too need education in the obvious — to learn to transcend our own convictions and to leave room for much that we hold dear to be done away with short of revolution by the orderly change of law.⁷

The life to the law has not been logic; it has been experience. The felt necessities of the time, the prevalent moral and political theories, intuitions of public policy, avowed or unconscious, even the prejudices which judges share with their fellowmen, have had a good deal more to do than the syllogism in determining the rules by which men should be governed. The law embodies the story of a nation's development through many centuries, and it cannot be dealt with as if it contained only the axioms and corollaries of a book of mathematics.⁸

It is the dynamic aspect of the common law that now serves us in an era of rapid change. In 1956, the Supreme Court of Ohio abolished a doctrine which had prevailed for over 50 years, saying: "Whatever the reason for the public policy that gave rise to the rule

spectacular change in the law of torts of this century. Since the year 1900, there has been no other set of cases which have so rapidly and violently overthrown the existing law as those which involve products liability." Prosser, *Spectacular Change: Products Liability in General*, 36 J. CLEVE. B. ASS'N 149 (1965).

⁶ In *Putnam v. Erie City Mfg. Co.*, 338 F.2d 911, 918-19 (5th Cir. 1964), the court said:

The evolutionary progress of Section 402A of the American Law Institute's revised Restatement of The Law of Torts, now about to be published . . . supplies dramatic evidence of the rapid movement, throughout the states, toward imposition of strict liability The original Restatement of Torts had no provision for strict liability In April 1961, Tentative Draft No. 6 . . . recognized the seller's strict liability to claims for "food for human consumption." Tentative Draft No. 7 expanded the coverage of the section to include "products intended for intimate bodily use."

⁷ Quoted in M. LERNER, *THE MIND AND FAITH OF JUSTICE HOLMES* 390 (1943).

⁸ O.W. HOLMES, JR., *THE COMMON LAW* 1 (1881).

of immunity, *public policy today, examined in the light of present day conditions, will not support such a rule.*"⁹

Two years later, the Supreme Court of Ohio made further radical changes in another doctrine of the common law to meet changing conditions, stating: "Occasions may arise when it is fitting and wholesome to discard legal concepts of the past to meet new conditions and practices of our changing and progressing civilization."¹⁰

The high respect in which judges hold the adaptive process of natural selection is perhaps best illustrated by the following remarks of Mr. Justice Brandeis:

Yet the advances in the exact sciences and the achievements in invention remind us that the seemingly impossible sometimes happens. There are many men now living who were in the habit of using the age-old expression: "It is as impossible as flying." The discoveries in physical science, the triumphs in invention, attest the value of the process of trial and error. *In large measure, these advances have been due to experimentation.* In those fields experimentation has, for two centuries, been not only free but encouraged. Some people assert that our present plight is due, in part, to the limitations set by courts upon experimentation in the fields of social and economic science; and to the discouragement to which proposals for betterment there have been subjected otherwise. *There must be power in the States and the nation to remold, through experimentation, our economic practices and institutions to meet changing social and economic needs. . . .*

To stay experimentation in things social and economic is a grave responsibility. Denial of the right to experiment may be fraught with serious consequences to the nation. It is one of the happy incidents of the federal system that *a single courageous state may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments* without risk to the rest of the country. This Court has the power to prevent an experiment. . . . But, in the exercise of this high power, we must be ever on our guard, lest we erect our prejudices into legal principles. If we would guide by the light of reason, we must let our minds be bold.

. . . *Nothing could be more revolutionary than to close the door to social experimentation.* The whole subject of woman's entry into industry is an experiment. And surely the federal constitution — *itself perhaps the greatest of human experiments* — does not prohibit such modest attempts as the woman's minimum-wage act to reconcile the existing industrial system with our striving for social justice and the preservation of the race.

. . . .

What we must do in America is not to attack our judges, but

⁹ *Avellone v. St. John's Hosp.*, 165 Ohio St. 467, 476, 135 N.E.2d 410, 416 (1956) (emphasis added).

¹⁰ *Rogers v. Toni Home Permanent Co.*, 167 Ohio St. 244, 248, 147 N.E.2d 612, 615 (1958).

to educate them. All judges should be made to feel, as many judges already do, that the things needed to protect liberty are radically different from what they were fifty years back. . . .¹¹

This is what is meant by the phrase "common law dynamics" — which too often the nontrial lawyer fails to understand — though perhaps Professor Wald's broader definition of "organic design" or "natural selection" would be more scientifically accurate.

I do not see how any seriously thinking Western man could do other than agree with the rationale of Professor Wald in wishing to have mankind assimilate science's continuing acquisition of knowledge by the route of organic design or natural selection rather than by the alternate route of technological design or planned preselection — and to hold as inviolate as human life itself the principle of the absolute inviolability of the human germ plasm. In this way lies the greatest security for mankind — the slow evolution of natural selection. The alternative is to ask men to determine future races of men. And where are we to find this Solomon among us, so wise as to be entrusted with the decision as to what man shall be tomorrow? And, would not a race so preselected prove too inflexible to survive the changing conditions of a rapidly changing world?

II. IF THERE WERE TIME

And if world events would so allow, my faith in the dynamics of the common law system is such that I have no doubt but that we could evolve legal safeguards to cope with this problem, just as we are even now beginning to evolve such safeguards for the related problem of human testing¹² — *i.e.*, medical experiments upon human beings — cautiously extrapolating new rules from known fixed principles. The first such principle is the fundamental dignity of human life itself. Our heritage has established the inviolability of human life once born, and perhaps even somewhat before birth. Two World Wars and their aftermath of crime and violence and perhaps the population explosion itself have eroded that concept somewhat. Human beings kept alive by artificial organs or deep-frozen in perpetuity may cheapen the concept even more. Still the

¹¹ THE WORDS OF JUSTICE BRANDEIS 76-78 (S. Goldman ed. 1953) (emphasis added).

¹² See Address by Crawford Morris, Conference on the Use of Human Subjects in Evaluating the Safety of Food Chemicals, National Academy of Sciences, in Washington, D.C., Nov. 29, 1966, published as *Human Testing and the Courtroom*, in USE OF HUMAN SUBJECTS IN SAFETY EVALUATION OF FOOD CHEMICALS 105 (1967).

concept stands. Recent cases resulting from such hardship situations as the "Thalidomide babies" have pushed back this concept to the first 40 to 60 days of gestation.¹³ Nuclear energy cases in which radiation has damaged chromosomes in living human beings and possibly caused damage to their yet unborn descendants, raise the as yet unresolved question of pushing the limit back at least one generation and perhaps more.¹⁴ Inherent in the concept of the inviolability of human life, so long as this concept remains, is the correlative concept mentioned by Dr. Wald of the inviolability of the human germ plasm without which there can be no human life.

The common law judges' reverence for the worth of each human life is best exemplified by Judge Learned Hand's definition of the spirit of liberty:

What then is the spirit of liberty? I cannot define it; I can only tell you my own faith. The spirit of liberty is the spirit which is not too sure that it is right; the spirit of liberty is the spirit which seeks to understand the minds of other men and women; the spirit of liberty is the spirit which weighs their interests alongside its own without bias; the spirit of liberty remembers that not even a sparrow falls to earth unheeded; the spirit of liberty is the spirit of Him who, near two thousand years ago, taught mankind that lesson it has never learned, but has never quite forgotten; that there may be a kingdom where the least shall be heard and considered side by side with the greatest.¹⁵

Present day judges are certain to safeguard these concepts so indigenous to Western culture. Legislatures too can be expected to enact strict laws with criminal sanctions governing genetic experimentation. Such safeguards may well require the approval of society and the professions as evidenced by the present tendency of the courts to rely heavily on medical consultations in judging a doc-

¹³ See, e.g., *Settle v. Richardson-Merrell, Inc.*, C.P. No. 795,535 (Cuyahoga County, Ohio). (Demurrer to petition alleging "Thalidomide" caused injury in first trimester of pregnancy on grounds fetus not yet viable overruled); *Somers v. Southwest Community Hosp.*, C.P. Nos. 767,112-13 (Cuyahoga County, Ohio). (Motion for directed verdict on this ground overruled (X-ray exposure)).

¹⁴ See, e.g., *McVey v. Phillips Petroleum Co.*, 288 F.2d 53, 56 (5th Cir. 1961), wherein the court states that one negligently exposing another to radiation should be liable for all "injuries resulting from such exposure even though the symptoms of such exposure may have become manifest later." This discourse suggests the interesting case which would be created if a plaintiff should undergo sterilization to prevent birth of defective children due to possible chromosome damage from radiation exposure, or if a wife should bring suit claiming that her husband's exposure contaminated her causing her injuries.

¹⁵ Address by Learned Hand at "I am an American Day," Central Park, New York City, May 21, 1944, in *THE SPIRIT OF LIBERTY* 190 (J. Dilliard ed. 1954) (papers and addresses of Learned Hand).

tor's conduct.¹⁶ Here the well-established protocols such as the Nuremberg Code, laying down strict safeguards for experimentation on human beings, may be expected to serve as a guide for the courts and legislatures. Another safeguard in medical malpractice law that is already incorporated into such codes is the doctrine of informed consent; namely the patient or subject must be given an explanation of the project adequate to permit him to make an intelligent consent thereto and be assured of the right to withdraw from the project at any time he desires.¹⁷ However, the rise of genetics presents some perplexing legal problems. How, for example, does one obtain an informed consent from a human being not only before he is born but before he is conceived, especially when the experimental exposures of his ancestors to radiation may cause damage two generations later?

Other legal problems such as when a human being is to be considered legally dead for tax, inheritance, and other purposes may well be resolved by analogy to the older common law doctrine of "viability"¹⁸ — that a fetus must have been "viable" or able to sustain its own life outside its mother at the time of injury in order to sue after birth and recover damages. Thus a human being would be considered legally dead when no longer able to sustain cerebration when disconnected from lifesaving equipment. The common law is already being asked to cope with many problems raised by the phenomenon of birth by artificial insemination in the context of charges of adultery and for the purposes of inheritance by will or intestate laws.¹⁹ It is now estimated that up to 10,000 American children are produced annually by this method and that a good por-

¹⁶ See, e.g., *Antonelli v. Eichner*, C.P. No. 700,478 (Cuyahoga County, Ohio). (Provisional diagnosis of intestinal obstruction; working diagnosis, cancer of ovaries; death; autopsy diagnosis, rare condition known as Budd Chiari syndrome with polycythemia vera. Consultations on working: Internist called in two gynecologist surgeons, one from another hospital, a hematologist and chief of surgery, all of whom concurred in working diagnosis. Trial court entered judgment for defendants on ground no liability for mistake in diagnosis where due care used to get facts on which to make diagnosis.)

¹⁷ *Ditlow v. Kaplan*, 181 So. 2d 226 (Fla. Ct. App. 1966).

¹⁸ *Williams v. Marion Rapid Transit, Inc.*, 152 Ohio St. 114, 87 N.E.2d 334 (1949); cf. *Sana v. Brown*, 35 Ill. App. 2d 425, 183 N.E.2d 187 (1962); *Sinkler v. Kneale*, 401 Pa. 267, 164 A.2d 93 (1960).

¹⁹ See, e.g., Lang, *Does Artificial Insemination Constitute Adultery?*, 2 MAN. L.J. 87 (1966); Purnell, *Legal Aspects of Artificial Insemination*, 32 OHIO BAR 166 (1959); Verkauf, *Artificial Insemination: Progress, Polemics, and Confusion — An Appraisal of Current Medicolegal Status*, 3 HOUSTON L. REV. 227 (1966); Comment, *Artificial Insemination: The Law's Illegitimate Child?*, 9 VILL. L. REV. 77 (1963); Note, *Artificial Insemination — Problem Child of the Law*, 40 N.D.L. REV. 89 (1964); Note, *Social and Legal Aspects of Human Artificial Insemination*, 1965 WIS. L. REV. 859 (1965).

tion of the couples choosing this means of procreation did so because of fears of inherited deficiency and a desire to achieve a better human being by genetic improvement.²⁰

Finally, the population explosion will probably force upon us legalized birth control, legalized abortion, and even the need for a license to beget a child as envisaged by Dr. Wald. Possibly, licenses may be granted only to those who possess proven superior genes, if not an entire race of test tube genetically mutated "improved" human beings.

The ability of our dynamic common law to adapt to legal details in specific instances is beyond question. We need only adhere to the basic precepts of the inviolability of the human germ plasm and of organic, as opposed to technological, design as here suggested by Professor Wald for our common law system to adequately work out the details necessary for mankind's own survival and to avoid eventual extinction from overspecialization.

III. BUT IS THERE TIME?

But, as I see it, there is no time, and mankind under the enormous pressures of our age will resort to technological design in a heroic effort to solve its own dilemma. If man succeeds, the world would seem to be his, unless, as Professor Wald suggests, the route of technical design proves so restrictive that "the penalty of overspecification" proves indeed to be "eventual extinction." This brings me back to the question with which we began: "What is Man?"

What, then, is man? A creature that cannot live alone and yet cannot live with his fellowman. A creature that has the creative genius to send men to the moon and the diabolic incubus to bomb his fellowman with napalm in the jungle and enslave him with narcotics in the cities.

Now the geneticist comes and thrusts into the hands of such a creature a power so great that it makes the atomic bomb of the nuclear physicist look like mere child's play. The nuclear physicist merely transforms inorganic matter into energy, while the geneticist could transform life itself into who knows what.

What will this creature, man, do with such a power? One thing would seem clear: he will never surpress the growth of the knowledge of that power. Undoubtedly, as Thomas Wolfe so romantically put it, man's fiercest hunger is his love of life itself. Man dies

²⁰ Cleveland Plain Dealer, Oct. 6, 1966, at 8, col. 5.

hard and clings to life as long as he can; indeed, even when his mind is gone, his protoplasmic body continues to cling to its function of living as preordained by his genes as long as it possibly can. But second to that is man's fierce love of knowledge — of pure science. The present era has taught him, as perhaps nothing else has, of the vast benefits to him from the applied technology flowing from progress in pure scientific research. No matter what laws are passed, no matter what stand organized religions may take, somewhere on this vast earth of ours man will go forward with his scientific research, pushing back the frontiers of knowledge in all directions until all that can be known is known. Unquestionably, genetics has come into its own and is here to stay. This is a reality mankind must face and adapt to under any circumstances, including all that Professor Wald foresees as a mere possibility today.

In our present era of scientific marvels, it has become increasingly apparent that the only real problem facing man is man himself. His genius has carried him far but his incubus continually devours that which his genius creates. Looked at from the long-range view of the anthropologist, man's *Immense Journey*,²¹ his *Human Destiny*,²² has brought him to an impasse in his own evolution. He has evolved physically as far as he need go, with automatic temperature control and so forth, but he has not evolved psychologically and morally — except to a vague awareness that present day events make it imperative that he further evolve morally or face extinction. In the few thousand years of his recorded history, man has wrestled with his moral self but has never been able to triumph over his own drives, fears, and shortsightedness, the ministrations of his priests to the contrary notwithstanding. Somewhere, somehow, he needs a power outside himself to enable him to overcome himself.

There would seem to be only two roads left for man to travel — one, to evolve a more moral man; the other, to remake the world so such a man as he now is can survive.

If there were time, he might travel the second road, as suggested by *The Territorial Imperative*.²³ "What shall we do? Shall we make a man to fit the world, or a world to fit the man?" Perhaps, if man had time, aided by common law dynamics and natural selec-

²¹ L. EISELEY, *THE IMMENSE JOURNEY* (1957).

²² P. LECOMTE DU NOÛY, *HUMAN DESTINY* (1947).

²³ See materials cited note 3 *supra*; Ardrey, *Man Is a Territorial Animal*, *LIFE*, Sept. 2, 1966, at 50.

tion, he could fashion a world in which to dissipate his aggressive immoralities short of self-extinction — perhaps.

But like Professor Wald, I fear there is no time. The forces with which man is confronted — man's knowledge over the secrets of the universe including genetic manipulation as well as nuclear power, population explosion, and all the rest — are growing in a geometric progression. Geometric curves rise slowly at first, but then soon ascend so steeply as to become almost vertical. Our time seems to lie upon the steepest part of these curves, and these forces now compound themselves at an alarming rate.

What then of the other road, that of genetic manipulations to help man evolve further into a more moral and intelligent species. Professor Wald envisages the possibility of producing one thousand Einsteins. Imagine a world where the meanest, most immoral man among us was an Einstein, a Schweitzer, a Gandhi, a Jesus. Such a world would have no need of policemen, tax collectors, FBI, CIA, or the like. All human energies, without supervision, would be directed outward into productive channels. Man, having solved the problem of man, would be free to solve all minor problems remaining.

It is possible, then, that genetics can help man conclude his evolution by doing that which now so desperately needs to be done, which up to now man has been unable to do; namely, to evolve psychologically inside himself to become a more moral being or, to borrow Red China's phrase, to take "The Great Leap Forward" inside himself. One hesitates to use, because of Nietzschean and Nazi overtones, the words "super race." Perhaps "moral race" or "superior race" is better. If genetics can accomplish this, and if it can accomplish this in time, then man may yet survive his own dilemma and man's *Immense Journey* will have reached its goal at last.

I seriously doubt that any Western democratic society such as we now know can bring itself to such an undertaking in the short time remaining. We are too imbued with respect for the sanctity and dignity of individual human life.

Witness organized religion's present stand against birth control,²⁴ let alone legalized abortion.

However, I have no doubt that this great leap forward of man inside himself will be attempted by some nation in the near future, a nation whose mores do not set as high a value upon the dignity of individual human life as does our own. Perhaps a nation in ex-

²⁴ See, e.g., Nuveen, *The Facts of Life*, 83 CHRISTIAN CENTURY 983, 985 (1966).

tremis from the unbearable pressure of poverty and starvation brought on by the population explosion will take the initiative. Intolerable conditions force nations to undertake heroic human experiments, as any one familiar with *Doctor Zhivago*²⁵ well knows.

I leave to the geneticists the answer to the question of whether man's great leap forward inside himself can succeed. If it can, the nation which first achieves it will most assuredly "inherit the earth." No other nation could possibly match the outpouring of undiverted constructive energies. Freed from the negative destructive incubus in man, such a nation would surpass all other nations in achievements and leave them far behind. Indeed, I would fully expect such a nation to sterilize the peoples of all other nations by massive atomic radiation or whatever, purely for its own protection against overpopulation of our present, obviously inferior selves, so that our human germ plasm would cease to infect the world with continued reproduction of our own inferior genes.

IV. WHAT MAY BE MAN

"What is man that thou art mindful of him?"
 This may be man —
 His genes so transmuted by his geneticists
 That now he dwells in brotherly love
 With all his fellowmen and no longer
 "Battens on his brother's blood."

The dilemma confronting mankind by the new found power of genetic manipulations is itself part genius and part incubus. Never in his anthropological history has man been handed so powerful a tool, so glorious an opportunity, to reshape his own destiny and thus "evolve" beyond himself. It would seem to have come just in the nick of time, if man is to surmount the twin evils of population and nuclear explosions.

By the same token, however, never in man's history has he been handed a tool so deadly, so fraught with peril to himself. Used unwisely, it could destroy him, if not by monstrous mutations, then by extinction from overspecialization. Or, perhaps worse, it could produce a mankind so intellectual, so devoid of all emotion we now know as human behavior, as to be truly sterile in the creative, rather than procreative, sense. In such event, man might find his newly created human condition intolerable to him.

In an era when God is said to be dead, never did man seem to need God's infinite wisdom more.

²⁵ B. PASTERNAK, *DOCTOR ZHIVAGO* 29 (1958).