

## CHAPTER 3

# THE HUMAN PERSON AS THE IMAGE OF GOD

*David Novak*

### 1. HUMAN RIGHTS AND THE IMAGE OF GOD

Those who come to Paris to philosophically examine the human person must surely be mindful of the great philosophers who have taught here and who have sustained an atmosphere of *gravitas* most conducive to philosophical discourse. In my own case, I must pay respectful tribute to those Parisian philosophers from whose works I have learned so much over the years, such as Thomas Aquinas, Henri Bergson, Jacques Maritain, Gabriel Marcel, Yves Simon, and the still living Paul Ricoeur, and the recently deceased, Emmanuel Levinas – especially from Levinas. As a sign of my gratitude to Levinas, through whose writings I and others like me have learned what a Jewish philosopher can be, let me begin with a quote from his essay, "The Rights of Man and the Rights of the Other":

These rights are, in a sense, *a priori*: independent of any power that would be the original share of each human being in the blind distribution of nature's energy and society's influence... Prior to all entitlement: to all tradition, all jurisprudence, all granting of privileges... Or is it perhaps the case that it's *a priori* may signify an ineluctable authority... the authority that is, perhaps – but before all theology – in the respect of the rights of man itself, God's original coming to the mind of man (1994: 117-17).

And following this second possibility, Levinas writes shortly thereafter, "surely this is the trace of God in man, or more precisely, the point in reality at which the idea of God comes only to man" (1994: 118).

Although Levinas assiduously avoids the traditional Hebrew term, *tselem elohim*, and the traditional Latin term, *imago Dei* (probably because of his aversion to "theology"), there can be no doubt that this is precisely his point of philosophical entrance. Indeed, the rabbinic text he quotes in the course of this reflection is a famous passage from the *Mishnah* that asserts that despite the commonality of the image of God in all humans, each one of us is a "complete world" (*olam malē*) *per se* (M. Sanhedrin 4.5).<sup>1</sup> So, Levinas seems to be connecting the ancient idea of the human person as the image of God with the equally ancient idea of natural law, of which the human person *per se* is the authentic subject. That connection is made through the modern idea of "human rights" (*droits de l'homme*). Moreover, it seems Levinas is also taking sides here in an intellectual debate whether the

---

<sup>1</sup> All references to *Misnah* designated by "M." followed by the name of the specific tractate therein.

modern idea of human rights is a repudiation of the ancient idea of natural law, or whether it is a further development of it.<sup>1</sup> My inference is that Levinas could not agree with the view that human rights are a repudiation of natural law, for were that the case, how could he connect it with the ancient idea of the human person as the image of God to which natural law thinking is so indebted?<sup>2</sup> Finally, it seems that Levinas wants to assert a Hebraic rather than a Hellenic basis for human rights in the idea of the human person as the image of God.

In order for the text from Levinas above to be more than merely a pretext, we must show agreement or disagreement with him about his view of the image of God, but assuming with him, *ab initio*, that our moral concern with human rights should look to the ancient idea of the human person as the image of God for its true grounding. Indeed, I sense with him the singularly Jewish need to show this Hebraic basis of ethics, especially after the atrocious violation of human rights during the Holocaust, when the human rights of Jews were those most evidently and most thoroughly violated.<sup>3</sup>

To better understand how the idea of the image of God can be the foundation of human rights, we need to look at the key concern of ethics: What are the proper ends of human action? That is: *Why* are humans to act as they do? As we shall see, this concern with ends – as superior to even human efficient causality – takes an indispensable turn in modern times, a turn about which Levinas is very much aware in the above-cited essay on human rights. As we shall see, the idea of the image of God is of immediate ethical significance precisely because it is teleological: it identifies the proper ends for humans.

The term *end* or *telos* as that which is intended (and thus more than a spatial or temporal limit) can have two very different meanings. On the one hand, it can mean a state of being as when Aristotle says that the end of human life is happiness (*eudaimonia*), that for him means a state of present human activity that requires no external justification (1926:1102a1-4). On the other hand, end can mean a person as when Kant says that morality is treating other persons as ends-in-themselves (*Zweck an sich selbst*), that is to say that a person is not to be treated as a means to something else, presumably some state of activity from which this person is excluded (1964: 101).

Here we learn something extremely helpful from Kant, who after all has always been the favorite non-Jewish philosopher of most modern Jewish thinkers. This requires further inquiry into what it means to identify the human person as an end of our action. Here we can accept help from Kant's turning teleology from a question of substance into a question of

<sup>1</sup> For the view that human rights are a repudiation of natural law, see Leo Strauss (1953) and Alasdair MacIntyre (1981:68). For the view that human rights are a further development of natural law, see Isaiah Berlin (1969:129,n.2) and Brian Tierney (1997:33).

<sup>2</sup> Here I am indebted to the great essay of Helmut Koester, 'NOMOS PHUSEOS: The Concept of Natural Law in Greek Thought' (1968:521), that convincingly shows how much the idea of natural law comes out of Hebraic sources with their emphasis on the Creator-God, and only that it subsequently employs the Greek *idea* of nature.

<sup>3</sup> Unlike his contemporary Jewish philosopher, Hannah Arendt, Levinas was able to make universal moral claims occasioned by the Holocaust *from out of* the Jewish ethical tradition and not *in spite of* it (Arendt 1965:253). As such, it seems that, much better than Arendt, he could understand just why the Nazis selected the Jews to be their special victims.

personhood, even though we cannot accept Kant's theoretical foundation because of its insistence that the rational human subject is the source of its own law (*autonomy*). For that basically contradicts natural law (that Jews can accept) and revealed law (that Jews must accept), both of which speak of a real, transhuman grounding of the law (d'Entrèves 1965: 101). Nevertheless, if we shift Kant's specific denotation of person as end-in-itself from the human *subject* of moral action to the human *object* of moral action, something quite important emerges for us.

In Kant's own view, the other person who is the object of my moral action is constituted *after* I have constituted myself as a moral subject *a priori*. This other person, then, is essentially an analogue of my own fully conscious moral personhood (Kant 1964; Aristotle 1926:1166a30). Thus our commonality is the subsequent interaction of two conscious beings, each of who loves himself or herself *ab initio*. Rational human association is based essentially upon a common *property*: each of us owns himself or herself. That society truly worthy of such rationally constituted persons, what Kant called a "kingdom of ends" (*Reich der Zwecke*), is simply the projection of what each of us has now going into the future where we plan to exercise it more fully together (Kant 1964:105). It is in many ways the most morally inspiring constitution of the "social contract," for it makes rational human society more than a mere means for the fulfilment of selfish, individual projects (*bonum sibi*). Instead, it makes rational human society intend a truly common good (*bonum commune*). But Kant has thus assigned a finality to the rational human subject that is insuperable. He has made the rational human subject into God. His ideal ethical commonwealth becomes a pantheon (1960:157).

But what if, by a phenomenological constitution of the moral realm, following some of the great insights of Levinas, I discover that the object of my moral concern presents himself or herself to me *before* I have constituted myself as a moral subject (Buber 1970:124; Levinas 1969:289)? We then have a very different idea of human mutuality and interaction. For here both the source and the end of my action are one and the same by the very act of the other person *presenting* himself or herself to me, without my prior permission as it were.

This other person's very existence (qua source) makes an attractive claim (qua end) on me. My existence is to be the same to him or to her. Our mutuality is not something that each of us already has; rather, it is something new and unexpected, wherein we co-exist, going together into a largely unpredictable future. Each of us, then, to a certain extent, is a revelation to the other. So, my constitution of myself as a moral person is not initially based upon my inner self-projection but, rather, it is my response to the presence of that other person. Minimally, as we shall see, it is my preparation for such a possible personal presentation. Maximally, moral action is reaction; it is essentially response. It is making oneself answerable and then really answering the voice of the other, a truth well expressed by the German phrase *verantwortlich sein*. No one has taught us this better than Levinas.

Nevertheless, we are still at the level of the phenomenology of the intersubjective. But, surely, the idea of the image of God, to which Levinas does more than just allude, is deeper than phenomenology inasmuch as it asserts what is beyond all phenomenality. It speaks like Kant speaks of the "thing-in-itself" (*Ding an sich*). And like Kant, the human "thing-in-

itself" is an "end-in-itself" (*Zweck an sich selbst*). Since that human person is the object of our moral concern, and ethics is concerned with a personal actor (*causa noumenon*) acting for the sake of ends, a phenomenology of ethics has to lead us to ontology. For phenomenology can constitute neither causes nor ends. That is because Husserl, the founder of phenomenology and as whose commentator Levinas began his philosophical career, avoided the matter of truth, that certainly includes the question of causality and the question of teleology.

Husserl avoided the ongoing philosophical debate between realism and idealism by bracketing the question of truth, which for realism is discovered and for idealism is constructed, by his famous *epochē*. In this theory, the object of thought (*noēma*) is not reducible to a projection of the subject (*noēsis*), nor is the subject simply discovering the object already intact. Husserl is only willing to see subject and object as coequal, that is, they are "correlated" (1950:226). As such, their mutual transcendence is relative to the immanent process that assigns meaning to the subject-object correlation, what Husserl called "constitution" (1950:134-36). Because of this, though, Husserl's phenomenology refuses to deal with the matter of truth, that philosophers have traditionally held to be something "transcendental."

Therefore, despite protests to the contrary elsewhere, Levinas like Heidegger has to move from phenomenology to ontology (Heidegger 1979:37). And even more like Kant he has to ground his ethics in an ontology of human personhood (Kant 1969; Levinas 1994:42). Unlike Kant, though, his different phenomenology of ethics has to lead him to a different ontology of persons. Since that ontological reference in Levinas is to the idea of the image of God, it would seem that this idea could not be anything that Kant would have possibly asserted. For Kant, the human person is a reflection of nothing greater than its own ethical creativity. The God of Kant is very much made in the image of man as Feuerbach most astutely saw (Kant 1893:33-34).

## 2. THE IMAGE OF GOD<sup>1</sup>

As the objective rather than the subjective end-in-itself, what is it about the other person that I am to find so attractive that I am willing to respond to the claims he or she makes upon me? What is it about that other person that, minimally, makes me refrain from harming him or her in any way? What is it about that other person that teaches one the most elementary moral law, the most basic negative human right: "Do not harm me"? Are there not many other persons who are decidedly unattractive, not only aesthetically but morally as well? Can that other person's attractiveness be anything more than his or her good character that I perceive before me? Can the range of existential attraction be more than the objects of my *eros* or those who are deemed to be potential friends (*philoī*) of mine (Aristotle 1926:1157a20)? How can it be more for me so as to include those who do not act well for

---

<sup>1</sup> Much of the following section is a slight reworking of Novak (1998:164).

me or for anyone else, and even those who cannot act at all for anyone else, even for themselves? None of these questions can be answered satisfactorily by any phenomenological ethics that attempts to constitute an ontology or philosophical anthropology out of its own operations. For it inevitably reduces human existence to the level of the immanent action of the world and thereby obscures the transcendent dimension of human existence in the world and the action that intends its truth (Novak 1992:14).

The answer to these questions, it seems to me, is best answered by an ontology and theological anthropology that emerges from the doctrine of creation, specifically the creation of the human person as the *image of God*. Human dignity, that is sufficient to ground the minimal right to life and safety of every descendent of the first humans, is because human beings *are* more than they can ever *do* or *make* of themselves. To understand this, though, requires some philosophical commentary on what is actually meant by asserting 'man – male and female – is made in the image of God' (Genesis 5:1).

I think that one can conceive of the image of God both positively and negatively. Each way of conceiving of it must be carefully formulated so that wrong implications are not drawn from its assertion.

There has been a whole trend in the history of western theology (both Jewish and Christian, where the *tselem elohim* or *imago Dei* doctrine is explicit) to positively conceive of the image of God as consisting of some quality humans share with God by virtue of a divine transfer at the moment of creation. Going back at least as far as Philo in the first century, many theologians have identified the image of God with reason (Philo 1929a:3.31-32.96; Novak 1985:94). Just as God is the rational power in the macrocosmos, so are humans the rational power in the microcosmos. Creation in the image of God means, then, that reason is what distinguishes humans from the rest of creation by enabling humans to have something substantial in common with God. This view nicely dovetails with philosophical notions, going back at least as far as Plato, and most widely discussed by the Stoics, that reason is what unites human and the gods, and that reason is, therefore, what separates humans from the animals (Plato 1914: 248A; 1921:176A-B; Aristotle 1926:1177b25-1178a8; Epictetus 1926:1.9; Cicero 1928:1.7.23).

However, in Jewish tradition humankind includes all those born of human parents (M. Niddah 5.3). Accordingly, this Platonic ontology and its philosophical anthropology are insufficient to ground an ethics that embraces all of humankind so defined. For this anthropology essentially identifies humanity *in se* with reason as opposed to more modestly seeing reason as an excellence to be developed by humans whenever they can as much as they can. It provides no way of designating those of humankind who are without this property, or who possess it meagerly in comparison with others, as essentially participating in human community, which is human life by nature as Aristotle most famously asserted (1932:1253a2; 1926:1097b12, 1169b20). In our day, especially, when essential humanness is denied by some to those at the edges of human life – the unborn, the permanently and severely retarded, the irrevocably comatose – such an ontology and its anthropology are inconsistent with the whole thrust of the Jewish tradition on the issue of human personhood. The issue now is anything but academic as it once more or less may have been. Maximally,



<http://www.springer.com/978-1-4020-0098-0>

Personhood and Health Care

Thomasma, D.C.; Weisstub, D.N.; Hervé, C. (Eds.)

2001, XV, 451 p., Hardcover

ISBN: 978-1-4020-0098-0