ERScience & Technology

Dr. Markl's Great Bioethical Offensive vs. Human Dignity

According to Max Planck Society head Hubert Markl, bioethics demands cutting the human race by two-thirds, for which he offers a host of recipes. Gabriele Liebig reports.

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After the President of Germany's Max Planck Society (MPG), Hubert Markl, uttered the wish that the world population, over the next 200 years, should shrink to 2 billion, during his January interview with *Frankfurter Rundschau*, we demanded his resignation. A man with such an outlook seemed to us inappropriate for a leadership position in scientific research. But Markl does not want to hear any criticism, and has apparently sought to silence troublesome critics by going to the law.

In May, President of the Federal Republic of Germany Johannes Rau gave his second annual speech at the State Library in Berlin, in which he referred to the highest law of the Republic of Germany—that is, the inviolability of human dignity—he took a position against relaxing the laws protecting the embryo, or making the fertilized human ovum into an object, or reifying its nature, as happens in stem cell research; he also took a stand against legalizing pre-implant diagnostics (PID) (see *Documentation*).

Markl had been silent on this subject until now. However, during the annual conference of the Max Planck Society, on June 22, he trotted out his great refutation. In it he defended the absolute freedom of "research into and with human embryos and with cell cultures from such embryos, up to therapeutic cloning in the first two weeks of embryo life," as had already been accepted in England, and were soon to be ac-

cepted in other countries. He polemicized that, it would be better for Germans to listen to those countries, "rather than seeking to occupy, along with the Vatican, the high ground of moral ultimata."

Likewise he finds justification for pre-implantation diagnostics and the culling of damaged embryos, since man is not doing anything other than what nature does all the time. And he strictly interdicts any comparison of today's eugenics—the disposal of damaged proto-embryos after PID—with the eugenics of the Nazis. Whoever makes such comparisons, he claims, is belittling the suffering of the victims of the Holocaust.

In the same speech, Markl praised the Dutch Parliament's legalization of euthanasia, and he equated the "people's freedom to make decisions about themselves," with "human dignity." Here, too, Markl markedly contradicted the Federal Republic's President, who had been most emphatic against the Dutch practice of euthanasia.

Markl concluded with a paean to scientific progress, and to man's spirit of invention, which always discovers new frontiers, and "crosses new Rubicons." Markl used a clever sophist's argument that exploits a certain weakness in Rau's argumentation. Rather than contradict Markl's rhetoric, we would ask: How credible are these pious utterances from the mouth of a man who wishes to shrink the world population by two-thirds, who has written a book that calls scientific and technological progress a "drug," and who has, when it comes to medicine, very peculiar views about what progress really is?

Thus, Markl said during the tenth debate at the Sinclair

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House of the Herbert Quandt Foundation in Bad Homburg-on-the-Höhe in April 1998, on the theme "Life—At What Price?":

"Do the binding ethical principle of *nil nocere* [the Hippocratic Oath, "do no harm"], the life-saving duty of the doctor, and the ban, considered no less binding—especially by us Germans—on putting an end to human life as we see fit, i.e., killing, even though this might be presented as passive euthanasia—do these really mean that no limits can be imposed on medical treatment and experimentation, because any appraisal of what may be a highly doubtful quality of life of the person kept alive, must inevitably conjure up the terrible specter of 'life that is not worth living'? Does the unlimited respect for life, therefore, actually mean that the advance of bio-medical technology remorselessly condemns human beings, who at birth and death alike are unable, as a rule, to determine their own fates, to live at all costs? Perhaps even prolonging a vegetative state, even as an excuse for running the equipment made possible by medical science? . . . But, at what point will the good deed not only turn into an costly burden, but also an upside-down Moloch, which grows fat, not by consuming its victims, but rather by their survival?"

This quote implies two things. First, it turns out that Markl does not envision mere voluntary birth control as adequate for his perspective of reducing the world population; but that its counterpart, euthanasia, is also being considered.

Second, the question arises: If Markl finds certain aspects of medical progress too expensive, and asks, as he did at the Quant Foundation symposium: "What potential medical services should be withheld, for what reasons, for what patients, and for what illnesses, in order to ensure that the health-

care system as a whole does not cease to function?" Why, then, does he so ardently support such extremely costly reproductive medicine as surgical embryo-cell removal, *in vitro* fertilization, PID, *in utero* implants?

The Chicken and Egg Argument

Why does Markl reject the demands for effective legal protection of human embryos fertilized *in vitro*, as embryo and human, so vehemently, and with such a biting sarcasm? The egg is not a chicken, he says, and a fertilized human embryo is a long way from being human, inasmuch as "human dignity" does not begin until the embryo is implanted into the mother's uterus. Admittedly, the implantation of the egg is an important condition for its development; and it is only then definitively decided, if one or more embryos (e.g., twins) will develop from the embryo cells. Still, we are undoubtedly dealing with human life, even at earlier stages.

What is really at stake? The question here is the following: Researchers and pharmaceutical concerns wish to have access to potential human life, so that from its products, they can obtain lucrative patents. The argument, that the limit of becoming human is the embryo's implantation, aims at arbitrarily moving the borders, in order to remove protection of the embryo under the human dignity stipulation—and to do so more definitively and less contradictorily than the German paragraph 218 does for abortion. Only in this case, would they get full access to this greatly sought-after "material" for medical research, genetic experiments, and use in the biopharmaceutical industry.

About these consequences, Markl was silent. And, although he was so eloquent in presenting his thesis that "human

dignity" begins with the embryo's implantation, he said not a word about the feverish research into replacing the human uterus by some artificial apparatus, or implanting fertilized human ova into animals.

If such a reification of human offspring should become legal, you can count on it, that soon they would be culturing not merely stem cells, but any kind of artificial tissue; that they would be implanting genetically manipulated human embryos, into artificial or animal uteruses, for example, to make complex artificial organs. And with such a successful assault on human reproduction, how long will it be, before some kind of manipulated creature is born, which will have critical elements added or subtracted, to make it no longer a member of the human species?

This would come, at just this point in history, that the world is becoming smaller because of high-speed travel, and even faster electronic communication; when, neo-racist campaigns notwithstanding, people are gradually beginning to realize that, even though we have different skin colors and cultures, there is only one human race; and it would be just now, that we would run the risk, of fragmenting the human race by artificial genetic manipulations.

In order to prevent this, people should cease and desist in their attempts to get around the law protecting embryos; rather that law should be extended to all of today's relevant domains, to the whole domain of *in vitro* fertilization, cloning, or reproductive therapy.

Is Freedom the Same as License?

Hubert Markl passes himself off as the herald of a new, post-Christian, post-humanist conception of the world. For him, the (presumed) right to abortion or to a "self-determined" death by active, physician-assisted euthanasia, are attributes of human freedom. Markl uses the term "freedom" as more or less equivalent to arbitrariness or license, for this is nothing other than "the will to make a judgment, and to 'choose,' that is, to choose between alternatives."

Markl's argument is similar when it comes to the choice of human seed in a test tube. "Man, who in the course of his evolution has been freed from genetic compulsion, and has attained the freedom to judge and to act," is able to do today, "what nature takes care of through genetic compulsion, if he finds this the right thing to do." The discussion is about selecting "genetically impaired seed." Thus Markl's concept of freedom stands revealed as arbitrary choice, as license.

Closely tied to this, is his erroneous idea of perfection, which is based upon the culling of the imperfect, just like helping a beet to grow, by pulling out a weed, or thinning overabundant seedlings. What is right and just when dealing with plants, becomes brutal even when one is dealing with animals: a case in point, the "medieval" methods currently being used against hoof-and-mouth disease, instead of universal vaccination. When it comes to people, the idea of culling leads to crimes against humanity.

Christian culture made the contribution of defeating the

principle of culling, from its very roots. In its stead, Christianity elevates the love of one's neighbor, of helping and healing. This principle has also stimulated medical progress, while its opposite, the principle of culling the infirm, has been very detrimental to the soul of the medical researcher. The greater the readiness to abort fetuses that show some impairment, the less inspiration there is to finding healing treatments for the relevant diseases.

What Makes Mankind Inviolable

Freedom is more than mere choice between different alternatives. True human freedom consists of the untrammelled possibility for development of the fundamental creative potential inherent in every human being. Anyone who is prevented from such development, from becoming human, is not free, and will also usually sense this.

It is from this that inalienable human rights are derived. Elementary are the right to life, the right to physical health, and all the rights which are concomitant with necessities of life. Just as important, however, is the right to develop one's mind, to education, learning, and being steeped in a human culture.

The development potential of the individual creative mind is usually very much underestimated, for it is, in principle, infinite. As long as a person lives, he can attain new knowledge, or perfect himself in some other way. As a microcosm, he can learn to recognize the macrocosm, and relive within his imagination, the discoveries and inventions of great scientists of the past, to enrich them with his own. And even if the creative, inventive activity of a person does not take place at the apogee of science and art, but in more modest domains of social activity—the inspiration from the archetype of creative art holds, in the small. That is how the Christian religion speaks of man, in the image of God. What you call it does not matter, but if you take it away from man, you take away his freedom and his happiness.

It is from the uniqueness of the human spirit, that man's position above all other living things, is derived, and the inviolability of human life, which, as "human dignity" is most particularly protected by the German constitution, the Grundgesetz. But, it is not realized potential that makes the man; rather, the potential already in itself—still quite undeveloped, in the fertilized embryo cells, or fading in people with a fatal illness, or in a coma. We must encourage the individual, and raise him up to use his freedom and to develop his potential; and even if he falls short of this, we do not deny him his humanity. "Man" is not a "culturally created construct," as Hubert Markl asserts, but the name of our species—fortunately, still only one.

However, since the human spirit is connected not only to the body, but also in a special way with the brain, and absolutely, though not at all understood in its nature and kind, with heredity; hence the non-Christian will also understand why the human reproductive process must be just as inviolable as human life itself.

Documentation

Markl Asks: 'Life At What Price?'

Excerpts from the speech of Max Planck Society President Hubert Markl, titled "The Economic Determinants of Birth, Health, and Death," to the Tenth Sinclair House Debate, held in Bad Homburg-on-Höhe, on April 24-25, 1998.

... The birth of a human being has always been, as it were, by its very nature, a dangerous phase of human life, calling for special help, for mother and child; the well-being of humans has always been threatened throughout the whole of their lives by countless factors, giving them cause to seek a medical cure; humans have always been prepared to give a lot, even virtually everything, in order to rescue a little extra life, no matter how meager it might be, from the threat of imminent death....

But life at any price? Currently, the entire "health system" of the Federal Republic of Germany still claims "only" 14% or so of GDP, or roughly DM 500 billion in 1996, providing more than 2 million people with employment. However, if we also took into consideration the social costs incurred by these huge outlays to maintain health and preserve life—from the welfare benefits needed for the extra years lived by the elderly (in which women are far more prominent than men, in this respect), to the social-welfare spending on people who have been more or less successfully kept alive, but who, regardless, are either severely disabled or complete invalids—then there can be little doubt that the health, or more accurately in some cases, the illness system, represents an enormous economic sector, perhaps the largest of all the spending items, for which we daily work.

This is quite in order, on ethical and economic grounds alike, for nobody compels us to preserve life, either our own or that of those close to us. We want to do so quite voluntarily, and are prepared to make sacrifices for this purpose, as we have down the ages. All the same, the question, "life at any price?" cannot simply be dismissed. Is it really true that no cost is too high for us? Certainly, nothing can replace a human life, and it cannot be made subject to financial considerations. But does this still hold true for each day, each month, that death can be held at bay through the unlimited use of medical and technical resources? Is every sacrifice really necessary? Above all, though: Does this even include sacrificing the right to a humane birth and death, and to an existence that is forced upon the individual by the unbounded skills of medical science, in the form of the permanent torment from serious disability?

. . . Does the unlimited respect for life, therefore, actually

mean that the advance of bio-medical technology remorselessly condemns human beings, who at birth and death alike, are unable, as a rule, to determine their own fates, to live at all costs? Perhaps even as a vegetating prolongation, even as an excuse for running the machine made possible by medical science? For, if the equipment can preserve life, it has to preserve life and along with it the doctors, nurses, care-givers, technicians, who are capable of managing it, and entitled and committed to doing so. . . .

These are the questions to be dealt with at the Tenth Sinclair House debate:

- 1. The limits of life at birth and death, versus the unlimited nature of potential medical progress. How can society (re)establish the yardsticks which the medical profession must observe in the artificial creation and prolongation of human life? . . .
- 2. In what ethically acceptable way, can elements of economic rationality impose limits on the huge quantitative scope of the medical system? At what cost, which always involves third parties forgoing something in favor of medical patients, can what medical services be considered acceptable? Or, put differently, what potential medical services should be withheld, for what reasons, for what patients, and for what illnesses, in order to ensure that the health-care system as a whole does not cease to function, where we can by no means do without it? What medical services can be subjected to rationing in order to prevent the economic efficiency of a given society from becoming overextended? . . .

Rau: For Progress in Human Terms

Excerpts from the "Berlin Address," of German President Johannes Rau, on May 18, 2001.

When we speak of the new opportunities of life sciences, the subject of discussion is not first and foremost a scientific or technical one. From beginning to end, it is a question of values. We have to know how we think about man, and how we want to live.

Throughout the world, successful research is being carried out on medicines and forms of treatment whose purpose is to help the ill. There is also promising work on bio- and gene techniques, for which none need have a bad conscience. That research is worthy of every possible encouragement and support.

There are, indeed, great challenges ahead of us: Just think of some diseases which are a daily reality in our part of the world: diabetes, cancer, multiple sclerosis, Parkinson's, Alzheimer's. But let us not forget that, in other parts of the world, hundreds of millions of people have to combat completely different diseases. I do not just mean AIDS—which is a far

greater threat for a large part of the African continent, than it is for us—I am thinking of malaria, hepatitis, or parasitical infections from which half the world's population suffers.

In that part of the world, there is often too little medical aid to effectively help so many sick people. If we redouble our efforts in science, and research, then we might bring extraordinary and great benefits to millions of people around the world.

I am completely convinced that we can do an infinite amount of good, without having to venture into ethically questionable fields with our research or our science....

Fertility Medicine and Embryo Protection

Something is occurring in biotechnology and fertility medicine, or is being made possible there, which is, in one essential point, entirely new qualitatively: It is no longer merely a question of technological possibilities and risks for man and the environment. For the first time, man seems to be ready to change man himself, and even to redesign him genetically.

No one should be surprised that the churches have been especially involved in this, with its moral dimension; but it would be completely wrong to think this a special question of morality, pertaining only to the churches.

You do not even have to be a professing Christian, to know and to see that certain possibilities and proposals of the bio- and genetic technology, are contradictory to the fundamental values of human life. These values—not only here in Europe—were developed over several thousand years of history. These values lie at the base of the simple rule, which is preeminent above all the others in our legal system: The dignity of man is inviolable.

...We must be clear about the consequences, if we put into question the canon of values which have developed over a long history, as the fundamental basis of all actions by the state. Might we then not become prisoners of a concept of progress, which makes perfected man the measure of all things? Would that not mean turning selection, and unbridled competition, into the highest principle of life?

That would be quite a different, a truly new world—but not a brave one.

I have the impression that such ideas have become quite widespread, which is shown by many arguments that you hear from time to time in the debate about genetic technology. The optimization of the strongest and the best becomes a self-evident concept. Will not the human body itself then become merchandise, and an object of economic calculation?

... [W]hat is decisive are the order of priorities and the weighting of arguments. Surely we are in agreement that something inadmissable ethically, should not be permitted, even if it should promise economic benefit.

Whenever human dignity is at issue, economic arguments do not count!

Here in Germany, embryo research is not permitted. This was decided in 1990 by the elected representatives of the

German Parliament, from quite different parties. They took as a fundamental premise, that the human life of a fertilized ovum must be protected.

Whoever does not agree with this notion, that that is when human life begins, must answer the question: At what other point should human life be absolutely protected? And why only at such a later point?

Would it not be arbitrary to draw other, different limits, and be premised upon pressure for new changes? Might the danger not be lurking, that something else will be more valued, than the defense of life? Not everyone seems to be clear on the significance of this, which goes beyond this specific debate. It would mean that ethical responsibility would, time and again, have to be modified to adapt to technogical opportunities. It is not up to scientific progress, no matter how lofty its goals, to determine at what point human life should begin to be protected.

Re-Enter Eugenics, Euthanasia, and Selective Breeding

Many people are demanding that Germany, too, should permit pre-implantation diagnostics, PID for short.

People say that it is not possible to prohibit PID, since, here in Germany, thousands of abortions take place every year with impunity. This argument ignores that these are entirely different questions.

... How apparent choice can lead to new pressures, can be seen from the fact, that recently in the Netherlands, legal grounds have been enacted for active euthanasia. Surveys point to the fact that, here in Germany, too, there is a widespread support for such a ruling. And in this discussion, the choice of the person, his autonomy, is called the most important argument. When it comes to ending one's own life, it seems at first glance, to be a convincing argument. ... In the Netherlands, the opponents of the new law cite a scientific study carried out under the auspices of the government. This study showed that during the so-called trial phase for changing the law, there were 1,000 cases of active euthanasia annually, in which, and I quote, "actions were carried out to terminate life without the express wishes of the victims."

Eugenics, euthanasia, and selective breeding: In Germany these ideas are linked to some terrible memories. They call up—and rightly so—an emotional defense. In spite of that, I think it wrong to argue we Germans must not do certain things, because of our history. If we hold something to be unethical and immoral, then, on that score, it is always and everywhere unethical and immoral. In fundamental questions of ethics, there is no geography of what is permitted and what forbidden.

I am always reminded that history is a help to us—not just to us Germans—to help us understand what happens when measures of value are distorted, when people are turned from subjects into objects. Anyone, who even just begins to treat human life as a mere tool, who begins to distinguish between a life worthy and unworthy to be lived, is already, in fact, on

a road with no return.

Remembering this is an enduring call: Nothing must be placed above the dignity of the individual person. His right to freedom, to self-determination, and to respect for his dignity, must not be offered up to some other aim. An ethic which rests upon these grounds, surely does not exist in vain. It is something of worth, when we act upon ethical grounds.

Markl: Cut Population to 2 Billion People

The following excerpts were translated from an interview that Max Planck Society President Hubert Markl gave to the German daily Frankfurter Rundschau, on Jan. 9, 2001.

Q: What areas of science do you think will characterize our new century?

Markl: The life sciences, in the broadest sense of the word. There are many illnesses which we would gladly be rid of. If we really understand the causes of such illnesses, we will also be able to develop new methods for curing them. But there will also be new dangers. First, 10 billion people are a gigantic breeding reservoir for dangerous microbes and other small organisms. The fight against pathogens will be a long-term one, which will make unusual demands upon us. Antibiotics will only give us a short breathing space. The same is true of plant and animal organisms which make up the food supplies for man. They are subject to permanent pressure from evolving parasites. Extremely important, naturally, is also the related question of ecological problems: We understand world climate, today, thank God, as a part of the whole geobiospheric system.

And thus, just as the chairman of the U.S. Federal Reserve hopes for a soft landing in the U.S. economic situation, I hope for a soft landing in the overheated population boom for humanity in this century.

Q: What would you want things to look like in the future? **Markl:** That we would get to the point, in coming centuries, to get the world population down to 2 billion.

Q: In 1850, there were 1 billion.

Markl: That was already a lot of people.

Q: Such a dramatic reduction seems unrealistic.

Markl: But it probably is not. The boom of human reproduction is surely a thing of the past. Admittedly we can't yet give the all-clear signal, since mankind is still growing at 1.5% per year. But in 200 years, what you see today in the highly developed countries of North America, Western Europe, or in Japan, will be the case everywhere. Many families have only one child, many none. That will lead, without coercion,

to a population decline in a nation such as Germany, from 80 to 40 million.

Q: But won't progress make it possible, in the long run, to feed 10 billion people?

Markl: I don't believe so. The biosphere could not be maintained, if the world population were to consume at the same order of magnitude as America or Europe. The problem of garbage alone would be so great that, in the long run, it would not be possible to stabilize the biosystem.

'Citizen Markl'

Here are excerpts from a commentary in the June 26 issue of Germany's leading daily, Frankfurter Allgemeine Zeitung, by Associate Editor Frank Schirrmacher.

The real question is whether what Markl says, is what he actually believes—or, to put the question less polemically—whether his extravagant speech is not merely theory, but has perhaps already gone over into practice—practice, namely, in the sense of its being an experiment, a trial balloon launched in the presence of the President of the Federal Republic. . . .

What is unpleasant about [Markl's] attitude is, that it uses sophistry to veil its insecurity. None of the research and treatment goals under discussion today, were even thinkable three years ago. Nonetheless, President Markl speaks as an authority, as a practically omniscient author. But the following are of interest: What does the acknowledgment of this revolution mean for the self-conception of the scientist? How is it that Markl is only now coming out with this relativistic view of the world? What social consequences might follow from his definition of human life?

The question that should be asked of Markl, and of the Max Planck Society is whether the great speech of President Markl were not a big cover-up. It is as if you were in front of a door where you check in, without any guarantee of being able to check out. Markl should have said, precisely as a biologist, he should have told us what kinds of things would evolve from his definition of life.

What does it imply for therapeutic cloning?

What for reproductive medicine?

What are the implications of the possibility of splitting the human species into another one, through genetic intervention into mankind?

And how will it be decided, who deserves to be called man, and who does not? How do Markl's cultural-historic deliberations explain the return of medicine to a vulgar Darwinism, with the triumphant pointing to the fact that when anomalies are feared, nature itself often aborts fertilized embryo cells. Nature, we might reply, also lets people starve to death, and die of thirst, without our drawing the conclusion that we should do the same.

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