BIOETHICS AND NON-PSYCHOLOGICAL VIEWS OF PERSONHOOD

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Bioethics is probably the sub-division of ethics that is currently of greatest interest to the public, since there is a widespread sense that recent and likely future scientific and technological developments will pose significant ethical challenges. The “culture wars” surrounding such life-and-death issues as abortion and euthanasia also generate interest in bioethics. Accordingly, effective teaching of ethics at undergraduate level would involve extensive use of examples or illustrations from the field of bioethics.

TEACHING BIOETHICS

Given current controversies in bioethics, the pedagogue should aim to channel the interest and emotional resonance of the issues towards analysis of assumptions underlying the arguments. Rather than take sides overtly, her task is to help the ethics student think critically and acquire insight into the theoretical aspects of the issues.

Discussion of issues such as abortion, embryo experimentation, euthanasia and many others often becomes rapidly narrowed down to (or bogged down in) arguments over the moral permissibility of abortion, euthanasia, or embryo experimentation. In this paper, I avoid such issues, concentrating rather on certain philosophical issues that underlie them.

Dealing with those moral issues typically involves taking some stance on the moral status of human beings. Ascribing moral status to a human being is typically treated as identical to, or conflated with, ascribing personhood to a human being. The concept of personhood is often (though not always) taken as analytically entailing moral status. Why being a person entails having moral status is not my concern here. I shall simply take it for granted at certain points.
I shall concentrate on one element of the intellectual background to discussions of how persons ought to be treated, namely, the notion of what a person or human being is. Ultimately, stances taken in the debates on such ethical issues are based upon a theory (or an inchoate notion) of personhood.

The range of positions taken on bioethical issues, as reflected in the English-language literature, is surprisingly narrow. The overwhelming majority of Anglophone philosophers and bioethicists adopt a Lockean view of personhood. While Kantian views are held by some leading US philosophers, it is still a minority view. Kantianism is dominant only in parts of mainland Europe. The only other variation is found among the small number of bioethicists with a religious background, who, owing to that religious background, are often not taken seriously, even when professing philosophical arguments.

The dominance of one view has a regrettable impact on teaching ethics in several ways. First, ethics students acquire a restricted view of the theoretical and conceptual possibilities within bioethics. Second, since the only alternative appears to be religious, they will generally be wary of deviating from what is apparently the mainstream position, for fear of being labeled “religious conservatives” or “fundamentalists.” Given the influence at popular level of writers such as Richard Dawkins, they may even drift in the direction of taking the Lockean view to be “scientific,” merely by virtue of its not being “religious” since many Christian ethicists reject it.

Third, with one view apparently having the status of the Received View, critical thought bearing on the foundations of bioethics is discouraged, and the students see no need to be concerned about the metaphysics of human being or personhood. Even if the Lockean view of personhood were the best theoretical option, the scenario described is pedagogically undesirable. Much has been written on the metaphysics of human being and the metaphysics of personhood in the last twenty years, and a wide variety of positions canvassed.¹ In this paper, I argue that bioethicists should take that into account, and be less inclined to write as though all metaphysical issues have been resolved.

The question may be asked: Apart from the pedagogical merit of introducing students to a wide variety of positions, must we assume that the metaphysical issues surrounding human personhood are open, or open enough that bioethicists should qualify their conclusions or even withhold judgement on some points?
I think the answer is “Yes.” In the public domain, the issues are too serious and too controversial to be lightly dismissed. For instance, to dismiss critique from people with religious beliefs is bad philosophy, for several reasons. First, while much religious critique of Darwinian evolution can be dismissed as anti-scientific, the same is not true of religious critique of the Lockean view of personhood, a view which is metaphysical, not scientific. Second, critique may be religiously motivated but involve philosophical reasoning. The motives for philosophical stances are often irrelevant, and even where relevant must always be distinguished from the justification or arguments offered to back the stance in question.

PERSONHOOD

When the question “What’s a person?” is put centre-stage, it often involves a conflation of a metaphysical or ontological issue, viz. what’s a person or human being (in the full sense, not just in a biological sense), with an ethical or axiological issue, viz. what matters or is of value about being a human being.

This paper focuses on the ontological issue. As regards the axiological issue, it suffices to note that to be a person is to be something that matters. Persons are by definition ends-in-themselves, bearers of rights, entitled to treatment with dignity and not to be used for somebody else’s purposes. They are to be the objects of benevolent concern, with others promoting their well-being while respecting their autonomy.

Up to this point, I have for convenience spoken of person and human being as though they meant the same thing. However, the concepts of human being and person have always been distinguished, since it has long been acknowledged that there could be non-human persons (whether angels or aliens). Being a person didn’t necessarily mean being a human being. This aspect of the person/human distinction has not raised theoretical problems for bioethics.

By contrast, the question of whether all human beings are persons is a recent issue and has become very important to bioethics. Much recent writing takes the view that the human fetus, the semi-permanently comatose, and those in the last stages of dementia do not qualify as persons. Other writers oppose this view, but I think it would be fair to say that the former stance has made much headway in the last thirty years. More recently, a similar claim to the effect that human neonates also lack the
status of person has been made by ethicists such as Peter Singer and philosophers like Michael Tooley.2

As noted, bioethical issues are not my concern in this paper. My claim is that the conflicting views referred to in the previous paragraph arise from a theory about the nature of personhood. As with all theories, it can be evaluated, and rejected for sufficiently good reasons. As with most theories, there are alternatives.

**WIGGINS’ TRIPOD**

David Wiggins remarked about twenty years ago: “On occasion, almost everyone feels difficulties in holding in a single focus three very different ideas:

- a) the idea of the person as object of biological, anatomical, and neuropathological inquiry;
- b) the idea of the person as subject of consciousness; and
- c) the idea of the person as locus of all sorts of moral attributes and the source or conceptual origin of all value.3

Wiggins’s remarks capture something important, viz. the desirability of not tying the notion of person exclusively to any one of (a)-(c), and thereby short-circuiting the fruitful tension or dynamic between these distinct lines of thought. The resources available for developing a notion of person are very rich, with a wide range of cultural, literary, legal, anthropological, religious, and artistic streams feeding into it. At the outset, it does not seem that there could be adequate warrant for taking one of (a)-(c) as the sole relevant consideration, and ignoring the others or rendering either of them parasitic upon the dominant one.

However, there are some reasons for thinking that such narrowing has occurred in the recent thinking of Anglophone philosophers and bio-ethicists with respect to personhood, since the idea of person as essentially subject of consciousness has acquired overwhelming dominance. The idea of person as physical organic object has been sidelined, with physical embodiment seen as accidental or at least non-essential to being a person. The idea of person as locus of moral value has tended to be subordinated to the idea of person as subject, often to the point where it is assumed that the person is a locus of moral value and rights solely because the person is a conscious subject.4 In some views, it would appear that personhood is attributable only insofar as when the individual human being qualifies as a “conscious subject.”
If my impression of the current state of affairs in Anglophone bio-ethics is correct, then Wiggins’ tripod has been collapsed, with loss of significance in the cases of aspects (a) and (c). Taking person as essentially subject of experience and ignoring the other two can, of course, be defended; but it is not self-evidently correct. Teachers of ethics should be cautious about accepting that stance as the last word, or the only viable game in town. Nor, since that stance *prima facie* involves loss of significance with respect to the human being as physically embodied, ought it be accepted without strong justification.

**LOCKE AND THE PSYCHOLOGICAL APPROACH**

The Psychological Approach, as Eric Olson calls it, takes persons essentially to be conscious subjects. It goes back to John Locke, who defined person as:

> a thinking intelligent Being that has reason and reflection, and can consider itself as itself, the same thinking thing in different times and places; which it does only by that consciousness, which is inseparable from thinking ... [C]onsciousness always accompanies thinking, and 'tis that that makes everyone to be, what he calls “self”; and thereby distinguishes himself from all other thinking things, in this alone consists personal identity, i.e. the sameness of a rational being. And as far as this consciousness can be extended backwards to any past action or thought, so far reaches the identity of that person.5

Variations of that view have been proposed, but the core tenets are still widely held. These include: that the concept of personhood is, for all practical purposes, reducible to the concept of personal identity, that personal identity supervenes upon being a conscious subject (no conscious subject, no personal identity), and that qualifying as a conscious subject requires continuity of memory over an extended period.

Locke identifies person with self, and virtually reduces rationality to consciousness. In consequence, the Lockean tradition thus leans almost exclusively on the second leg of Wiggins’ tripod, viz. the person as subject of experience.

Locke’s position, as that of his followers, was developed to address the question: is there a criterion for personal identity, such that the same person can be re-identified at different points in time? The focus on that question has generated the assumption that the question of what it is to
be a person is, for all practical purposes, reducible to the question of what personal identity is. That edges us in the direction of taking the concept of personhood to be parasitic upon the concept of personal identity. In addition, the Lockean view of personal identity is primarily grounded in individual consciousness and that individual’s having a sense of continuity in consciousness via memory. Taking person as subject of consciousness amounts to taking the concept of person as more or less identical to the concept of self. Since selfhood seems intrinsically tied up with consciousness or awareness of self, ongoing memory-structured self-consciousness becomes the determining element in personhood, or even the only element of personhood with any philosophical significance.

The kind of continuity required to support personal identity has been much discussed in recent decades. Given a choice between physical continuity and psychological continuity, the vast majority of Anglophone philosophers have opted for psychological continuity: among these are David Lewis, Thomas Nagel, Derek Parfit, Sydney Shoemaker, and Peter Strawson.6 The kinds of philosophical scenario backing that view are well-known. They include the brain-transplant scenario, where your body is set for inevitable physical death or destruction but there is a young and healthy human body available into which your brain with your memories can be transplanted. The intuition that the person with the young body and the transplanted brain would be you takes psychological continuity as what counts. Similarly, holding there is no loss of personal identity through Star Trek tele-transporting, despite the matter of your (original) body being destroyed, so that it is the same you before and after, also puts you into the psychological camp.

Relatively few endorse the physical continuity criterion. One philosopher who does is Eric Olson. Peter Unger attempts to carve out a position that distances him from the psychological camp, but by Olson’s standards he is still in it, since he holds that personal continuity requires the continuous existence of one’s particular mental capacities.7 The physical element in Unger’s theory is that they must continuously have physical realization (something that Lewis and Shoemaker do not require for psychological continuity).

Olson rejects the claim that psychological continuity is necessary or sufficient for one to survive or persist.8 He holds that (a) I am an animal, a member of the Homo sapiens species, and (b) I persist through time just in case my animal functions continue. The living animal that I am continues to exist even if I lapse into a persistent vegetative state so that the psychological features of my life, definitely among the more interesting
facets of my life, are now gone. Olson is willing to allow that, in a persistent vegetative state, I might no longer count as a person. In his view, that simply shows that I don’t have to be a person to be me.9

That’s a considerable shift from the Locke-Hume-Parfit view, since it gives philosophical weight to the physical organic side of human being not found in the psychological camp. (The ethical implications of doing so are not addressed by Olson, nor shall I address them; but it seems intuitively right that there should be some.) However, Olson does it in a way that yields the concept of person to the psychological camp, since it divorces selfhood or “I”-ness from person and moves it over to the human animal side. I think Olson need not have conceded the concept of person, since the issue is partly a matter of stipulation or definition. The tradition simply stipulates that the concept of person is to be defined along Locke’s line of thought (as Olson is prepared to concede) to mean a being conscious and self-aware and retaining a satisfactory memory, so that one can’t count as a person without those features. There’s no reason why one couldn’t stipulate otherwise.

I am suggesting here that Olson concedes too much to the psychological tradition. The psychological view divorces person from human animal by taking it that personhood—personhood as we know it, since we’re not interested in disembodied persons like gods or angels—has no inherent connection with being physical, organic, or embodied. Olson’s concession risks permitting the same divorce. It amounts to dropping the idea of person as the object of biological and neurophysiological study, or as the object of any study that is not dependent on the assumption that the human is, not merely conscious, but conscious in a way that is qualitatively different from that of animals. It means confining ourselves to the notion of person as subject of experience.

Olson, as noted, shifts “I” or self away from person, so that one could be a self (an embodied self, of course) but not a person. However, it is not clear what could be an embodied “I” though not a person (at least at certain times).10 For ethicists, it would be important to know whether being a self or an “I” is morally significant, but Olson does not address the issue, since he is dealing with ontology, not ethics.

The major point of this paper is that it is not at all clear that we should go the way of the psychological camp. That move seems insufficiently motivated, even with the backing of a venerable tradition going back to the 17th century. First, as noted already, it divorces person from body. That’s increasingly seen as unacceptable in some other areas of contemporary philosophy, particularly in light of feminist philosophy’s
attention to human embodiment. Second, such divorce will probably have significant negative implications for the depth and sensitivity of studies in bioethics.

Few of us want to be dualists about persons. Dualists are an endangered species, but in recent years there seems to be an increase in the number of slightly embarrassed dualists who simply cannot see their way to a plain psychological or physical monism about persons. Those who follow the psychological-continuity criterion of personal identity are nearly all materialists (or at any rate reject the appellation of “dualist”). But it is odd that materialists should accept the metaphysical possibility of transporting a person from one human body to another, solely by means of transfer of memories (presumably in the form of information) and without any physical material necessarily being involved in the transfer.

There are several metaphysical problems with that position. It involves one being identical to one material body at a certain time, and identical to a different body at another time. That’s a problem for a materialist. It wouldn’t be a problem for a dualist, and it needn’t be for someone like Lynne Rudder Baker, who argues for the view that a human person is constituted by, but not identical to, a human body. Another problem lies in the possibility that memories, upon which psychological continuity depends, may not be as reliable as is necessary. The issue is not just that one can forget, but also that one might remember what is false, or remember what were really other people’s memories.

There is a third problem. The current psychological view depends upon assumptions that have been around since the 1960s. These assumptions were expressed in the form of a pair of theses, influenced by the development of the computer and the rise of functionalism in the philosophy of mind: the multiple realizability thesis and the separability thesis. The multiple realizability thesis holds that the contents of the mind (memories, beliefs, etc) could in principle be transferred or downloaded from one brain to another brain or to a sufficiently advanced computer. The separability thesis suggests that the mind (as distinct from the brain) contributes relatively little to the functioning of the body. Behind these assumptions lies the application of a software/hardware distinction to the mind. Neither thesis is beyond question. Neither is so well-established that we can think of what makes a person as something inherently non-physical—even if it is conceded that it always requires some physical embodiment.
As indicated above, Olson holds that each of us was once an embryo, later a foetus, and may some day be a vegetable. He prescinds from the ethical issues touching on the moral status of human vegetables or embryos. He takes us to be essentially physical, rather than psychological, and holds that we persist as long as our life-sustaining functions are operative. On his view, we are animals. Personhood is a significant property (essentially a matter of rationality and self-consciousness) that we have for a period in our lives.

**Implications: Ethical and Other**

Olson’s argument draws us back to the physical and neuro-physiological aspects of being a human being, and more generally to the embodied nature of personal existence (as human beings experience it). He states that each of us was once a foetus, even if not a person, and that there is direct biological or organic continuity between me as embryo, me as adult, and me as comatose vegetable in the last stage of life. If we go along, even part of the way, with his line of thought, it suggests the propriety of upgrading the moral significance of those stages of my life when I don’t count as a person.

It is odd to think that I have enormous value when I am a person and little or no value when I am not, or that the only value I have is as an instance of the property of personhood. It seems counter-intuitive. It is common enough for ethicists to argue that the embryo or the early-stage foetus can’t count as a person, and that the senile or comatose human being may be such that the person is “no longer there.” But to hold to that would put me in the odd position of having to choose between saying either that I am not my body and am not always “there” with my living body (the psychological view), or that I have no value in myself, but only insofar as and when I have the property of personhood (the implication of Olson’s ontological position).

The psychological view of person, both in the common or “Received” version and in Olson’s concession to it, involves holding that personhood (a) is a property, (b) that I or my body can have and not have, gain and lose at different times, and (c) that, however important it is as a property, is non-essential from the physicalist viewpoint, in that I could be or exist without it. The psychological view probably also involves holding that personhood is had to a greater or lesser extent at different times. Claiming that becoming a person is not a matter of degree but an all-or-nothing affair would mean identifying points in the
human animal’s life involving very major change happening instantaneously or in a short space of time. Given current levels of neurophysiological knowledge, it would be hard to identify credibly such “moments” in a human’s life.

If the human being, whether foetus or neonate or young child, becomes a person by degrees, it presumably must mean that the human being goes through degrees of being a person, so that being 5% a person, 7%, 50%, 99% a person are all actual moments in the life of a human. But it is questionable whether any coherent sense can be made of this, since it would make theoretical thought about personhood unmanageably complex. Obviously, parallel difficulties would arise for ethicists taking the notion of person as inherently normative, and trying to work out degrees of value for different degrees of personhood.

If being at an early stage of human organic existence, as embryo or foetus, or being senile or in severe dementia means that one is not a person at all or “less” a person than others, the logic of that position would imply that brain damage, severe autism, being a very young child, etc would also limit one’s personhood, in ways that are opaque. All this lands us in the position of holding, willy-nilly, that some of us are more persons than others. Not many of us will be full persons, and even they will be such only for part of their lives. That would mean importing a fundamental moral inequality among human beings into one’s ethical theory.

Responses

A radical strategy would be to dispense altogether with the concept of person, and rely solely on the concept of human being in the sense of living human animal. We probably couldn’t abandon the concept of person in the legal zone, and some accommodation would have to be made there. But for philosophical purposes, the modern notion of person seems to lead along strange paths to dead ends and quicksands. We could be better off confining ourselves (for example, in Aristotelian fashion) to the notion of human being, an instance of the species Homo sapiens. Problems of identifying instances of living human beings would be much easier than identifying persons. We would be quit of some bad metaphysics, including the notion of something (a) that is not a soul in a traditional dualist sense yet is not material, (b) that appears to depend less on the body than the soul does in Aristotle’s philosophy, (c) that is in some difficult-to-determine way dependent on the degree of self-consciousness of the human animal, and (d) that is a matter of degree. With respect to the
concept of person, as it has developed in the psychological view and the ethical intuitions that have followed from it, it seems that we put a great deal of theory in for very little return: we might do better with plain human being or human animal.

A less drastic option would be to think of human beings or human persons as, to use Alasdair MacIntyre’s phrase, “dependent rational animals,” as the title of one of his books puts it. That phrase brings out something else implicit in the ethical intuitions related to the psychological approach: tying personhood tightly and exclusively to memory and self-consciousness tends to emphasize the autonomy of persons in individualistic fashion. It thereby ignores the dimensions of being a person (or at least a human person) that are in different ways antitheses of autonomy: weakness, dependence, oppression, and vulnerability. MacIntyre refers approvingly to the critique from feminist philosophers such as Eva Feder Kittay of that bias, leading philosophers to ignore vulnerability and dependence or else to treat them, as the psychological approach tacitly does, as potential disqualifiers for personhood. He also attacks the idea that Aristotle considered rationality to be a property that “separates humans from their animality.” On this point, he is working in parallel to Olson, accepting that we are animals, and that personhood can’t be divorced from that. That divorce is precisely what has happened under the dominance of the psychological approach. Similarly, attention by philosophers, from phenomenologists Maurice Merleau-Ponty and Jean-Luc Marion as well as an analytic philosopher like Roger Scruton, to the nature of human sexual desire and embodiment also suggests that the Lockean tradition is too narrow in its view of what personhood is.

To return to Wiggins’ tripod: the psychological approach has tried to reduce the person to conscious thinking subject, and in so doing has generated ethical problems that cannot be solved in a way that feels satisfactory, and that need never have arisen in the first place. There is more to the concept of person than being a subject.

PERSON AND VALUE

At this stage, we turn to the third leg of Wiggins’ tripod. That was the idea of person as the locus of moral attributes and the source and conceptual origin of value. Our take on this will be fundamentally affected by our meta-ethical stance. In general terms, the meta-ethical position known as moral realism holds that there are moral facts and there can be moral knowledge of them: moral value is, at least in part, dis-
covered. Moral anti-realists deny all that, treating moral value as merely conventional or subjective. Moral realists tend to take it that persons are of value in themselves; moral anti-realists hold that persons are of value only if they are consciously valued by somebody. Usually, that somebody is oneself.

Despite the resurgence of moral realism as part of the general revival of analytic metaphysics, moral anti-realism is still the most widespread position, reflected in the fact that much of the Anglophone philosophical literature on the value aspects of person focus on what matters to us. (This is reflected in Parfit 1984, Unger 1990, and in Kolak and Martin 1991.) A great deal of ink has been spilt on the topic, with a variety of answers given.

Usually missing in discussion (in this context) is consideration of the value of persons or of human beings per se. Value is simply assumed to be connected to persons as subjects of experience, and their valuing some kinds of experience, and disvaluing others. On the moral anti-realist view, that is all there is to the idea of persons being a locus of value: they are simply a location where valuing takes place.

The dominance of the psychological view has short-circuited the meta-ethical issue of the objectivity of value by assuming that whether value was objective or merely subjective (i.e. moral or aesthetic value resides solely in the eye of the beholder) made no difference. The good or what is of objective value was taken to be, not simply the good-for-me, but the good-as-I-see-it. In Humean fashion, it leads to holding that objects and outcomes are good because I desire them or think them valuable. Since on the psychological view, to be a person is to be conscious, rational, able to remember and to make choices, it sufficed that these things were of value to the subject. The value of being a person was being able to value things rationally. Thus, whether particular objects or outcomes were part of the good or of value independently of the subject’s desires and wishes didn’t matter. Thus, the meta-ethical issue was short-circuited or cut out. Meta-ethical or moral anti-realism or subjectivism is not necessarily wrong; but the psychological camp has a strong tendency to assume it uncritically, rather than argue for it or maintain a more circumspect neutrality with respect to it.

The unacknowledged moral anti-realism has a further significant consequence: it sharply reduces our theoretical options with respect to understanding the concept of person. To see this, consider what the psychological view of person took to be the value of personhood. Since among the things the subject values is herself (as conscious, self-con-
scious, etc), it seemed not just redundant but even otiose to inquire as to whether persons had some other value, independent of their being subjects and hence able to value other things or things about themselves. Thereby, the dominance of the psychological view was prejudicial with respect to questions about the value of persons. We are valuing creatures, and we take stances towards various possibilities, valuing some and disvaluing others. These include being conscious, being self-conscious, and being able to remember one’s history and add to it via new experiences. The short-circuiting occurs when we assume that those things constitute the sole value, or sole nexus of values, of being a person, thereby implying that a person is of value to the extent that, and only to the extent that, she is (in her own eyes) of value to herself.

In historical hindsight, the dominance of the psychological view masked a kind of anti-metaphysics going back to Hume and more recently the logical positivists, an anti-metaphysics that gives rise to moral anti-realism. So, while the third leg of Wiggins’ tripod, the person as locus of value, appears to be still represented in the psychological camp, since there are certain things about being a person that have value, appearances are misleading. As I have outlined in the preceding paragraphs, the idea of the person as the locus of value has been hollowed out by moral anti-realism and reduced to a pale shadow of the full-blooded kind of valuing of persons that Kant, for example, proposes in his ethical theory.

The idea of a person as a holder of rights and duties or locus of value now ceases to be an independent leg of the tripod, since the rights and the value in question supervene on the person’s consciousness, self-awareness, ability to choose, and memory. So, while the first leg of the tripod, person as object of the sciences, has been sidelined, the third leg has been watered down by moral anti-realism and annexed to the second leg, the person as subject of experience.

Moral anti-realists are entitled to their view. My point here is that moral anti-realism carries a hefty price-tag, since eliminating the idea that there are intrinsic goods or values eliminates many of our options around the notion of person. Accordingly, I suggest that bioethicists should not simply accept moral anti-realism without considering the price-tag. Besides, there is no compelling argument, generally accepted among metaphysicians, demonstrating that issues of value concerning persons must reduce to value in the subjective or psychological sense.

If, instead of the truncated view of value discussed above, we allow the third leg of Wiggins’ tripod to have a comparable conceptual auton-
omy, it points us in the direction of considering the value of persons independently of how any individual person would value her life or what features of it she would value. It is not that we have to reject the psychological dimension, but simply that we should not take it to be the only dimension.

Kant’s claim that we should treat humanity, in our own person and other persons, as an end in itself is an example of a principle that is independent of how a particular person might value her life or aspects of it. The Kantian line (as is the case with a number of other approaches) takes as given that persons have inherent value and that all persons have an inherent equal worth. The value of persons and their having equal value is not something derived or inferred. It certainly cannot be derived on a case by case basis, from empirical observation bearing on the individual’s memory, self-consciousness and degree of rationality. German philosopher Robert Spaemann has produced interesting work based on this line of thought. Spaemann comments critically on recent developments:

Intellectual preoccupations with the concept of the person have, until the present day, assumed a somewhat theoretical and academic character. But in recent years, unexpectedly, that has changed. The term ‘person’ has always (since Boethius) served as a *nomen dignitatis*, a concept with evaluative connotations; in the wake of Kant it became the central plank in the foundation of human rights. Now its function has been reversed. Suddenly the term ‘person’ has come to play a key role in demolishing the idea that human beings, *qua* human beings, have some kind of rights … Only human beings can have human rights, and human beings can have them only as persons. The argument then runs: but not all human beings are persons …

The development Spaemann criticizes is that which I have discussed above. His book is an account of the inherently normative notion of person that is not hostage to a psychological view. That makes it radically different from the psychological view taking person to be an inherently psychological notion, with its value or normative status derived from its possession of certain properties at certain times.

The influences on his work are Christian, Kantian, and to some extent phenomenological. Nevertheless it is written in a style that is sufficiently accessible to philosophers and ethicists in the Anglophone world. On his view, human beings are persons, simply by virtue of being living members of the *Homo sapiens* species. As he states, “personhood is situated in the life of human beings … Eating and drinking are personal acts.”
(239). We do not recognize somebody as a person as a result of, or by way of inference from, observing them. Indeed, traditionally we have taken the attitude that, to think of an individual’s being a person as something that needs to be evidenced first, reflects a kind of inhumanity on the observer’s part. In the final chapter of Persons, Spaemann argues this case at greater length than I can here.

In so doing, he takes—which he doesn’t say as much, this being my gloss—the notion of person as the kind of notion that cannot be explicitly, only implicitly defined. An explicit definition defines something in terms of its elements, thereby effecting a kind of conceptual reduction. Some things are too simple already for that. This was the problem addressed by David Hilbert around 1900 when he addressed the problem in geometry of how to define point and line. Rather than follow Russell’s idea that they were indefinable primitives, he proposed implicit definition: the terms are defined by the way in which we use them. I think the concept of person requires something similar. We cannot explicitly define, as though it could be reduced. Ontologically, it seems that persons are simples, not composites; and it would seem that something parallel applies to the concept of person. We take then the way in which the concept of person is used in the best of human cultures and in ordinary folk-wisdom.

CONCLUSION

To return to Wiggins’ tripod: we need all three elements, and I support his idea that they must be kept in balance and healthy tension. That means, in the current context of Anglophone philosophical and bioethical thought, correcting the imbalance that has emerged as a result of an exclusive use of the psychological approach. We need Locke’s insights; but we could do with a little more Kant, and with the Husserl of his Lebenswelt period, and perhaps too some notion of the philosophical implications of Christian theology.

The last suggestion may raise eyebrows. I have two reasons for it. First, in teaching ethics, we deal with students whose ethical education prior to coming to college has often been influenced by Christian thought. Good pedagogy would seek to connect with where the student is “coming from.” Second, the emergence of the concept of person as philosophically significant in the western world occurred only after Christian theological debates in the early centuries of Christian history, leading to a strong distinction between the concept of person and the
concept of being an instance of human nature. Christian theology had its own reasons for making the distinction, and they need not concern us. Outside of theological realms, the sharp distinction between person and human animal or instance of human nature may be more hindrance than help, and render the concept of person increasingly obscure and problematic.

At any rate, the concerns I have raised, using Wiggins’ three-fold schema, suggest that bioethics may need a broader canvas and a culturally deeper analysis with respect to personhood, when it comes to dealing with current bioethical concerns.

Notes

1 For a comprehensive and balanced overview of the range of positions, see Olson 2007.


4 See Parfit 1984, 202: “the simplest answer to [the question, ‘What is the nature of a person?’] is that, to be a person, a being must be self-conscious, aware of its identity and its continued existence over time.”

5 Locke 1975, Bk. II, chap. xxvii, sect. 9.

6 See Olson 1997, 20 and 170 n.13 for a larger list with references.

7 Unger 1990, 116: “For you to exist at a future time … there must be the continuous existence, from now until then, of your particular basic mental capacities. For there to be the continuous existence of just those capacities, there must be … the continuous physical realization of them in a physically continuous realizer or, at the least, in a physically continuous succession of physical realizers.”

8 Olson 1997, 4.

9 Olson 1997, 16-17. In his later work, Olson acknowledges that the human animal view (which he still holds) faces significant challenges; see Olson 2007, vi.

10 His later work embraces that distinction. See Olson 2007, 16-17 where he emphasizes the difference between the question “What am I?” and the question “What is a person?”

11 See remarks by Zimmermann 2003, 492.

12 For some incisive comments on this, see Inwagen 2007, 206-207.

13 See Baker 2000.

14 Ridley Scott’s classic science fiction film, Blade Runner (1982), drew attention to this point.
15 For critique of both theses, see Shapiro 2004.

16 In this paper, I refrain from taking any stance on issues of endurantism vs. perdurantism, concerning how concrete particulars like human beings persist through time.


18 For an instance where the meta-ethical difference matters, consider the possibility that human persons have both a right to life and a right to assisted suicide. The moral anti-realist will have no problem in holding that. The moral realist, committed to the existence of moral facts, will, if she considers certain fundamental rights inalienable, have difficulty endorsing both rights, since allowing that there is a right to euthanasia or assisted suicide would appear to render the right to life alienable.

19 Spaemann 2006, 2.


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