

Personhood: An essential characteristic of the human species

FREDERICK J. WHITE

Institutional Ethics Committee, Willis-Knighton Health System, Shreveport, LA, USA

This essay postulates that human social order recognizes the personhood of human beings within two competing constructs—an existential construct that personhood is a state of being inherent and essential to the human species, and a relational construct that personhood is a conditional state of value defined by society. These competing constructs establish personhood in both individual and interpersonal contexts. Within the individual context existential personhood may be posited as a distinctly human state within the natural order, intrinsic to human life, and independent of the status of the human being. In the interpersonal context the existential construct holds that personhood is not a creation of the society, is not a right, and may not be altered or removed by human fiat. Relational theory presents contra assertions in these two contexts. The Christian view is taken as a particular case of existential personhood. Arguments concerning the nature of human personhood are metaphysical and consist of philosophical beliefs which may be properly asserted in either construct. The interpersonal context of personhood lends itself to comparative analysis of the empirical results associated with both the existential and the relational constructs. This essay provides an overview analysis of the existential and relational constructs of personhood in the interpersonal context and finds a broad range of results that are manifestly superior under existential theory. Such empiricism supports a normative conclusion that the good rests in the existential construction of human personhood, and gives credence to a claim of truth that personhood is an essential characteristic of the human species and is not a conditional state dependent upon circumstance, perception, cognition, or societal dictum.

Keywords: personhood, existential, relational, human species

“What is man, that thou art mindful of him?”¹ With these words, the Psalmist poses a transcendent question. It is a question raising wonder that God gives of the Divine mind to humanity, and a question recognizing in humanity a wondrous essential nature. What is it of a human being that could draw the mind of God? And what is it of human nature that could reflect the Divine? For the Christian, the answer has always been the *imago Dei*—that which Augustine defined as “that principle within us by which we are like God, and which is

rightly said in Scripture to be made ‘after God’s image’” (Augustine ca. 397/2002). And yet it is not just the Christian who recognizes the transcendent nature of humanity. The secular mind has also found in humanity that which extends beyond the physical. Plato argued that “when the person has died, his soul exists” (Plato ca. 380 B.C./1999), and in that argument found man as “having a share of the divine attributes” (Plato ca. 387 B.C./2005).

For the Christian, the notion that something reflective of the divine exists in

all of humanity is foundational to human personhood. Personhood manifests the unity of the spiritual and the corporeal in human existence, and thereby is an essential characteristic of the human species. Personhood gives to the human individual a universal worth and an exceptional standing. And in the transcendent nature of personhood we find the inalienable substance of human rights and the genesis of society and law.

But the Christian view of human personhood has been increasingly questioned in our time, as has been the notion that any theory of personhood may be superior to others. This essay postulates that human social order recognizes the personhood of human beings within two competing constructs—an *existential* construct that personhood is a state of being inherent and essential to the human species, and a *relational* construct that personhood is a conditional state of value defined by the society. These competing constructs establish personhood in both the individual and interpersonal contexts. Within the individual context existential personhood may be posited as a distinctly human state within the natural order, intrinsic to human life, and independent of the status of the human being. In the interpersonal context the existential construct holds that personhood is not a creation of the society, is not a right, and may not be altered or removed by human fiat. The relational construct presents *contra* assertions in these two contexts. The Christian view is taken as a particular case of existential personhood.

Arguments concerning the nature of human personhood are metaphysical and consist of philosophical beliefs which may be properly asserted in either construct.² The interpersonal context of personhood lends itself to comparative analysis of the empirical results of both the existential and the relational constructs. This essay

provides an overview analysis of the existential and relational constructs of personhood in the interpersonal context and finds a broad range of results that are manifestly superior under existential theory. Such empiricism supports a normative conclusion that the good rests in the existential construction of human personhood, and gives credence to a claim of truth that personhood is an essential characteristic of the human species and is not a conditional state dependent upon circumstance, perception, cognition, or societal dictum.

AN EXAMINATION OF PERSONHOOD IN THE INDIVIDUAL CONTEXT

What is it that makes a human being *human*? And what is it that defines a human being as a *person*? These questions, and the corollary interplay between qualities of humanity and qualities of personhood, challenge us to reflect on the most basic aspects of our existence.

PERSONHOOD AS A DISTINCTLY HUMAN STATE WITHIN THE NATURAL ORDER

The postulate that personhood is a distinctly human state within the natural order is basically an assertion of human exceptionalism. However, for many in our time, the controlling dogma of human existence rests upon the notion that humanity is nothing more than a highly developed animal state. The idea of the human species as relatively indistinct from other animals predates modern thought by millennia. In an early expression of naturalistic thought, Pliny the Elder described man as animal in being, though he viewed man as “the animal destined to rule all others.”³ Pliny spoke of man comparatively, being the least of the animals in the

frailties of birth and early development, though perhaps superior by virtue of self-awareness.⁴ Even so, Pliny believed that both man and other animals were the result of some creative force.⁵

The concept of man solely as an animal form derived by indifferent acts of the laws of nature reached a later expression in the nineteenth century thought of Charles Darwin. Citing trans-species similarities in embryologic development, in anatomic structure and function, and in the geologic record, Darwin (1874, 694) concluded that 'man is the co-descendant with other mammals of a common progenitor'. Adopting an expressly naturalistic explanation for human existence as a part of the animal world, Darwin (1874, 693–694, 695) stated that

the great principle of evolution stands up clear and firm, when these groups of facts are considered in connection with others.... He who is not content to look like a savage, at the phenomena of nature as disconnected, cannot any longer believe that man is the work of a separate act of creation....

Through the means just specified, aided perhaps by others as yet undiscovered, man has been raised to his present state.

However, Darwin (1874, 696) went further than classical naturalism. Of mankind he held that 'the high standard of our intellectual powers and moral disposition' also reflected evolutionary advancement. The former, Darwin (1874, 696–697) stated, could easily be explained as a natural refinement of the mental powers of higher animals. The latter, moral, nature of man Darwin (1874, 697) admitted as "a more interesting problem."⁶ Nonetheless, he construed the moral nature of man to be founded in a combination of the expression of social instincts common to lower animals, such as an enjoyment of the company of other

individuals, and an expression of higher intellectual powers, such as the ability to recall past experiences with the ability to generalize them to future events, all refined by the naturally selective processes of evolution (Darwin 1874, 697–700). Finally, Darwin held that the nearly universal conviction of mankind in the existence of a powerful Deity was merely a further development in the evolution of morally relevant social and cognitive behaviors. The construct of a Deity allowed man to transform those behaviors into customs extending beyond the confines of a given social context, thus becoming 'habitual convictions controlled by reason' (Darwin 1874, 700). The construct of the Divine as a manifestation of social evolution minimized the relevance of an immortal soul and dismissed as invalid the observation that 'the belief in God has often been advanced as not only the greatest but the most complete of all distinctions between man and the lower animals' Darwin (1874).⁷ For Darwin, humanity, as characterized by morality and personhood, required no divine principle, nor *imago Dei*, but only the relentless force of natural selection.⁸

So, then, do we humans exist only as an exalted mammalian phenomenon, driven to our current state by the invisible power of natural selection? Certainly many think not. Plato found intelligence to be the obvious distinctive between man and animal. As Grube (1958) noted, Plato found intelligence as "the most divine thing in man, the most essentially human because [it is] the only part of himself which he does not share with the animal kingdom...."⁹

Aristotle also found man, though animal in nature, still distinct from other animals. Randall (1960, 68) noted that Aristotle held physiology to be common to all living things, and sensing and responding to stimuli as common to man

and animals.¹⁰ However, Aristotle held the *nous* as distinctive to man, being “the power of responding to universals and meanings, the power of acting with deliberation, with conscious forethought, or acting rationally” Randall (1960, 68).¹¹ In the *Metaphysics*, Aristotle (ca. 350 B.C./2008) held that among animals “endowed with sense” humans were distinct in that “the human race exists by means of art also and the powers of reasoning”. St. Thomas Aquinas combined these three functions—nutritive, sensory, and rational—into his unitary construct of humanity, with rationality forming the distinctive nature of the human person (Kretzmann and Stump 1998). And it was here that St. Thomas found company with St. Augustine in holding this distinctive rationality as the central virtue of the *imago Dei* (O’Callaghan 2007¹²).

And yet it is that rationality *per se* is not sufficient to establish the essence of personhood, or for the Christian, the *imago Dei*. In his exploration of human identity, Kavanaugh (2001) has written that ‘if non-human animals...are discovered to have reflexive consciousness, and thereby embodied self-consciousness, they would be persons—even if not of the human variety...’. The members of the Great Ape Project have advocated for the personhood of certain species of apes, maintaining that the chimpanzee, the gorilla, and the orangutan “have mental capacities and an emotional life sufficient to justify inclusion within the community of equals” (Cavaliere et al. 1994). Admitting the controversial nature of animal language studies, nonetheless language and rational thought may be more reflective of the natural order than supposed in prior eras. And if animals have some form of rational thought, then a conception of human exceptionalism and of human personhood based in solely in rationality would need re-examination.

But it is what follows from rationality that makes humans distinctive in the natural order. St. Thomas was careful to construe the capacities of animals to the sensitive soul, with no *per se* operation of its own and no subsistence (Aquinas ca. 1274/1952).¹³ As for man, the International Theological Commission has written that for St. Thomas ‘the image of God is realized principally in an act of contemplation in the intellect’ (International Theological Commission 2009). Lee and George (2008) note that it is the free choice and moral agency that flow from human rationality that are distinctive of humans.¹⁴ Pope Benedict XVI has said that the specific distinction between human beings and animals is that God has made humans “capable of thinking and praying.”¹⁵ Here then we find something divinely distinctive. Human beings, unlike even the most highly developed animals, have the capacity to relate to God, to understand a moral code, and to choose to live by it.

As Berry (2007) points out, the divine image distinguishing humans from other animals transcends naturalism, and “is not a genetic or anatomical trait.” As Berry writes, it is as if at some point God in a specific act of creation transformed *Homo sapiens* to *Homo divinus*, “biologically unchanged but spiritually distinct.”

Even Darwin in later years felt that the existence of the world as a function of natural processes was not incompatible with the transcendental, and that the rationality of humans implied the possibility of a higher entity subsuming the natural order. As Darwin observed,

Another source of conviction in the existence of God, connected with the reason and not with the feelings, impresses me as having much more weight. This follows from the extreme difficulty or rather impossibility of conceiving this immense and wonderful universe,

including man with his capacity of looking far backwards and far into futurity, as the result of blind chance or necessity. When thus reflecting I feel compelled to look to a First Cause having an intelligent mind in some degree analogous to that of man; and I deserve to be called a Theist....

I cannot pretend to throw the least light on such abstruse problems. The mystery of the beginning of all things is insoluble by us; and I for one must be content to remain an Agnostic (Darwin 1887/2005).

Here Darwin not only recognized a central limitation of his theory, but also the constraint placed on its extrapolation by the Kantian distinction between the *a priori* judgments of conceptual philosophy and the *a posteriori* conclusions of empirical science.¹⁶ And herein we find a final point concerning the human state—that a broad application of the divide between the work of conceptual philosophy and empiric science places the naturalistic arguments of the Darwinians in proper perspective. The Darwinian arguments are relevant as to the origin of species, but are simply not determinative as to whether there is or was an Originator. Although empiric evidence may be relevant to species development, such evidence has no bearing on the non-testable concept of a First Cause. Naturalism does not have standing to conclusively refute the doctrine of *imago Dei*, nor to defeat the assertion, founded in human exceptionalism, that personhood is a distinctly human state within the natural order.

PERSONHOOD AS INTRINSIC TO HUMAN LIFE

A more recent argument against a distinctive nature of human personhood in general and the *imago Dei* in particular

holds that personhood is solely a behavioral characteristic based on physiologic processes and is in no way intrinsic to human life. As a biologic iteration of the philosophic principles of reductionism, the belief that we are merely complex physiologic machines—both in our existence and in our actions—is now gaining as a cultural norm. The human being is held to be a strictly physical entity in the totality of its existence—an expression of its genome and a product of its ongoing biochemistry. Here, there is nothing intrinsic or transcendent to human personhood, and nothing distinctive about a human being. Human existence has no true metaphysical basis, and cannot survive physical death.

Venturing beyond the older propositions that humanity may be reduced to a naturalistically derived higher animal form, these modern arguments seek to strip away any metaphysical residual of personhood. Building on the classic atomistic tradition of Democritus and modifying the teachings of Cartesian dualism,¹⁷ these modern thinkers dismiss the concept of the person as a unity of body and soul as espoused by St. Thomas Aquinas, and propose that all of human existence, both the physical and the metaphysical, may be reduced to the actions of the physical substrate of the body at various levels of function. Arguing to ‘put consciousness back in the brain’, Searle (2007) has maintained that conscious phenomena are concrete, non-abstract, and exist within the brain in space and time as a function of neuronal activity.

Sir Francis Crick (1995) has explicitly taken the argument beyond consciousness to a frank rejection of the concept of an innate soul. He began his recent examination of the human soul with what he termed as “the Astonishing Hypothesis,” stating that

“You,” your joys and your sorrows, your memories and your ambitions, your sense of personal identity and free will, are in fact no more than the behavior of a vast assembly of nerve cells and their associated molecules (p. 3).

He goes on to say that “a modern neurobiologist sees no need for the religious concept of a soul to explain the behavior of humans and other animals” (p. 6). Modern neurobiological reductionists simply dismiss the soul as archaic, irrelevant, and unnecessary. Personhood is for the neurobiologist a purely material and natural phenomenon.

Is personhood, then, a dependent expression of the biologic state of human life, and not an intrinsic foundation of that life? Are we simply maintained by the sprightly contortions of atoms within the cohabitations of our genes? Again, many think not.

Platonic and Christian teachings assert that the human person is a unity of the separable entities of body and soul, and that that the soul is intrinsic to human life. For Plato it was clear that the essence of a human being transcends its physical substrate, both in physical life and after death. When Socrates was asked how he should be buried, Plato reported his reply as, “However you wish, provided you catch me.”¹⁸ Socrates went on to say, “When I drink the poison, I shall no longer remain with you, but shall go off and depart for some happy state of the blessed....”¹⁹ Grube (1958, 149) held that for Plato the function of the soul is “the fusion of the intelligible with the physical.” Grube (1958) described this Platonic construct of the soul further:

It alone can apprehend the universal, it alone can initiate the harmonious and rhythmical motions that are life. The Forms do not depend, it is true, upon it for their existence, but without it they

can be neither apprehended nor realized to any extent at all. Without soul the physical world on the other hand could not even exist.

St. Thomas Aquinas succinctly stated that “it belongs to the notion of man to be composed of soul, flesh, and bones.”²⁰ St. Thomas found the soul to be “the first principle of life of those things which live.”²¹ He held that the soul has progressive expression, such that in man “the sensitive soul, the intellectual soul, and the nutritive soul are numerically one soul.”²² While “the body is necessary for the action of the intellect,” he also held it as true that “the intellectual principle which we call the mind or the intellect has an operation *per se* apart from the body.”²³ And of the qualities of the intellect, he found it to be both “incorporeal and subsistent.”²⁴

Swinburne (1998) notes that “in more modern times, the view that humans have souls has always been understood as the view that humans have an essential part, separable from the body as depicted by Plato and Aquinas.” Finding human intellectual capacity inseparable from the life force, associated with but divisible from the body, and persisting after death, Plato and Aquinas recognized in the human individual a distinctive nature. In that distinction the personhood of the human individual is intrinsic to human life and is uniquely transcendent within the natural order. Plato and Aquinas would find the Astonishing Hypothesis to be just that—and would reject it as a clear inversion of truth and reality.

Bennett and Hacker (2003, 399–408) have recently argued that the application of a modified Cartesian dualism, and subsequently of reductionism, to the physiologic studies of neuroscience marks the beginning of a mistaken intrusion of philosophy into the field. They maintain that neuroscience should properly be

confined to that which it can empirically measure and study.²⁵ Echoing Kant (and Darwin), they argue that, “No neuroscientific discoveries can solve *any* of the conceptual problems that are the proper province of philosophy, any more than the empirical discoveries of physicists can prove mathematical theorems” (Bennett and Hacker, 2003, 407). Understanding this, any deterministic assault of biologic reductionism upon the assertion that personhood is intrinsic to human life, or upon the doctrine of the *imago Dei*, is simply inconclusive.

So, that which makes a human being *human*, and that which defines an individual human being as a *person*, remains subject to competing arguments of philosophy and belief. It is thus proper to assert that nature evidences human personhood as not only distinct within the natural order, but also intrinsic to human life.

PERSONHOOD AS INDEPENDENT OF THE STATUS OF A HUMAN BEING

Even among those who accept personhood as a distinctly human state within the natural order, and intrinsic to human life, there is argument as to whether personhood remains a conditional expression of human existence. Does a human being exist as a person *sui generis*, by the simple virtue of being human? Or does personhood follow after the human condition, existing as a disparate state among humans—more fully expressed in some than others, and perhaps not existing in others at all?

John Locke accepted the concept of soul, but viewed personhood of the individual as a distinct state, closely tied to consciousness—“Socrates asleep, and Socrates awake, is not the same person.... For if we take wholly away all consciousness of our actions and sensations,

especially of pleasure and pain, and the concernment that accompanies it, it will be hard to know wherein to place personal identity” (Locke, 1849). In our time, Swinburne (1986, 161, 177) has addressed this question, finding that “conscious persons consist of body and soul”, that personal identity is “constituted by sameness of soul”, and that “persons continue to exist while asleep” because the sleeping body “will again by normal processes give rise to a conscious life, or can be caused to give rise to a conscious life....” Swinburne (1986, 179) noted that under certain circumstances, such as those of a comatose patient, this construction could allow a person and his soul to cease to exist and then come to exist again.

Dennett (1981, 268–269) has proposed that personhood, though “an intuitively invulnerable notion,” is a state consisting of both a metaphysical and a moral element, and is subject to several necessary conditions. Among the conditions he applies to personhood are rationality, consciousness, the attitude or stance taken by society, capacity for reciprocity, capability for verbal communication, and a self-consciousness (Dennett 1981, 269–271).²⁶ Dennett observes that, in application of necessary conditions to personhood,

we recognize conditions that exempt human beings from personhood, or at least some very important elements of personhood. For instance, infant human beings, mentally defective human beings, and human beings declared insane by licensed psychiatrists are denied personhood, or at any rate crucial elements of personhood (Dennett 1981, 267).

This conditional concept of personhood, defined by society, allows a relativistic application of human rights which reverberates through human life from beginning to end. Absent an absolute and inviolable attachment of personhood

to the human condition, the status of many humans becomes questionable.

Discussing conditional personhood as pertaining to end-of-life issues, the Honorable Barry Schaller (2008), an Associate Justice of the Connecticut Supreme Court, noted that such questions were central to the recent case of Terri Schiavo.

The case of Terri Schiavo...raised a virtual cascade of questions that concern the state of American society and culture. What is the nature of personhood and when does it end? What level of respect and, with it, autonomy accompanies an individual into old age or incapacity?

As the human body deteriorates, does personhood devolve? Is an ill or dying human being accorded less status as a person than others? Such propositions directly question whether personhood is a conditional state rather than an innate characteristic of human beings. If personhood can end before life ends, then human nature becomes a fragile expression of self-awareness, and is not a robust and inalienable foundation of human rights and culture.

The Apostle Paul directly addressed the transcendence of human personhood by teaching that personal identity survives physical death, stating that “we are confident, I say, and willing rather to be absent from the body, and to be present with the Lord.”²⁷ Speaking of the end of life, Tertullian held that human personhood was not removed in impending death but rather limited in its fullest expression. Tertullian (ca. 209/1903) held that

when death is a lingering one, the soul abandons its position in the way in which itself is abandoned. And yet it is not by this process severed in fractions: it is slowly drawn out; and whilst thus extracted, it causes the last remnant to seem to be but a part of itself. No portion, however, must be deemed

separable because it is the last; nor, because it is a small one, must it be regarded as susceptible of dissolution.

Lee and George (2008) have come to a similar conclusion. They note that “if the moral status-conferring attribute varies in degrees,” then “it will follow that some humans will possess the attribute in question in a higher degree than other humans, with the result that not all humans will be equal in fundamental moral worth, that is, *dignity*” (p. 85).

Conditional personhood is flawed in its argument that a lesser expression alters the very state of personhood. It is as if one argued that the dim light of a candle is a different light (or is not light at all) due to the existence of the light of the sun. Light is light *suapte natura* in whatever expression it is found, and so is human personhood in its expression.

Similar questions at the beginning of life have been highly controversial in our culture, but date to antiquity. The Pythagoreans expressly believed that the embryo was a living being, ensouled from the moment of conception, and that ensouled human life, as divine in part, was to be inherently respected and protected until natural death.²⁸ Similar teachings regarding the beginning of life were proffered in the early Christian church by Tertullian and Gregory of Nyssa, finding in the embryo human dignity not only by virtue of ensoulment but also by virtue of respect for the more fully developed human being yet to come.²⁹

Levine (1988) recently reflected on similar points as they pertain to the social implications of the beginning of life:

As we consider how we ought to treat the human fetus or embryo, the most constructive questions are: When does a developing human begin to acquire the entitlements of membership in the moral (human) community? When does it

begin to count as one of us? When should it become enfranchised by the Fourteenth Amendment to the United States Constitution? These are metaphysical questions, and, thus, are not susceptible to resolution using the devices of ethics. Practical answers, if any, will issue from the political process (p. 300).

It is of profound importance to recognize that the relation of personhood to the status of the individual human being at any stage of life is essentially a metaphysical concern. For thereby, just as the prior questions of personhood as a distinctly human state within the natural order and personhood as intrinsic to human life, so also questions relating personhood to the status of the individual human are subject to competing philosophies, beliefs, and assertions.

In our time, Pope John Paul II preached to the world of the innate value and dignity of human life at all times and in all states. As Coughlin (2003) has noted, "The belief that each human being possesses a metaphysical value simply in the fact of his or her existence remains at the root of John Paul II's indefatigable defense of human dignity." John Paul II (1995) stated in *Evangelium Vitae* that "Man has been given a *sublime dignity*, based on the intimate bond which unites him to his Creator: in man there shines forth a reflection of God himself." And John Paul II (1998) held firmly that this dignity was unconditionally innate and essential to the human existence, teaching that "the sacredness of the human person cannot be obliterated, no matter how often it is devalued and violated, because it has its unshakeable foundation in God as Creator and Father."

So, the assertion of personhood as independent of the status of the human being is a rational and metaphysical argument, and an entirely proper proposal, even for those who cannot ground their approach in the Christian tradition. Any attempt to dismiss the *imago Dei* as inconsistent with

personhood is simply founded in differences in belief and is not subject to any support in empiricism.

The assertion that personhood is independent of the status of the human being thereby forms a third principle for understanding personhood in the individual context. Along with personhood as a distinctly human state within the natural order, and personhood as intrinsic to human life, these three conceptual foundations proffer an understanding of personhood as an essential of the existence of the human individual. For the Christian, these principles rest on and evidence the *imago Dei*, and for the greater society they form a basis for understanding personhood in the interpersonal context.

AN EXAMINATION OF PERSONHOOD IN THE INTERPERSONAL CONTEXT

How do human beings recognize others as individuals? And how does a human community relate to individuals as humans and as persons? These questions are rooted in the metaphysical concepts of the human as an individual, but have profound practical importance in all aspects of human life. From such primary applications as the recognition of human rights to such practical applications as daily decisions in health care, personhood forms the fundamental basis of the human community. And, unlike personhood in the individual context, the application of concepts of personhood in the interpersonal, or social, context is subject to empiric observation. Competing metaphysical concepts of the personhood of individuals will have differing concrete practical applications and associated results, and will lend themselves to comparative analysis. This analysis begins with two fundamental assertions: that personhood is a distinctly human state within the natural order,

intrinsic to human life, and independent of the status of the human being—an assertion of *existential personhood*—and the antithetical position that personhood is a conditional state dependent upon circumstance, perception, cognition, or societal dictum—an assertion of *relational personhood*. In existential thought, characteristics of human personhood are innate and are to be discovered. For relational theorists, the characteristics of human personhood are to be defined by the society.

PERSONHOOD IS NOT A CREATION OF THE SOCIETY

Existential personhood places certain demands upon a society. It calls upon a society to recognize the dignity and worth of the individual by reason of the life of the individual. It places the dignity and worth of the individual above the collective power of the society, as a superior virtue and it demands *prima facie* a societal rejection of the relational construct of personhood.

Certainly many have argued against such demands of the existential construction. Lindsay (1935/1992) maintained that Plato would assert ‘the distinction between what man is in himself and what he is in society’ as “invalid and unreal”. Cooley (1902/2009, 37) similarly spoke, holding that “society” and “individuals” do not denote separable phenomena, but are simply collective and distributive aspects of the same thing’. Others more expressly believe that society maintains a “super organic” role, holding power to actually determine what constitutes a valid person.³⁰ Mauss (1985) proposed that the concept of self had “slowly evolved” through a succession of forms in different societies. Mauss (1985, 20) said of the notion of the person that “far from existing as the primordial innate idea, clearly engraved since Adam in the innermost

depths of our being, it continues here slowly, and almost right up to our own time, to be built upon....” Karl Marx (1875, 1998) used a relational construct of personhood as foundational to his thought, stating that “the essence of man is no abstraction inherent in each separate individual. In its reality it is the ensemble (aggregate) of social relations.”

The construct that the individual is indistinct from the greater society and that personhood is a relational state within society—being granted by society on terms agreed upon by the group—has observable and measurable associated results. This construct allows the person to be respected and valued by society in a subjective and variable ethic. It allows political structures, even those founded in democratic principles, to produce decidedly anti-democratic results—establishing distinctions among persons by fiat and validating arbitrary class hierarchies. And in so doing, the relational construct undermines justice and corrupts its application.

The relational construct found an early expression in Aristotle’s views on slavery. Aristotle held that some persons possess certain natural characteristics—a childlike demeanor, for example—that make them slaves by nature (Rist 1982). And he held that other individuals are masters by virtue of being a certain type of person by nature, and not by virtue of knowledge or skill (Schofield 1999). The society is, in Aristotelian thought, acting properly and intuitively in establishing slavery based upon these differences. A more recent expression of this application of relational personhood was found in the nineteenth century United States Supreme Court ruling in *Dred Scott v. Sanford*, explicitly affirming the ability of a “dominant race” to grant rights to “a subordinate and inferior class of beings.”³¹

The concept that the powerful members of a society may declare a class of

individuals to be an “inferior class of beings” bereft of constitutional rights and privileges demonstrates a relational construct of personhood in political application. Here, an ostensibly democratic society turns to its fundamental conception of persons as the explicit basis for political subjugation of individuals.

Socialism and communism both rest on a similar subjugation of the individual, but subjugated to the state as opposed to some superior class of persons. In Marxist social structures, there is no conception of existential personhood. There is no recognition of the existence and authority of God, nor of the *imago Dei* of persons. As Marx said, a “higher phase of Communist society” would exist “after the enslaving subordination of the individual to the division of labor, and...after labor has become not only a means of life but life’s prime want...” (Marx 1875/2008). In *Warning to the West*, Aleksandr Solzhenitsyn struck directly at the ends derived from the relativistic origins of communism and its arbitrary class structures when he noted that ‘Communism considers morality to be relative, to be a class matter. Depending on circumstances and the political situation, any act, including murder, even the killing of hundreds of thousands, could be good or bad. It all depends upon class ideology’ (Solzhenitsyn 1976).³²

Genocide finds origin in relational personhood, seizing class ideology and turning it upon entire populations. Hitler (1925/2010) held that “in this world everything that is not of sound racial stock is like chaff.” Nazi genocide found its nascent expression in the sterilization law of 1933, directed toward the mentally and physically disabled as a population considered to be inferior and excluded from German society (Friedlander 1995).³³ Once the walls of personhood were breached, the Final Solution quickly followed. In evaluating the Nazi program to

eliminate the Jews, Goldhagen (1997) has noted that at the essence of the German policies was the objective to “turn the Jews into ‘socially dead’ beings...and, once they were, to treat them as such.”

Analyzing the roots of genocide under the Khmer Rouge, Alexander Laban Hinton noted that dehumanization was a central strategy:

Genocidal regimes manufacture difference in a number of important and interrelated ways.... First, genocidal regimes construct, essentialize, and propagate sociopolitical categories, crystallizing what are normally more complex, fluid, and contextually variable forms of identity.

...Genocidal perpetrators often manufacture difference by transforming their victims into caricatures of these dehumanizing images (Hinton 2005).

It is important to note that this dehumanization permissively builds upon a foundation of relational personhood, here expressed as a social norm of “contextually variable forms of identity” (Hinton 2005).

Compare these results with those of existential personhood. That portion of the concept of existential personhood which is manifested by an immortal soul was held as a virtue of the individual at the conclusion of the *Republic*:

But if you will listen to me, and believe that the soul is immortal and able to endure all evil and all good, we shall always hold to the upper road, and in every way follow justice and wisdom (Plato ca. 380 B.C./1992).³⁴

Though viewing personhood of the individual as tied to consciousness, John Locke nonetheless held that “all men by nature are equal” (Locke 1821). From this assertion, and its corollary concept of natural freedom, he developed arguments regarding the derivation of government

from the consent of the governed and regarding the limitation of slavery.³⁵

But the fullest expression of existential personhood is in the teachings of the Christian church. Here, in profoundly absolute declarations, we find that “being in the image of God the human individual possesses the dignity of a person, who is not just something, but someone”³⁶ and that “social justice can be obtained only in respecting the transcendent dignity of man. The person represents the ultimate end of society, which is ordered to him.”³⁷

Herein we find powerful applications of the *imago Dei*. In A.D. 1435 Pope Eugene IV unequivocally condemned the slavery of “persons” taken by “advantage of their simplicity” with penalty of excommunication.³⁸ In our time Pope John Paul II criticized the minimization of the human person by socialism. He held that “socialism considers the individual person simply as an element, a molecule within the social organism, so that the good of the individual is completely subordinated to the functioning of the socio-economic mechanism.”³⁹ He then exposed the relativistic underpinnings of socialism, holding that ‘the denial of God deprives the person of his foundation, and consequently leads to a reorganization of the social order without reference to the person’s dignity and responsibility’.⁴⁰ And as to the relativistic evils of genocide, John Paul II, citing “fraternal sentiments, rooted in faith” from the teachings of St. Paul, stated that “the church firmly condemns all forms of genocide as well as the racist theories that have inspired and claimed to justify them.”⁴¹

So, a comparative analysis finds that an existential construct of personhood places demands upon the society, requiring it to respect the essential dignity of the human individual as a person, to recognize the equality of individuals in creation, and to thereby promote the causes of justice and

freedom. A relational construct of personhood allows supremacy of the society, the subjection of individuals to unjustly promoted relativistic societal definitions and demands, and arbitrary imperilment of the worth and well-being of persons. This empirical analysis, at least in the context of the practical rationality of natural law theory, finds manifestly superior results associated with the application of an existential construct of personhood, and supports the conclusion that the good rests in the existential assertion that personhood is not a creation of society.⁴²

PERSONHOOD IS NOT A RIGHT

Existential personhood exalts human rights, but it does not exalt them in the highest. A close corollary to the prior conclusion that personhood is not a creation of society is the understanding that personhood is not defined by or dependent upon the conceptualization of rights. Existential personhood views rights as possessions of the individual and not as properties which define the individual. Some rights are intrinsic to the human condition, such as the right to maintain and defend life, and others are created and dispensed by the society, such as the political right to speak freely. But none, either singly or in combination, are constitutive of personhood.

Relational theory allows for an individual right to personhood, and thereby rejects the existential proposition of the person, though probably with good intentions. In discussing human rights in the context of the European Social Charter, Heringa (1998), Dean of the Maastricht Faculty of Law, referred to “the right to personhood and the equality principle” as “mixed rights: liberty as well as social right.” Others have construed a right to personhood in Articles 1 and 2 of the

Basic Law for the Federal Republic of Germany (Heldrich and Rehm 2001).

In the United States, the concept of a right to personhood has not been well propounded. Even in *Roe v. Wade*, the issue for all concerned was whether the fetus is a person, not whether the fetus has a *right* to personhood.

The appellee and certain amici argue that the fetus is a “person” within the language and meaning of the Fourteenth Amendment. In support of this, they outline at length and in detail the well-known facts of fetal development. If this suggestion of personhood is established, the appellant’s case, of course, collapses, for the fetus’ right to life would then be guaranteed specifically by the Amendment. The appellant conceded as much on reargument. On the other hand, the appellee conceded on reargument that no case could be cited that holds that a fetus is a person within the meaning of the Fourteenth Amendment.⁴³

Justice Blackmun explicitly noted that “the Constitution does not define “person” in so many words.”⁴⁴ *Roe* finally turned on fetal development and not on personhood. Justice Blackmun held that the State

has legitimate interests in protecting both the pregnant woman’s health and the potentiality of human life, each of which interests grows and reaches a “compelling” point at various stages of the woman’s approach to term.⁴⁵

In *Roe*, the fetus gained no recognition of personhood, and the rights of the fetus were not recognized or established. Its interests were held to grow with fetal development, such that those interests progressively express in rough concert with the ability of the fetus to survive. The political rights of personhood seem to vest with viability. While avoiding confusion over a right to personhood, the closest that Justice Blackmun came to an identity

for the fetus was ‘the potentiality of human life’.⁴⁶

By contrast, the argument for existential personhood and against a specific right to personhood is probably most clearly and expressly made in distinctions drawn in the Declaration of Independence of the United States of America.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed... (United States 1776/1911).

Herein we find an existential testament that ‘all men are created equal’ and an acknowledgment that all individuals possess by endowment inalienable rights by virtue of the fact of human existence. Existential personhood is clearly manifested in this testament by the expression of its demand for equality. And personhood is distinguished in concept in the text by its separation from the subsequent delineation and discussion of rights.

To be ‘created equal’ is a state of being. This state of equality in creation transcends the concept of rights and cannot be constrained as a right belonging to a human being. Acknowledgement of this in forms of government is a political recognition of one of the principles of the *imago Dei*. And the recognition that inalienable rights of humans endow due to equality in creation is further support to the conclusion that the good rests in the existential construct of personhood.

PERSONHOOD IS INVIOABLE

A final expression of existential personhood is the observation that personhood is

inviolable. That personhood is not a creation of the society, but rather an expression of the *imago Dei*, demands that personhood be held as sacred by individuals, the society, and the state. Persons created in equality, whose human rights vest not on societal distinctions but in existence as individuals, may not have their rights arbitrarily violated. The Universal Declaration of Human Rights recognizes that human rights are possessed by ‘all human beings’ by virtue of birth, and that no distinction among human beings may remove those rights.⁴⁷

The cause of justice demands that the weak and the strong, the greatest and the least, the healthy and the dying, all enjoy the same benefit of the respect and dignity of persons. As Pope John XXIII taught:

Any well-regulated and productive association of men in society demands the acceptance of one fundamental principle: that each individual man is truly a person. His is a nature, that is, endowed with intelligence and free will. As such he has rights and duties, which together flow as a direct consequence from his nature. These rights and duties are universal and inviolable, and therefore altogether inalienable.⁴⁸

This, perhaps more than any other concept discussed thus far, has daily practical importance. John XXIII asserted that personhood, by virtue of its attendant inviolable rights, placed both fundamental and derivative demands upon society:

But first We must speak of man’s rights. Man has the right to live. He has the right to bodily integrity and to the means necessary for the proper development of life, particularly food, clothing, shelter, medical care, rest, and, finally, the necessary social services. In consequence, he has the right to be looked after in the event of illhealth; disability stemming from his work; widowhood; old age; enforced unemployment; or whenever through no

fault of his own he is deprived of the means of livelihood.⁴⁹

It is generally accepted today that the common good is best safeguarded when personal rights and duties are guaranteed. The chief concern of civil authorities must therefore be to ensure that these rights are recognized, respected, co-ordinated, defended, and promoted, and that each individual is enabled to perform his duties more easily. For “to safeguard the inviolable rights of the human person, and to facilitate the performance of his duties, is the principal duty of every public authority.”⁵⁰

Those who deny these truths have in our time advocated for abortion, infanticide, and euthanasia, as well as an economically utilitarian basis for the provision of health care. These arguments all share a rational basis in the relational construct of personhood. Peter Singer has endorsed a relational construction of human personhood. Singer (1994, 180) notes that

we often use “person” as if it meant the same as “human being.” In recent discussions in bioethics, however, “person” is now often used to mean a being with certain characteristics, such as rationality and self-awareness.

Here we see human society choosing which among the many characteristics common to human beings will define “persons.” Though the characteristics themselves may be quite fundamental, the very distinction drawn by their variability among human individuals, and the social valuation of that variation, founds a relational ethic.

Singer (1994, 182) builds upon this relational foundation, expanding it to practical social utility. Here Singer finds common ground with existential theorists in recognizing the importance of the construction of personhood adopted by a society. Singer notes that “the term ‘person’ is no mere descriptive label.

It carries with it a certain moral standing.” Singer recognizes that such a moral standing may empower the society with actionable authority. He bluntly states that

the fact that a being is a human being, in the sense of a member of the species *Homo sapiens*, is not relevant to the wrongness of killing it; it is, rather, characteristics like rationality, autonomy, and self-consciousness that make a difference. Infants lack these characteristics. Killing them, therefore, cannot be equated with killing normal human beings, or any other self-conscious beings (Singer 1993).

At the end of life, Singer and Helga Kuhse have reached similar conclusions. Kuhse (1987) writes, “there is a strong connection between the value of life and the interests of the being whose life it is. Life may be in a being’s interests, or it may not—depending what the life is like.” Singer and Kuhse argue that “human life has no intrinsic value but gives rise to two values: well-being and the value of liberty or self-determining action.... [D]octors should, whenever possible, maximize these values. This may include active euthanasia...” (Kuhse and Singer 2002).

Paterson (2008) examined these concepts as a justification for suicide, assisted suicide, and euthanasia. Paterson noted that these concepts allow that

life is regarded as a positive value as long as it can “hold its own” against other competing considerations like the disvalue of human suffering. The value of human life, in the face of competing considerations, is said to diminish or wane in quality to the point that intending death becomes a rational-choice worthy option.⁵¹

He then interprets the teachings of Kuhse as justifying the killing of some individuals in a quality-of-life ethic.⁵²

Relational constructs of personhood also figure prominently in justifying decisions

to ration and allocate health care. Discussing the cost-utility concept of the quality adjusted life year (QALY), Michael Lockwood placed personhood in a subjectively variable utilitarian ethic, noting that

The concept of a QALY is...in one sense only a framework, requiring to be fleshed out by some substantive conception of what contributes to or detracts from the intrinsic value or worthwhileness of a life, and to what degree—a conception, that is, of what it is about a life that determines of how much benefit it is to the person whose life it is. To this extent, the concept is highly permissive: one can, as it were, plug in whatever conception of value one personally favours. (Lockwood 1988)

Here society asserts the power to variably define the “intrinsic value” of an individual life, imposing societal constraints as to when life may be beneficial to the person. Such a relational construction appropriates sweeping powers to the State and sets the stage for arbitrary allocation of life sustaining resources. Such a construction is inherently dangerous in a time of plenty, and could easily become malevolent in times of scarcity.⁵³

These applications of relational personhood all share a common theme—decisions regarding the lives, the welfare, and the treatment of persons are made in a variable ethic, subject to the dictum of the greater society. A result of this ethic is that persons of advantage or authority may take actions toward vulnerable persons which do not depend upon the consent of those individuals and may not reflect their best interests. And in this way, these practical applications of relational personhood in health care share a commonality with the broader political applications of relational personhood in slavery, communism and genocide.⁵⁴

Compare these results with those associated with the application of existential personhood to these questions. Here we find clear and unwavering principles. Catholic social teaching clearly states that, “It is necessary to state firmly once more that nothing and no one can in any way permit the killing of an innocent human being, whether a fetus or an embryo, an infant or an adult, an old person, or one suffering from an incurable disease, or a person who is dying.”⁵⁵ Pope John Paul II explicitly condemned euthanasia in encyclical doctrine “based upon the natural law and upon the written word of God,” stating that “euthanasia is a grave violation of the law of God, since it is the deliberate and morally unacceptable killing of a human person.”⁵⁶ The World Medical Association has also unequivocally condemned euthanasia, holding that, “Euthanasia, that is the act of deliberately ending the life of a patient, even at the patient’s own request or at the request of close relatives, is unethical.”⁵⁷

And as to medical care for the weak and the vulnerable, the World Medical Association *Declaration on the Rights of the Patient* sets forth principles regarding certain rights of all patients, implicitly including individuals in conditions of debility and infirmity, establishing in relevant part:

1. Right to medical care of good quality

- (a) Every person is entitled without discrimination to appropriate medical care.
- (b) Every patient has the right to be cared for by a physician whom he/she knows to be free to make clinical and ethical judgements without any outside interference.
- (c) The patient shall always be treated in accordance with his/her best interests. The treatment applied shall be

in accordance with generally approved medical principles....

10. Right to dignity

- (a) The patient’s dignity and right to privacy shall be respected at all times in medical care and teaching, as shall his/her culture and values.
- (b) The patient is entitled to relief of his/her suffering according to the current state of knowledge.
- (c) The patient is entitled to humane terminal care and to be provided with all available assistance in making dying as dignified and comfortable as possible....⁵⁸

Here personhood forms the basis for a nondiscriminatory ethic for medicine, protecting individual dignity in primacy and providing humane care on a best interests standard. However, it is important to note that even this construction must be carefully framed on an existential basis. For otherwise, the best interests standard supplies little protection from discrimination in the determination of what constitutes “appropriate medical care.”⁵⁹ Absent a commitment to an existential personhood of humanity, the right of “every person” to be free of discrimination is quite distinct from a right protecting all human beings.

The *Ethical and Religious Directives for Catholic Healthcare Services of the National Conference of Catholic Bishops* more directly rejects the utilitarian approach to medical care, holding that

In accord with its mission, Catholic health care should distinguish itself by service to an advocacy for those people whose social condition puts them at the margins of our society and makes them particularly vulnerable to discrimination; the poor, the uninsured and the underinsured; children and the unborn; single parents; the elderly; those with incurable diseases and chemical dependencies;

racial minorities; immigrants and refugees. In particular, the person with mental or physical disabilities, regardless of the cause or severity, must be treated as a unique person of incomparable worth with the same right to life and to adequate health care as all other persons (United States Conference of Catholic Bishops 2009).

And in the encyclical *Evangelium Vitae* John Paul II explicitly condemned the 'moral uncertainty' of relativism and utilitarianism as a 'culture of death', stating that:

This culture is actively fostered by powerful cultural, economic and political currents which encourage an idea of society excessively concerned with efficiency. Looking at the situation from this point of view, it is possible to speak in a certain sense of a *war of the powerful against the weak*: a life which would require greater acceptance, love and care is considered useless, or held to be an intolerable burden, and is therefore rejected in one way or another. A person who, because of illness, handicap or, more simply, just by existing, compromises the well-being or life-style or those who are more favoured tends to be looked upon as an enemy to be resisted or eliminated.⁶⁰

Common to these teachings and declarations is a direct and express application of existential personhood. Here persons are held in highest regard without relation to their condition or status. Here all persons hold equality in rights to care and dignity, forming a beneficent foundation for determination of best interests. And here a society finds that by respecting personhood as an existential manifestation of the *imago Dei*, the cause of justice is established and furthered. In this result the inviolability of personhood is further support for the conclusion that the good rests in the existential construct of personhood.

CONCLUSIONS

The personhood of a human being is a foundational concept for all that we are and all that we do. Throughout history, personhood has been a topic of human inquiry, a subject of philosophy, and basis of political power. Each society finds in its accepted construct of personhood the font of its government and laws. Application of the construct of personhood finds social expression in multitudes of daily decisions affecting the lives and welfare of all individuals.

The existential construct of personhood as a distinctly human state within the natural order, intrinsic to human life, and independent of the status of the human being, forms a competing metaphysical construct to the relational construct of personhood. Analysis of the existential construct in the interpersonal context finds a broad range of associated results that are manifestly superior to those of the antithetical relational construct. Such empiricism supports the normative conclusion that the good rests in the existential construction of human personhood, and gives credence to a claim of truth that personhood is an essential characteristic of the human species, and is not a conditional state dependent upon circumstance, perception, cognition, or societal dictum.

ENDNOTES

1. Ps. 8:4.
2. Personhood, of course, has been the subject of broad ranging inquiry and many would not confine it to the two constructions analyzed in this essay. In his recent anthology of thought on personal identity, Lizza (2009) grouped the ideas into eight categories—persons as immaterial souls, persons as ensouled bodies, persons as human organisms, persons as psychological

- qualities or functions, persons as psychological substances, persons as constituted by bodies, persons as relational beings, and persons as self-conscious beings.
3. *The Elder Pliny on the Human Animal, Natural History, Book 7*. Mary Beagon (trans). New York: Oxford University Press, 2005, p. 59.
 4. Pliny described the frailties of man by stating, “All other animals are instinctively aware of their own natures, one exercising fleetness of foot, another swiftness of flight, others their ability to swim. Man, however, can do nothing unless he is taught, neither speaking nor walking nor eating. In short, he can do nothing by natural instinct except weep!” *The Elder Pliny*, 59. Pliny held that self-awareness was both benefit and burden, stating that “to man alone in the animal kingdom is granted the capacity for sorrow, for self-indulgence of every kind and in every part of his body, for ambition, avarice, unbounded appetite for life and superstition; for anxiety over burial and even over what will happen after he is dead. To no animal is assigned a more precarious life, more all-consuming passions, more disruptive fear, or more violent anger” (ibid., 60).
 5. Pliny held that “the first place will rightly be assigned to man, for whose benefit great nature seems to have created everything else.” *The Elder Pliny*, 59. The concept of a creator forms one basis from which to approach human exceptionalism and the distinctive nature of human personhood.
 6. Darwin noted that “the moral faculties are generally and justly esteemed as of higher value than the intellectual powers” (Darwin 1874: 699).
 7. Darwin closed the argument by noting that “the conclusions arrived at in this work will be denounced by some as highly irreligious” (Darwin 1874: 701).
 8. Wilson (2004) continues this line of thought, proposing that “innate censors and motivators exist in the brain that deeply and unconsciously affect our ethical premises; from these roots, morality evolved as an instinct.”
 9. In *Timaues*, Plato (ca. 355 B.C./1961) held the intelligence of man as like unto that of the Gods: “God invented and gave us sight to the end that we might behold the courses of intelligence in the heaven, and apply them to the courses of our own intelligence which are akin to them....”
 10. Aristotle held all living things to have a “nutritive soul”, but animals to also have “perception.” In *De Anima* Aristotle (ca. 350 B.C./1986) writes, “The nutritive soul, then, must be present in all those things that grow and decay...The animal, however, must have perception.”
 11. The *nous* subsumes the nutritive and perceptive functions Randall (1960). “With the things that have soul, the earlier member of the series always being present in the later....” Aristotle *De Anima* 2.3.414b.
 12. O’Callaghan concludes his analysis by finding that for St. Thomas, as for St. Augustine, “it is indeed in the substance or essence of a human being that the image of God is to be found” (p. 144).
 13. St. Thomas held that the souls of man and animals were quite distinct, as “the souls of brutes are produced by some power of the body, whereas the human soul is produced by God.” *Summa Theologica*, I, Q. 75, Art. 6, ad. 1.
 14. These authors affirm that “the most important capacity made possible by rationality, and the one that without doubt most profoundly determines how human beings should be treated, is free choice” (Lee and George 2008).
 15. Pope Benedict XVI, “*In the Beginning...: A Catholic Understanding of the Creation and the Fall*, trans. Boniface Ramsey (Huntington, IN: Our Sunday Visitor, Inc., 1990; Grand Rapids, MI: William B. Eerdmans Publ. Co., 1995), p. 48. Citation is to the Eerdmans edition.
 16. Noting this distinction in Kant’s thought, Allison (1983) writes that, “A priori judgments are grounded independently of experience, while a posteriori judgments are grounded by means of an appeal to experience. Following Leibniz, Kant regards necessity and universality as the criteria for the *a priori*. His fundamental assumption is that the truth value of judgments which lay claim to universality and necessity cannot be grounded empirically.” Kant defined philosophy, in part, as an antithesis of empirical science, generating conceptual knowledge through reason as opposed to the gathering

- of data; see “Kant’s Terminology”, in *Dictionary of Philosophy and Psychology*, ed. James Mark Baldwin (New York: Macmillan Co., 1901), 591.
17. Democritus held the perceptions of reality as “conventions.” “By convention sweet and by convention bitter, by convention hot, by convention cold, by convention colour; but in reality, atoms and void” (Taylor 1999). “Descartes ascribed all psychological functions to the mind” (Bennett and Hacker 2003). The mind, as an entity distinct from the body, allowed a severability of the human condition. Modern neuroscientists often substitute the brain for the mind in attacking this construction, but as Bennett and Hacker (2003: 110–114) note, they commit a mereological error in maintaining a dualistic form. Bennett and Hacker term this construction “Brain-body dualism.”
 18. *Phaedo*, 115c.
 19. *Ibid.*, 115d.
 20. *Summa theologiae*, I, q. 75, a. 4.
 21. *Ibid.*, I, q. 75, a. 1.
 22. *Ibid.*, I, q. 76, a. 3.
 23. *Ibid.*
 24. *Summa Theologiae*, I, Q. 75, Art. 2.
 25. The authors note that contemporary cognitive neuroscience has “in effect replaced the Cartesian dualism of mind and body with an analogous dualism of brain and body” (Bennett and Hacker 2003: 111). As to reductionism, the authors state that “there is no hope for any form of reduction that will allow one to derive laws governing phenomena at the higher level of psychology from the laws governing phenomena at the neural level” (Bennett and Hacker 2003: 362).
 26. While explicitly rejecting personhood as intrinsic to humanity, Dennett does seem to accept the converse, finding humanity “as the deciding mark of personhood” Dennett (1981: 267).
 27. 2 Cor. 5:8. The *Catholic Commentary on Sacred Scripture* notes that in this verse Paul “expresses his desire to leave the body and go home to the Lord” (Stegman 2009).
 28. For a brief discussion of the Pythagoreans on these points, see Carrick (2001) and Veatch (2000).
 29. For a brief summary of the teachings of Tertullian and Gregory on the soul and the embryo, see Jones (2004). Aquinas, by contrast, held to a progressive ensoulment of the embryo—first vegetative, then sensitive, then rational. For a brief discussion of Thomistic thought on ensoulment, see Eberl (2006: 24–26). Eberl also presents a supposition that Aquinas’ progressive ensoulment reflected an understanding of embryology of his day, and that a modern Aquinas would arguably assign the rational soul to the zygote (Eberl 2006: 23–42). Swinburne (1986: 179) has approached this question from a more physiologic and deterministic viewpoint, saying that “there exist normal bodily processes by which the fertilized egg develops into a foetus with a brain after twenty weeks which gives rise to a functioning soul. If the soul exists just because normal bodily processes will bring it one day to function, it surely therefore exists, once the egg is fertilized, at conception.”
 30. For a discussion of this view, see Popp (2007).
 31. *Dred Scott v. Sanford*, 60 U.S. 393 (1856). The ruling held that, “The words “people of the United States” and “citizens” are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the Government through their representatives. They are what we familiarly call the “sovereign people,” and every citizen is one of this people, and a constituent member of this sovereignty. The question before us is, whether the class of persons described in the plea in abatement compose a portion of this people, and are constituent members of this sovereignty? We think they are not, and that they are not included, and were not intended to be included, under the word “citizens” in the Constitution, and can therefore claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States. On the contrary, they were at that time considered as a subordinate and inferior class of beings, who had been subjugated by the dominant race, and, whether emancipated or not, yet remained subject to their authority, and had no rights or privileges but such as those who held the power and the Government

- might choose to grant them.” *Dred Scott v. Sanford*, 60 U.S. 393, 404–405 (1856). *Dred Scott v. Sanford* was overruled by the adoption of the Thirteenth and Fourteenth Amendments to the Constitution of the United States (Vile 1994).
32. Solzhenitsyn (1976: 59) went on to say that “The primary, the eternal concept is humanity, and Communism is anti-humanity.”
 33. This statute, the Law for the Prevention of Offspring with Hereditary Diseases (14 July 1933), provided for Eugenics Courts to authorize the sterilization of those with specified mental or physical debilities “against the will of the person to be sterilized.” German History in Documents and Images, vol. 7, Nazi Germany, 1933–1945; <http://germanhistorydocs.ghi-dc.org/pdf/eng/English30.pdf>.
 34. Although there has been discussion as to whether the application of this thought, coming at the end of the Myth of Er in Book X, is confined only to a clarification of the powers of forgetfulness and recollection of the moral lessons of lives past, others have found its message more transcendent. For example, Richard Lewis Nettleship found this conclusion to “give us the key-note of the whole passage; the one thing to study on earth is how to make oneself better and wiser, not for this life alone, but for another...” Lectures on the Republic of Plato, ed. G. R. Benson (New York: The MacMillan Co., 1906), 359.
 35. For a discussion of these arguments, see Wootton (2003).
 36. *Catechism of the Catholic Church* (New York: Doubleday, 2002), n. 357.
 37. *Catechism* 1929.
 38. Eugene IV, *Sicut Dudum*, 13 January 1435; <http://www.papalencyclicals.net/Eugene04/eugene04sicut.htm>.
 39. John Paul II, ‘Centesimus Annus’ (Vatican City, 1 May 1991); http://www.vatican.va/holy_father/john_paul_ii/encyclicals/documents/hf_jp-ii_enc_01051991_centesimus-annus_en.html.
 40. Ibid.
 41. John Paul II, “Address of his Holiness Pope John Paul II to a Symposium on The Roots of Anti-Judaism” (Vatican City, October 31, 1997); http://www.vatican.va/holy_father/john_paul_ii/speeches/1997/october/documents/hf_jp-ii_spe_19971031_com-teologica_en.html.
 42. Here I hold that the dignity of the human individual, the equality of individuals in creation, and the causes of justice and freedom are man’s good naturally apprehended by what St. Thomas Aquinas termed “the practical reason.” See *Summa Theologica* Ia-IIæ, Q. 94, Art. 2, for Aquinas’ discussion of practical rationality in the natural law. Therein Aquinas notes that “this is the first precept of law, that good is to be pursued and done, and evil is to be avoided. All other precepts of the natural law are based upon this, so that whatever the practical reason naturally apprehends as man’s good belongs to the precepts of the natural law as something to be done or avoided” (ibid.).
 43. *Roe v. Wade*, 410 U.S. 113, 156–7 (1973). The text of the Fourteenth Amendment to the Constitution of the United States of America holds, in part, that, ‘... nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.’ Constitution of the United States, Amendment XIV.
 44. *Roe v. Wade*, 410 U.S. 113, 157 (1973). However, it is important to note that *Roe v. Wade* does contain within its text a concept of personhood—the personhood of the fetus is a “suggestion” to be “established.” It is also important to note that, after analysis of the arguments in *Roe v. Wade*, the United States Supreme Court clearly found a right to life in the Fourteenth Amendment, and clearly related the right to life to personhood.
 45. *Roe v. Wade*, 410 U.S. 113, 162 (1973) (citation omitted).
 46. *Roe v. Wade*, 410 U.S. 113 (1973).
 47. Article 1 provides that “All human beings are born free and equal in dignity and rights.” Article 2 provides that “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind...” United Nations General Assembly, *Universal Declaration of Human Rights*, 10 December 1948, 217 A (III); <http://www.un.org/en/documents/udhr/index.shtml>
 48. John XXIII, *Pacem in Terris* (11 April 1963), n. 9;

- father/john_xxiii/encyclicals/documents/hf_j-xxiii_enc_11041963_pacem_en.html.
49. Ibid., n. 11.
 50. Ibid. n. 60, quoting Pius XII's broadcast message, Pentecost, June 1, 1941, AAS 33 (1941) 200.
 51. Note the stark contrast between this view and the teachings of Tertullian in *A Treatise on the Soul*.
 52. As Paterson (2008: 20) notes, "For non-competent patients, Kuhse appeals to a "minimum personhood" standard. A life falling below this minimum quality threshold is not considered to be worth living and can be intentionally ended via non-voluntary euthanasia."
 53. It is not my position that allocation of scarce resources is unethical. Rather, I maintain that allocation decisions should not be made based upon an ethic of contextually variable valuation of persons, or upon a social declaration that some human beings are not persons. This position is consistent with the policies of the American Medical Association (AMA). The AMA holds that "the patient has a basic right to have available adequate health care" (Council on Ethical and Judicial Affairs 2012a: 382). As to allocation of scarce resources, the AMA holds that "nonmedical criteria, such as ability to pay, age, social worth, perceived obstacles to treatment, patient contribution to illness, or past use of resources should not be considered." (Council on Ethical and Judicial Affairs, 2012b: 12) The AMA does not endorse a specific method for allocation of scarce medical resources (Council on Ethical and Judicial Affairs, 2012b).
 54. It is of note that holding all of these outcomes as *evil*, *wrong*, or *inferior* remains a normative judgment, though based in a natural law conception (see note 42). The use of these outcomes as empiric evidence of the inferiority of a relational theory of personhood rests upon that normative conclusion.
 55. Sacred Congregation for the Doctrine of the Faith, *Declaration on Euthanasia*, 5 May 1980; http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19800505_euthanasia_en.html.
 56. John Paul II, *The Gospel of Life (Evangelium Vitae)*, n. 65.
 57. World Medical Association, *Declaration on Euthanasia*, adopted by the 38th World Medical Assembly, Madrid, Spain, October 1987; <http://www.wma.net/e/policy/e13b.htm>.
 58. World Medical Association, *Declaration on the Rights of the Patient*, Adopted by the 34th World Medical Assembly, Lisbon, Portugal, September/October 1981, and amended by the 47th WMA General Assembly, Bali, Indonesia, September 1995, and editorially revised at the 171st Council Session, Santiago, Chile, October 2005; <http://www.wma.net/e/policy/l4.htm>.
 59. The World Medical Association has not adopted a definition of personhood.
 60. John Paul II, *The Gospel of Life (Evangelium Vitae)*, n. 12.

REFERENCES

- Allison, H. E. 1983. *Kant's transcendental idealism: An interpretation and defense*. New Haven: Yale University Press.
- Aquinas, T. St. 1952. *Summa theologiae*, trans. Fathers of the English Dominican Province, Rev. D. J. Sullivan. Chicago: Encyclopaedia Britannica (Original work published ca. 1274).
- Aristotle. 1986. *De Anima*, trans. and ed. H. Lawson-Tancred. London: Penguin Books Ltd., 3.12.434a.
- Aristotle. 2008. *The Metaphysics*, trans. J. H. McMahon. New York: Cosimo Classics, 980a–b (Original work published ca. 350 B.C.).
- Augustine, St. 1955. Confessions. In: *Confessions and Enchiridion*, trans. and ed. A. C. Outler. Philadelphia: Westminster Press, 1955; repr. Mineola, NY: Dover Publications, 2002. 9 (Original work published ca. 397).
- Bennett, M. R., and P. M. S. Hacker. 2003. *Philosophical foundations of neuroscience*. Oxford: Blackwell Publishing. 15.
- Berry, R. J. 2007. Creation and evolution, not creation or evolution. *The Faraday Papers*, Paper 12 (April). 3–4.
- Carrick, P. 2001. *Medical ethics in the ancient world*. Washington, D.C.: Georgetown University Press.
- Cavalieri, P., P. Singer et al. 1994. A declaration on great apes. In *The great ape project*:

- Equality beyond humanity*, eds. P. Cavalieri, and P. Singer. New York: St. Martin's Press. 4–8, at 5.
- Cooley, C. H. 2009. *Human nature and the social order*. New York: Charles Scribner's Sons, repr. Ithaca, NY: Cornell University Library Digital Collections. 37 (Original work published 1902).
- Coughlin, J. J. 2003. Pope John Paul II and the dignity of the human being. *Harvard Journal of Law and Public Policy* 27(1): 65–79, at 66.
- Council on Ethical and Judicial Affairs. 2012a. Policy 10.01-fundamental elements of the patient-physician relationship. In *Code of medical ethics of the American Medical Association*. Chicago: American Medical Association.
- Council on Ethical and Judicial Affairs. 2012b. Policy 2.03-allocation of limited medical resources. In *Code of medical ethics of the American Medical Association*. Chicago: American Medical Association.
- Crick, F. 1995. *The astonishing hypothesis: The scientific search for the soul*. New York: Touchstone/Simon & Schuster.
- Darwin, C. 1874. *The descent of man, and selection in relation to sex*. 2nd ed. New York: Merrill & Baker.
- Darwin, C. 2005. Religion. In *The autobiography of Charles Darwin*. 1887; repr., New York: Barnes & Noble. 63–73, at 70.
- Dennett, D. C. 1981. *Brainstorms: Philosophical essays on mind and psychology*. Cambridge, MA: MIT Press.
- Eberl, J. T. 2006. *Thomistic principles and bioethics*. New York: Routledge.
- Friedlander, H. 1995. *The origins of Nazi genocide*. Chapel Hill: Univ. of North Carolina Press. 23.
- Goldhagen, D. J. 1997. *Hitler's willing executioners: Ordinary Germans and the Holocaust*. New York: Vintage. 135.
- Grube, G. M. A. 1958. *Plato's thought*. Boston: Beacon Press, 1958. 121; London: Methuen and Co., 1935.
- Heldrich, A., and G. M. Rehm. 2001. Importing constitutional values through blanket clauses. In *Human rights in private law*, eds. D. Friedmann, and D. Barak-Erez. Oxford: Hart Publishing. 113–28, at 124–25.
- Heringa, A. W. rapporteur. 1998. Theme 2: Social rights: The challenge of indivisibility and interdependence. In *In Our Hands: The Effectiveness of Human Rights Protection 50 years After the Universal Declaration: Proceedings, European Regional Colloquy, Council of Europe*. Strasbourg: Council of Europe Pub. 86–109, at 93.
- Hinton, A. L. 2005. *Why did they kill? Cambodia in the shadow of genocide*. Berkeley: University of California Press. 211–12.
- Hitler, A. 2010. *Mein Kampf*, trans. J. Murphy. Boring, OR: CPA Book Publisher. (1939), 167 (Original work published 1925).
- International Theological Commission. 2009. Communion and stewardship: Human persons created in the image of god. In *International theological commission, Vol. II: Text and documents 1986–2007*. San Francisco: Ignatius. 319–52, at 324.
- John Paul, II. 1995. *The Gospel of life (Evangelium Vitae)*, trans. the Vatican. New York: Times Books, n. 34, at 61.
- John Paul, II. 1998. *Christifidelis Laci*, no. 5.4. in J. Paul II, *The Post-Synodal Apostolic Exhortations of John Paul II*, ed. J. Michael Miller. Huntington, Indiana: Our Sunday Visitor. 368.
- Jones, D. A. 2004. *The soul of the embryo: An enquiry into the status of the human embryo in the Christian tradition*. London, New York: Continuum. 113–16.
- Kavanaugh, J. F. 2001. *Who count as persons?* Washington, D.C.: Georgetown University Press. 62.
- Kretzmann, N., and E. Stump. 1998. Aquinas, Thomas. In *Routledge encyclopedia of philosophy*, vol. 1, ed. E. Craig. London: Routledge. 335.
- Kuhse, H. 1987. *The sanctity-of-life doctrine in medicine: A critique*. New York: Oxford University Press. 214.
- Kuhse, H., and P. Singer. 2002. Allocating health care resources and the value of life. In *Unsanctifying human life: Essays on ethics*, eds. H. Kuhse. Oxford, UK; Malden, MA: Blackwell Publishers. 278.
- Lee, P., and R. P. George. 2008. *Body-self dualism in contemporary ethics and politics*. New York: Cambridge University Press. 59–60.
- Levine, R. J. 1988. *Ethics and regulation of clinical research*, 2nd ed. New Haven, CT: Yale University Press.
- Lindsay, A. D. 1992. *Translator's analysis of the argument of The Republic*. In *Plato*,

- The Republic, trans. A. D. Lindsay. New York: Alfred A. Knopf/Everyman's Library. xli. (Original work published 1935)
- Lizza, J. P. ed. 2009. *Defining the beginning and end of life: Readings on personal identity and bioethics*. Baltimore: Johns Hopkins University Press.
- Locke, J. 1821. *Two treatises of government*. London, printed for R. Butler. 232.
- Locke, J. 1849. *An essay concerning human understanding*. London: William Tegg and Co. 57.
- Lockwood, M. 1988. Quality of life and resource allocation. In *Philosophy and Medical Welfare*, eds. J. M. Bell, and S. Mendus. Cambridge: Cambridge University Press. 33–56, at 39.
- Marx, K. 1998. Theses on Feuerbach. In *The German ideology: Including theses on Feuerbach and introduction to the critique of political economy*, eds. K. Marx, and F. Engels. Amherst, NY: Prometheus Books. 570 (Original work published 1875).
- Marx, K. 2008. *Critique of the Gotha program*. Rockville, MD: Wildside Press. 26–27 (Original work published 1875).
- Mauss, M. 1985. A category of the human mind: The notion of person; the notion of self. In *The category of the person: Anthropology, philosophy, history*, trans. W. D. Halls, eds. M. Carrithers, S. Collins, and S. Lukes. Cambridge [Cambridgeshire], New York: Cambridge University Press. 1–25, at 3.
- O'Callaghan, J. P. 2007. Imago Dei: A test case for St. Thomas's Augustinianism. In *Aquinas the Augustinian*, eds. M. Dauphinais, B. David, and M. Levering. Washington, D.C.: Catholic University of America Press. 100–44, at 101.
- Paterson, C. 2008. *Assisted suicide and euthanasia: A natural law ethics approach*. Aldershot, England: Ashgate Publishing Ltd. 15.
- Plato. 1961. *Timaeus*. In *The Collected Dialogues of Plato*, trans. B. Jowett, eds. E. Hamilton, and H. Cairns. New York: Pantheon Books, 47b–c. (Original work published ca. 355 B.C.)
- Plato. 1992. *Republic*, 621 c, trans. A. D. Lindsay. New York: Alfred A. Knopf (Original work published ca. 380 B.C.).
- Plato. 1999. *Phaedo*, trans. and ed. D. Gallop. New York: Oxford University Press. 70a. (Original work published ca. 380 B.C.)
- Plato. 2005. *Protagoras*. In *The Dialogues of Plato*, trans. B. Jowett. Oxford: Clarendon Press, 1982; repr. K. S. Stilwell, Digireads.com Publishing, 2005. 19 (322a) (Original work published ca. 387 B.C.).
- Popp, J. A. 2007. *Evolution's first philosopher: John Dewey and the continuity of nature*. Albany: State of New York Press. 121.
- Randall, Jr., J. H. 1960. *Aristotle*. New York: Columbia University Press.
- Rist, J. M. 1982. *Human value: A study in ancient philosophical ethics*. Leiden: E. J. Brill. 45.
- Schaller, B. R. 2008. *Understanding bioethics and the law: The promises and perils of the brave new world of biotechnology*. Westport, CT: Praeger Publishers/Greenwood Publishing, Inc. 182.
- Schofield, M. 1999. *Saving the city: Philosopher-kings and other classical paradigms*. New York: Routledge. 114.
- Searle, J. 2007. Putting consciousness back in the brain: Reply to Bennett and Hacker, *Philosophic foundations of neuroscience*. In *Neuroscience and Philosophy: Brain, Mind, and Language*, eds. M. Bennett, D. Dennett, P. Hacker, and J. Searle. New York: Columbia University Press. 97–126.
- Singer, P. 1993. *Practical ethics*. 2nd ed. Cambridge: Cambridge University Press. 182.
- Singer, P. 1994. *Rethinking life and death: The collapse of our traditional ethics*. New York: St. Martin's Press. 180.
- Solzhenitsyn, A. 1976. *Warning to the West*. New York: Farrar, Straus and Giroux. 57–8.
- Stegman, T. D. 2009. *Second Corinthians* (Catholic Commentary on Sacred Scripture). Grand Rapids, MI: Baker Academic. 127.
- Swinburne, R. 1986. *The evolution of the soul*. Oxford [Oxfordshire]: Clarendon Press.
- Swinburne, R. 1998. Nature and the immortality of the soul. In *Routledge encyclopedia of philosophy*, vol. 1, ed. E. Craig. London: Routledge. 851–2.

- Taylor, C. C. W. trans. 1999. *The atomists, Leucippus and Democritus: Fragments*. Toronto: University of Toronto Press. 9.
- Tertullian. 1903. *A Treatise on the Soul*, trans. P. Holmes, in ed. A. Cleveland Coxe, *Latin Christianity: Its Founder Tertullian*, vol. 3 of *The Ante-Nicene Fathers*, eds. A. Roberts and J. Donaldson. New York: Charles Scribner's Sons. 230. (Original work published ca. 209).
- United States. 1911. *The declaration of independence, 1776*. Washington: Dept. of State. 3.
- United States Conference of Catholic Bishops. 2009. *Ethical and religious directives for Catholic health care services*, 5th ed. Washington, D.C.: United States Conference of Catholic Bishops. n. 3.
- Veatch, R. 2000. *Cross-cultural perspectives in medical ethics*. 2nd ed. Boston: Jones and Bartlett Publishers. 8–9.
- Vile, J. R. 1994. *Constitutional change in the United States: A comparative study of the role of constitutional amendments, judicial interpretations, and legislative and executive actions*. Westport, CT: Praeger. 21.
- Wilson, E. O. 2004. *On human nature*. Cambridge, MA: Harvard University Press. 7.
- Wootton, D. 2003. *Introduction: The Second Treatise of Government*, in ed. J. Locke, *Political Writings*, and with an introduction by David Wootton. Indianapolis: Hackett Pub. 77–89.

BIOGRAPHICAL NOTE

Frederick J. White III, M.D, Chair, Institutional Ethics Committee, Willis-Knighton Health System, Shreveport, Louisiana. His email address is: Frederick.White@cardioconsult.com. The views expressed in this essay are those of the author and do not necessarily reflect the position or policy of the Willis-Knighton Health System.