

Material Persons, Immaterial Souls and an Ethic of Life

Introduction

According to at least one version of the Constitution view of human persons, human persons are essentially physical *and* essentially psychological.¹ On such a view, a necessary and sufficient condition for the persistence of a human person is that his or her body persist *and* preserve a capacity for certain kinds of psychological states. One implication of this kind of view is that no early term fetus constitutes a person. Another implication is that any entity once possessing but having lost *all* capacity for the relevant kinds of psychological states, also fails to constitute a person; and, therefore, some human organisms in so-called “persistent vegetative states” (PVS) no longer constitute persons.

For better or worse, this is my view of human persons. Among the objections I have encountered to this view are two that concern alleged ethical implications. The two objections I have in mind, however, are seldom distinguished. One is that such a view is defective because it lacks the metaphysical resources to generate moral obligations or moral expectations to protect life, in either its early or late stages. In other words, there is a positive moral implication we want a metaphysical view of persons to have and my view lacks it. Another objection relies on the claim that our metaphysical view of human persons is decisive for “virtually every debated issue in biomedical ethics today”² and that any view according to which some human organisms lack the property of personhood has horrendous moral implications. Put another way, the positive moral implications my view *does have* are horrible. In this paper I acknowledge that my view fails to provide metaphysical resources necessary or sufficient for generating moral obligations or moral expectations to protect the life of a fetus or PVS patient. I point out, however, that *any* metaphysical view of persons, be that metaphysic dualist or physicalist in nature, is impotent to

provide such resources. I argue that other resources, metaphysically neutral with respect to dualism and physicalism, must be added to a metaphysical view of persons in order to generate moral obligations, moral expectations or moral duties to protect and preserve life. If I am right about that, then the second objection is simply false: the belief that some human organisms do not constitute persons does not itself entail anything morally interesting about how we should treat the putative non-person constituting organisms.

II. The Charge

The most recent and explicit statement of the second objection, namely, the view that one's metaphysics of persons is decisive for the ethical issues of, *inter alia*, abortion and euthanasia, appears in J.P. Moreland's and Scott Rae's *Body and Soul*. Moreland and Rae argue not only for "the relevance of our philosophical reflections on human personhood to many of the most intensely debated moral issues of the day",³ but they also want to "point out the ethical implications of our...philosophical view of a human person".⁴ Moreland and Rae hold that "metaphysics and morality are intimately connected".⁵ They want to argue that the philosophical naturalist account of persons, and what they call the "Christian Complementarian" account of persons, "has serious, troublesome implications for the ethical issues [of abortion, fetal research, cloning and physician assisted suicide]".⁶ They contend that only a substance dualist view of human persons can deliver the needed resources for a viable ethic of life. Any view of human persons according to which some human organisms are not also persons "opens the door" to the mistreatment of those at the edges of life, both fetuses and patients in persistent vegetative states.⁷

The argument for this claim is supposed to be delivered in chapter 3 of *Body and Soul*.

The argument appears to be as follows:

1. According to naturalist conceptions of persons, persons are not substances but property-things (i.e., ordered aggregates defined in terms of the possession of certain psychological properties or the capacity for psychological properties)
2. If human personhood is grounded in possession of psychological properties or capacities for them, then some human organisms fail to instantiate the property of being a person.
3. If some human organism fails to instantiate the property of being a person, then that organism lacks a moral status sufficient for generating moral obligations or moral expectations to protect its life.
- ∴ 4. On Naturalist conceptions of persons some human organisms (e.g. early term human fetuses) fail to instantiate the property of being a person.
- ∴ 5. On Naturalist conceptions of persons some human organisms lack a moral status sufficient for generating moral obligations or moral expectations to protect their lives.

It is, I believe, on the basis of such a conclusion that Moreland and Rae fear that naturalist conceptions of persons have the following troublesome implication, call it

- 6*. We can treat non-person constituting organisms virtually any way we want.

The argument to 5 is obviously valid. Although questions can be raised about the truth of 1,⁸ I will grant it for the purposes of this paper. I want to focus in this paper on premise 3. What Moreland and Rae must do is give good reasons for accepting 3. They don't. They fail to establish a connection between a so-called naturalist conception of persons and the morality of abortion, some varieties of euthanasia, fetal research and human cloning. What they do in chapter 3 of *Body and Soul* is first assert that such a connection exists, go on to describe the metaphysics of property-things as it relates to persons, and then reassert the connection at the end of the chapter. But nowhere in the chapter or elsewhere in the book is the alleged connection established.⁹

It should be noted that Moreland and Rae are not alone in their belief that a metaphysics of persons is decisive for the ethical issues under discussion. In *Reasons and Persons* Derek Parfit suggests the same, although he casts the metaphysical difference in terms of reductionist and non-reductionist views of persons and personal identity.¹⁰

I think we can capture the intuition at the root of Moreland's and Rae's argument in terms of a necessary condition for grounding our obligations to the unborn and other vulnerable human lives. Call it N.

N: A necessary condition for grounding our obligations to the unborn and other vulnerable human lives is a commitment to persons as immaterial, substantial souls.¹¹

Supplementing N with the following claim:

S: Naturalist conceptions of personhood assume the denial of immaterial, substantial souls delivers what Moreland and Rae take to be a defect in naturalist conceptions of persons, namely,

O: Naturalist conceptions of personhood lack the requisite resources for grounding our obligations to the unborn and other vulnerable human lives.

The idea that N attempts to capture is, I think, that there is a very tight connection between personhood and moral status such that anything lacking personhood lacks a moral status sufficient to guarantee the protection and preservation of its existence. Given that intuition, and accepting O, as I do, seems to commit me to the view that we have no obligations or responsibilities with respect to the life of non-person constituting organisms.

The problem, however, is that although the move to O from N and S is valid (it's an instance of modus ponens in fact) the N is neither intuitively known nor self-evidently true. Not only is it not obviously true, it is, I believe, demonstrably false. Indeed I want to show that not only is dualism not necessary for generating obligations and responsibilities to fetuses and PVS

patients, it is, in fact, compatible with the moral permissibility of abortion.

III. Metaphysical Insufficiency

If the assertion that our metaphysical view of human persons is decisive for ethics were true, then one couplet of claims in each of the following sets would be in some important sense incompatible:

- A. (i) Human persons are property-things
 (ii) Abortion, some varieties of euthanasia, etc. are morally wrong.
- (iii) Human persons are property-things
 (iv) Abortion, some varieties of euthanasia, etc. are morally permissible
- B. (i) Human persons are immaterial souls
 (ii) Abortion, some varieties of euthanasia, etc. are morally wrong
- (iii) Human persons are immaterial souls
 (iv) Abortion, some varieties of euthanasia, etc. are morally permissible

It seems *prima facie* obvious, however, that both physicalists *and* dualists can vigorously oppose abortion, and also obvious that physicalists *and* dualists can vigorously defend a woman's right to choose an abortion. This "seeming" does not itself establish the compatibility of each couplet of claims above, but it does I think suggest that neither metaphysical dualism nor metaphysical physicalism is *essential* for generating a moral obligation or moral expectation to protect or preserve life. For ease of discussion I will simply refer to the moral obligation, moral expectation or moral responsibility to protect or preserve human life as constituting an *ethic of life*. So to see how a metaphysics of dualism or physicalism alone neither precludes nor entails an ethic of life consider the following.

Suppose human persons are human organisms with developed capacities for the rich sort of psychological life normally associated with paradigm instances of adult human beings; i.e.,

suppose human persons are property-things. If so, then no human fetus is a person. Surely, however, one with such a view of human persons as just described could quite coherently protest the abortion of a fetus on the grounds that a) it is *prima facie* morally wrong to destroy a person *in potentia* and a normal fetus is just such a being or b) even if the fetus is defective and does not even qualify as a potential person, it is still a member of the *human* community and to terminate the existence of a member of the community would diminish the kind of bond essential to the preservation and health of the community,¹² or c) the fetus is created by God with the ultimate intention of acquiring the property of personhood, and on the basis of God's ultimately good intentions for it the life of the fetus ought to be protected.¹³

Notice that in each of the reasons just now offered for protecting the life of the fetus the metaphysics of persons was supplemented either with moral principles or theistic considerations in order to yield the moral conclusion. I suggest that this is not just a fact about metaphysical materialism or the particular reasons chosen, but a fact about the insufficiency of any metaphysics of persons to ground an ethic of life. I should hasten to point out, also, that each of the reasons offered is eminently plausible as a *prima facie* justification for the protection and preservation of the fetus.

Consider now the claim that human persons are immaterial souls, connected as intimately as you like to human organisms. On all such dualist views currently on offer by Christian philosophers, be that dualism Cartesian or Thomist, emergent or creationist, on all such views it is metaphysically possible for the soul both to a) continue in existence after the demise of the organism it animates and b) carry with it the identity of the person. On such a view, therefore, abortion ends the life of an object that is such that if it ceases to exist no person will cease to

exist as a result. For this reason it is not only plausible to think that abortion never ends the life of a person, but it in fact is an entailment of Moreland's and Rae's own brand of dualism. And if an abortion never ends the life of a person, then any prohibition against abortion will not be because the fetus is identical with a person, i.e., an immaterial soul of the sort posited by metaphysical dualism.¹⁴

On such a view as Moreland's and Rae's one can still oppose abortion, of course. One might, for example, offer the following as support for a prohibition against abortion: a') God intends every human person to be a soul-body composite, and abortion is the wrenching apart of what God intends to be joined. Notice, however, the metaphysics of dualism does not alone support the moral conclusion that the life of a human fetus ought to be protected. Instead, it is appeal to God's intentions that, coupled with the metaphysics, supports the prohibition. But such a consideration as this is no less congenial to a metaphysics of physicalism, as we saw earlier. I believe that our discussion so far is sufficient to demonstrate that neither a metaphysics of dualism nor a metaphysics of physicalism settles the moral issues at stake. I conclude, therefore, that although it is true that a naturalist or physicalist view of persons lacks the resources sufficient to generate moral obligations or moral expectations to protect or preserve life, it is not the case that one's metaphysical view of persons is decisive for the relevant life issues at stake.

IV Objections and Replies

1. Objection: Consider the following argument.

1. Every human person was once a human fetus.
2. No human fetus is a human person.

∴ 3. Every human person was once a human non-person.

∴ 4. Human persons are not essentially persons.

Eric Olson is committed to 1 and 2, and so by entailment to 3 and 4.¹⁵ On his view, the property of being a person is like the property of being a philosopher. Just as I could exist without being a philosopher, so I could exist without being a person. In fact, I did exist without being a person as a fetus. Thus, although no past abortion could ever have been the abortion of a person, it could have been the abortion of *me*. Doesn't this sort of consideration play a determinative role in an ethic of life?

Reply: Not that I can see. It seems in fact to be congenial to differing moral positions in the debate over the relevant ethical issues. For starters, consider the fetuses we once were. One could reason that to abort them would have been to deprive us of the future experiences and endeavors that are identical with the experiences and endeavors we actually have enjoyed as persons and those we have yet to enjoy as persons. Assuming a commitment to a moral principle such as that "a wrong making feature of a killing is the loss to the victim of the value of its future"¹⁶, it follows that aborting those human fetuses would have been *prima facie* seriously morally wrong. Here again, however, the metaphysics underdetermines the conclusion. What is needed to ground the prohibition against abortion and support the protection of the life of the fetuses is the moral principle.

2. Objection: One might argue that moral worth and value is a function of kind-membership such that anything enjoying membership in the kind *homo sapiens* is intrinsically valuable. Human fetuses are members of the relevant kind. Therefore, the abortion of a human fetus is morally wrong insofar as it ends the existence of an object with intrinsic moral worth. And this

is the main point of the first objection. Surely this *is* a case where some moral mileage is gotten out of metaphysics.

Reply: The problem is that what does the relevant moral work is the claim that it is wrong to end the existence of an object with intrinsic moral worth. That claim, however, is equally compatible with metaphysical dualism. Moreover, a metaphysics of materialism, and the claim that it is wrong to end the existence of a human fetus insofar as it possesses intrinsic moral worth, are both compatible with the claim that no abortion ends the existence of a human fetus. In metaphysics there is a great deal of debate over the persistence conditions for things of various kinds. The persistence conditions for a thing of kind K specify the sorts of changes things of kind K can undergo without ceasing to exist. According to some metaphysics of material substance, for example, not all killings mark the end of the existence of the thing killed. Why? Because the persistence conditions for the kind the thing belongs to are such that the thing can survive being killed. For example, on some metaphysical views of material substance corpses are dead bodies, i.e., numerically the same bodies as those that previously existed as *living* bodies. So on some metaphysics of material substance the persistence conditions for bodies are such that bodies can persist through changes which kill them and render them corpses. Moreover, if one is a mereological universalist, then so long as the parts of any material object persist the material object persists. Therefore, so long as the parts of a fetus persist after an abortion the fetus persists. Since some abortions do not terminate the existence of the aborted fetus (according to MU), an entity with intrinsic moral worth, the wrongness of such an abortion as just described cannot reside in its termination of the existence of an object of intrinsic moral worth. Given mereological essentialism we have seen that that object can persist through its

being killed.

My point here is not to endorse this line of reasoning, as I disagree both with the metaphysics and the moral status of abortion it might be allied with. My own view on the metaphysical matter is that on any plausible account of the persistence conditions of bodies no body can survive being killed, i.e., no corpse is numerically identical with any (previously) living body. And on the moral matter, I am unashamedly committed to protecting the life of the fetus. My point here is simply to show that a metaphysics of persons, be it dualist or physicalist, neither precludes nor entails an ethic of life.

3. Objection: Perhaps there is a better objection in the neighborhood. Suppose you're a materialist who believes that a sufficient condition for something's being a person is its being a member of the species *homo sapiens*. It is uncontroversial that killing a human person is *prima facie* seriously morally wrong, regardless of whether or not the killing ends the existence of the person. Therefore, killing a fetus is *prima facie* seriously morally wrong. Surely this is a clear case of metaphysical *materialism* being decisive for an ethic of life.¹⁷

Reply: No so. One needn't be a materialist to believe that a sufficient condition for something's being a person is its being a member of the species *homo sapiens*. All dualists of the non-emergentist stripe will happily grant that claim. So, once again, what does the real moral work is not the metaphysics of physicalism *per se*. Rather, the metaphysics must be supplemented with some other claim, but in this case that claim is itself open to both metaphysical dualists and metaphysical materialists.

4. Objection: Suppose all complex material objects such as tables, ships and physical organisms are *entia successiva*, in Chisholm's sense of being successions of related objects, but

not strictly and philosophically speaking, *entia per se*, i.e., genuine objects in their own right. And suppose further mereological essentialism is true such that all *entia successiva* are relatively shortlived entities owing to their composition out of aggregates of different parts at different times. Since the bearers of moral responsibility for past actions must persist for an appreciable length of time it seems no human person is identical with an *ens successivum*. If there are human persons i.e., responsible agents, they must be *entia per se*, as *entia per se* are the only sort of thing that, strictly and philosophically speaking, endure through time. But the only candidate for an *ens per se* with which to identify a person is an immaterial and partless soul. So there must be immaterial souls if there are persons. Therefore metaphysics does in fact bear on morality. In this case it is a metaphysical view which leads one to reject identification of a human person with any material object.¹⁸

Reply: There are two points to make in reply. First, even if the metaphysics is true it doesn't follow that an immaterial soul is the *only* candidate for a human person. Chisholm's own position at one time, it will be recalled, was that we human persons are tiny *physical* objects, housed in human brains, objects that neither gain nor lose parts during the course of their existence.¹⁹ If Chisholm was right, then, again, an abortion would not necessarily terminate the existence of a person. The microphysical objects that we are might survive the demise of a fetus. And it might be that while we are embodied we need developed brains in order to think and enjoy the rich psychological life associated with paradigm instances of human persons. But once we are dislodged from the developed or undeveloped brains in which we are housed during our embodiment perhaps we no longer need them in order have such a mental life.²⁰

More important, however, my claim is *not* that metaphysics has nothing to do with

morality. My claim is simply that a metaphysics of materialism or dualism with respect to persons is not decisive for an ethic of life. If mereological essentialism is true and immaterial souls are the only candidates for enduring entities capable of possessing agency and responsibility, then metaphysics makes a difference. The difference it makes, however, does not settle the moral question as to whether vulnerable human lives ought to be protected. The difference it makes to morality has rather to do with whether or not there are persons or agents at all.

5. Objection: This raises another objection. If one is led to conclude that there are *no* such objects as persisting persons, then it just doesn't matter how one treats fetuses or PVS patients. Therefore, metaphysics *does* have implications for an ethic of life.

Reply: The consequent of the conditional does not follow from the antecedent. The relevant claim here is that there are no such things as persisting persons, not the claim that persisting material objects could not have the kind of value we want persons to have. Supposing no canines are also persons, it does not follow that we are morally free to treat canines any way we please. Likewise, if there are no such things as persisting persons it does not follow straightaway that it "doesn't matter how one treats fetuses or PVS patients."

6. Objection: Suppose we reject a substance ontology in favor of a stage or temporal-slice ontology such that no whole exists at any particular time, and so no human person exists at any particular time. Wouldn't that have implications for an ethic of life?

Reply: Perhaps, though my hunch is that like the traditional metaphysics of enduring substance, be that substance an immaterial soul or a material body, four-dimensionalism neither precludes nor entails an ethic of life. But to repeat, my claim is that neither a metaphysics of *materialism*

nor a metaphysics of *dualism* is *sufficient* for constructing an ethic of life, not that metaphysics *simpliciter* has no moral force or even that a metaphysics of persons is morally irrelevant. Being a theist of a traditional sort certainly seems sufficient for an ethic of life. And traditional theism is a pretty good candidate for a metaphysical position. In fact, I would suggest that the most compelling and satisfactory justifications for prohibitions against abortion, fetal research, etc. will include an appeal to God's ultimately good intentions for human bodies, be those fetal bodies or adult bodies. And as we saw, such a metaphysical or theological consideration as this is available to dualists and physicalists alike.

7. Objection: You're missing the point. On your view, whatever moral principles are used to supplement the metaphysics, such that there is at least some obligation or responsibility to protect or preserve life, the obligations generated will not be nearly as strong, not nearly as categorical or absolute as those generated by being combined with a metaphysics that counts human organisms as persons. What is defective about your view is that when supplemented by moral principles or theological considerations the protection of human fetuses and so-called human vegetables will not be an *absolute* protection. And that's what we want, an *absolute* prohibition against abortion and euthanasia, an *absolute* obligation to protect or preserve life. Only when conjoined to a metaphysical view which counts human vegetables and human fetuses as persons can the moral principles *cum* metaphysical view give us an *absolute* obligation to protect or preserve life. And it's personhood that you deny to fetuses and human vegetables.²¹ That's the problem.

Response: I disagree that the obligations generated by combining the metaphysics of persons I favor with the theistic considerations I endorse are weaker than those generated by combining a

metaphysics of dualism with the relevant moral principles or the same theistic considerations. First, widely held and uncontroversial moral principles combined with *dualism* do not generate *absolute* prohibitions or obligations to protect or preserve life, even in cases where it is uncontroversial that what we are dealing with *is* a human *person*. For example, it is uncontroversial that a well formed adult human being like Jeffrey Dahmer is a person. Yet I venture to guess that there are dualists among us who believe that there were circumstances sufficient to over-ride our obligation to preserve and protect Dahmer's life. What this shows is not just that the obligation to preserve or protect life is not a general obligation, but it also shows that a metaphysics of dualism or physicalism with respect to persons is not what's doing the moral work in cases of prohibitions against abortion and euthanasia. For it seems plausible to believe that if the metaphysics of personhood is what's decisive for ethics it should be decisive across the board. But second, and perhaps more important, notice that on either a dualist or physicalist view of persons, my own view included, the obligation to protect or preserve the life of a human fetus or a PVS patient is binding. This is due to the the fact that God has ultimately good intentions for every human organism. So the obligations generated by the moral principles or theistic considerations I endorse, together with the metaphysics of persons I favor, are, I contend, as strong as any obligation I can imagine being generated by relevant moral principles or theological considerations combined with dualism.²²

Conclusion

I have argued against the claim that one's metaphysics of persons is decisive for an ethic of life. I have contended that neither a metaphysics of dualism nor a metaphysics of physicalism either entails or precludes an ethic of life. In any case, where it might appear that a particular

metaphysics of persons might entail a particular moral conclusion (be that conclusion for or against life) it is instead other claims supplemental to it and conjoined with it that lead to the conclusion. In any event, a robust ethic of life is just as at home in a metaphysics of materialism as it is in a metaphysics of dualism.

Notes

1. See "Persons, Bodies and the Constitution Relation" *Southern Journal of Philosophy* (1999) 1-20, "Persons and Bodies" *Faith and Philosophy* (1998) 324-340 and for a detailed discussion "Biology or Psychology: Human Persons and Personal Identity" (in process).

2. *Body and Soul: Human Nature & the Crisis in Ethics* (InterVarsity Press, 2000), 236

3. *Body and Soul*, 231.

4. *Body and Soul* 231.

5. *Body and Soul*, 10.

6. *Body and Soul*, 87-88.

7. *Body and Soul*, 255.

8. According to a Constitution view of persons, for example, a person is a substances insofar as a person is a concrete particular or continuant. So, we could, if we wanted, haggle over premise one. But for the purposes of this paper it is not necessary.

9. It is worth pointing out that, even if 3 is accepted it doesn't apply to clients of Jack Kevorkian who were not lacking the relevant psychological capacities and so would count as persons on a naturalist conception. The argument I attribute to Moreland and Rae seems completely irrelevant to the morality of PAS (and wife assisted suicide, husband assisted suicide and good old fashion unassisted suicide). Therefore, I shall restrict its application in the following to cases of alleged non-person constituting organisms, like early term human fetuses and some PVS patients.

10. *Reasons and Persons* (Oxford University Press, 1984) 321-322. Parfit, however, develops an argument for the claim. The argument ultimately fails for reasons similar to those I offer here. For a very nice treatment of the problems plaguing Parfit's argument in particular, see Earl Conee's "Metaphysics and the Morality of Abortion," *Mind* 108 (1999) 619-645.

11. Moreland and Rae are clearly committed to this claim even though they are not altogether consistent in articulating their view of human persons. For example, on the very same page of *Body and Soul* they say contradicting things. They claim both that "A human person is a unity of two distinct entities--body and soul" and, further down the same page they say "We will argue that human persons are identical to immaterial substances, namely, to souls." *Body and Soul*, 121.

12. Even if we distinguish between the *biologically human* community and the *morally human* community such that strictly speaking human fetuses are members of the former but not members of the latter, it is still plausible to believe that to terminate the existence of a member of the former is to diminish the kind of bond essential to the preservation and health of the latter.

13. I am aware of the legal tradition according to which the concept of a person carries with it the notion of rights. On this view anything having rights is a person. Therefore, if it can be shown that a human fetus is not a person, then a human fetus has no right to protection. I am not using the concept of a person in the legal sense. So, on my view, if a human fetus is not a person it does not follow that we have no moral obligations to preserve its life.

14. If it is objected that a living human fetus is identical to a person in virtue of being ensouled, then I don't understand how a thing (a person) can become identical with a part of itself (i.e., a soul).

15. See his *The Human Animal: Personal Identity without Psychology* (Oxford University Press, 1997). See also his "Was I Ever a Fetus?," *Philosophy and Phenomenological Research* (1997) 95-110.

16. Don Marquis "Why Abortion is Immoral" *The Journal of Philosophy* 1989 (86) p.192.

17. John Mouracade raised this objection.

18. Dave Vander Laan suggested something along these lines..

19. See Roderick Chisholm, "Is there a mind-body problem?," in *On Metaphysics*, Minneapolis: Minnesota University Press (1989) 49-61.

20. This is essentially McTaggart's famous argument for immortality. It can be found in his *Some Dogmas of Religion* (London: Edward Arnold, 1906; reprinted, New York: Greenwood Press, 1968).

21. George Mavrodes raised this as a possible objection in correspondence.

22. I should add however that the obligation generated will not be, in an important sense, very strong. It's not strong in the sense that discharging the obligation to protect or preserve the life of a human fetus or PVS patient can amount to no more than speaking out against abortion and various varieties of euthanasia. Fulfilling the obligation does not require, for example, my physically stopping abortions or acts of euthanasia. So the obligation can be weakly discharged.