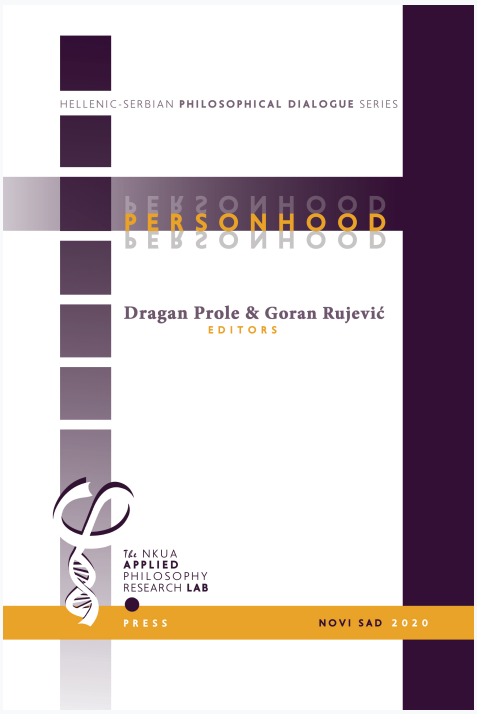
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Chapter

Bioethics and the Person

Ioannis Ladas

Personhood

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Bioethics and the Person

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Abstract: In this short essay I will discuss the concept of the person. More specifically, I intend to focus on identifying the perspectives that the scientific discussion has created for the relationship of person and bioethics. I will argue that humans as persons, therefore as moral agents, are not identified by their biological existence, and that the respect of human dignity is a fundamental individual right, due to which we share an obligation to protect human persons against all forms of coercion. I will conclude with the view that all issues that fall within the field of bioethics would vanish into thin air, in case real, selfless love was the dominant feature as far as our inter-personal relations are concerned. If love pervades bioethics throughout as its starting point, its 'body' and its final end, it would be certain that the value of humanity and personhood would be safeguarded, moral agents' rights would not be infringed, and humans wouldn't ever be used merely as means. Hence, my concluding thesis is that, in order to overcome the deadlocks bioethics deals with, we should be oriented towards the Bioethics of Love.
Keywords: Bioethics; person; autonomy; dignity; love.

I. Introduction

The term *person* has a *technical meaning* within philosophy, and especially within ethics or bioethics. At the core of the personhood debate are two fundamentally different approaches: 1. on the one hand there is a belief in the inalienable and intrinsic value of human life, 2. and from the other hand is dependent on the existence of one or more attributes or abilities.[1] For this reason, the determination of the

[1] Dónal P. O'Mathúna, "Personhood in Bioethics and Biomedical Research," *Research Practitioner* 7, no. 5 (2006): 167.

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nature of the person is one of the key issues of bioethics, especially nowadays, when many words have lost their meaning and are arbitrarily used to denote other things and states. A conceptual clarification of the authentic concept of the person and their properties becomes very pertinent, useful and enlightening in order to dispel the confusion of meanings of our era.

The English term "person" is ambiguous. We often use it as a synonym for "human being." However, the Greek term *πρόσωπο* (person)[2] is an etymologically composite word, originating from the phrase "προς ὦπα" (in front of the eyes), denoting the part of the head located where the eyes are.[3] The human face, however, is a concept with theological, philosophical, legal and aesthetic charge. It is also a referential concept, intertwined with the concept of personality.[4] It denotes one's relationship with other human being(s). Specifically, it denotes that one is open to other person(s). This relationship is what distinguishes a person from "the concept of static individuality."[5]

As Hans Urs von Balthasar (1905-1988) points out,

> […] few words have as many layers of meaning as person. On the surface it means just any human being,

[2] In Greek "πρόσωπο" also means "face." In ancient Rome, the word 'persona' (Latin) originally referred to the masks worn by actors on stage. The various masks represented the various "personae" during the play. Leonard William Geddes, "Person," in *Catholic Encyclopedia*, ed. Charles Herbermann, Edward Pace, Conde Fallen, Thomas Shahan, and John Wynne (New York: The Encyclopedia Press, 1911),

[3] Γεώργιος Μπαμπινιώτης, *Λεξικό της Νέας Ελληνικής Γλώσσας* (Αθήνα: Κέντρο Λεξικολογίας, 1998), 1518.

[4] Σταυρούλα Τσινόρεμα, "Το Πρόσωπο και η Αρχή της Προσωπικότητας," στο *Βιοηθικοί Προβληματισμοί ΙΙ. Το Πρόσωπο*, επ. Μαρία Κανελλοπούλου-Μπότη, και Φερενίκη Παναγοπούλου-Κουτνατζή (Αθήνα: Παπαζήσης, 2016), 86.

[5] Ελένη Καλοκαιρινού, "Το Ανθρώπινο Πρόσωπο και η Φιλοσοφία: Για μία Ηθική του Προσώπου," στο *Βιοηθικοί Προβληματισμοί ΙΙ. Το Πρόσωπο*, επ. Μαρία Κανελλοπούλου-Μπότη, και Φερενίκη Παναγοπούλου-Κουτνατζή (Αθήνα: Παπαζήσης, 2016), 68.

> any countable individual. Its deeper senses, however, point to the individual's uniqueness which cannot be interchanged and therefore cannot be counted. The complexity of the word's history, almost impossible to unravel, corresponds to this multiplicity of meanings, and almost from the beginning this history reflects the word's various aspects of meaning that cannot be synthesized.[6]

What does a person consist of? The answers given in relation to this question can be classified in two main groups: 1. The category of teachings of dualism, according to which a person is the sum of two independent hypostases, the body and the soul, that directly or indirectly affect one another,[7] and 2. the category of monism, according to which a person is defined as an inseparable uniform, whose body and soul are properties or predicates. Furthermore, the distinction between persons in the strict sense and "social persons," in case of fetuses and infants is very interesting.[8]

Regardless of the determination of its nature, the person has been treated by philosophers as a being to which moral characteristics are ascribed. Philosophy of the Human Person examine trans-empirical concepts like human nature, human dignity, fundamental human rights, the human soul, and human destiny[9]. Despite all aforementioned matters being deemed particularly interesting, the sole objective of the current study is to examine historically the concept of person and, alongside, to identify the perspectives that the scientific discussion has hitherto created for the concept of person and bioethics.

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[6] Hans Balthasar, "On the Concept of Person," *Communio* 13 (1986): 18.

[7] For an exhaustive discussion of the notion of personhood see Evangelos D. Protopapadakis, *From Dawn till Dusk: Bioethical Insights into the Beginning and the End of Life* (Berlin: Logos Verlag, 2019), 24ff.

[8] Herman Tristram Engelhardt, *The Foundations of Bioethics* (New York: Oxford University Press, 1996), 135.

[9] Oswald Mascarenhas, "The Ethics of Dignity of the Human Person," in *Corporate Ethics for Turbulent Markets: The Market Context of Executive Decisions*, ed. O. Mascarenhas (Bingley: Emerald Publishing Limited, 2018), 11.

II. Historical view of the concept

"The word 'person' receives its special dignity in history when it is illuminated by the unique theological meaning."[10]

If we review the concept of person historically, we will see that it is first cited in the patristic philosophical theological tradition.[11] As aptly noted by Metropolitan of Pergamon John Zizioulas, ancient Greek philosophy is "non-personal in its substance,"[12] since it is incapable of composing the person with something permanent, thereby failing to create a philosophy of the person.[13] In this context, he underlines the significance of identifying the hypostasis with the person, because the person is no longer what perches on the specific being, but it is the being's hypostasis, and also because the hypostasis of the being no longer amounts to substance, but to the person.[14]

The person in its philosophical meaning, i.e. moral personality, is mainly associated with theology and Trinitarian disputes.[15] The Holy Trinity is defined as three persons with one and the same substance and the distinction of the persons is not due to the particularity of substance, but to the way of existing. The theological schools of Alexandria and Antioch have identified the concept of person with the concept of nature, while the ambiguous and ambivalent term "hypostasis," taken to mean person or the substance, has become a source of misunderstanding because of the different interpretations of linguistic symbols and denotations, signifier and signified, between eastern and western theology.[16]

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[10] Balthasar, 18.

[11] Καλοκαιρινού, 69.

[12] Ιωάννης Ζηζιούλας, "Ἀπό τό Προσωπεῖον εἰς τό Πρόσωπον. Ἡ Συμβολή τῆς Πατερικῆς Θεολογίας εἰς τήν Ἔννοιαν τοῦ Προσώπου," στο *Χαριστήρια εἰς Τιμήν τοῦ Μητροπολίτου Γέροντος Χαλκηδόνος Μελίτωνος* (Θεσσαλονίκη: Πατριαρχικό Ἵδρυμα Πατερικών Μελετών, 1977), 287.

[13] Καλοκαιρινού, 70.

[14] Ζηζιούλας, 297.

[15] Μυρτώ Δραγώνα-Μονάχου, "Εισαγωγή," στο *Βιοηθικοί Προβληματισμοί ΙΙ. Το Πρόσωπο*, επ. Μαρία Κανελλοπούλου-Μπότη, και Φερενίκη Παναγοπούλου-Κουτνατζή (Αθήνα: Παπαζήσης, 2016), 21.

[16] Μιχαήλ Μαντζανάς, "Βιοηθική και Πρόσωπο: Αρχαία, Βυζαντινή και

In a strictly philosophical spirit, the concept of person is associated with modern-time philosophy. Especially with Immanuel Kant, the moral person has shouldered the weight of dignity and autonomy where, in the context of his teachings on categorical imperative, people are persons who should always be treated as ends and never as means.[17] On the contrary, according to Jeremy Bentham, John Stuart Mill, and utilitarianism in general, the person becomes a means to advance another person's welfare and benefit and the concept of person is degraded or eradicated.[18]

It is natural that, throughout the centuries that followed, many versions of the philosophy of person have been developed both in Europe and elsewhere, and we can now talk about the philosophies of person (in plural).[19] For example Locke defines "person" as "a thinking intelligent being that has reason and reflection and can consider itself as itself."[20] They all place the person in the center, free, unique, ready to open up and relate to other persons or, alternatively, to offer himself/herself as a "gift" to others, unlike totalitarianism and national socialism that fully subordinate persons and unlike individualism that renders a person a "wolf" to others.[21]

III. The concept of Person in Bioethics

Bioethics is commonly understood to refer to the ethical implications and applications of the health-related life sciences. "Personhood is the focus of all ethical debates in biomedicine but there are two opposite approaches to the definition of per-

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Σύγχρονη Οπτική," στο *Βιοηθικοί Προβληματισμοί ΙΙ. Το Πρόσωπο*, επ. Μαρία Κανελλοπούλου-Μπότη, και Φερενίκη Παναγοπούλου-Κουτνατζή (Αθήνα: Παπαζήσης, 2016), 143.

[17] Δραγώνα-Μονάχου, 22.

[18] Καλοκαιρινού, 79.

[19] Ibid, 78.

[20] Locke, *Essay Concerning Human Understanding* (London: Dent, 1961), 260.

[21] T. D. Williams, J. O. Bengtsson, "Personalism," in *The Stanford Encyclopedia of Philosophy*, ed. N. Z. Edward (Spring 2014 Edition), http://plato.stanford.edu/archives /spr2014/entries/personalism.

sonhood."[22] As professor Antonio G. Spagnolo mention "in the reductionist perspective, the moral status of the person is attributed to the subject capable of a moral life or a 'valuable life;' in the personalistic approach, all human beings are considered persons from the beginning of life to the time of natural death, which is all human beings are persons in ontological sense."[23] Hence, in bioethical debates, the concept of the person plays a major role, because it is intimately connected with questions about the value of life.[24]

The rapid development of biosciences and biotechnology, which expand our potential of interfering with human nature, raise questions about the moral boundaries of such interference with respect to the value of the person and the freedoms and rights associated with personality.[25]

Bioethics[26] invests in the unlimited value of humans as rational and self-determined beings and this is why there are concerns about human persons in almost all bioproblems.[27] They are raised before the creation of human life, follow its course (mapping of human genomes, selection of gender, transplants, cloning, ageing delay) and are relevant even after it comes to an

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[22] Antonio Spagnolo, "Personhood: Order and Border of Bioethics," *Journal of Medicine and the Person* 10 (2012), 99.

[23] Ibid.

[24] John Harris, "The Concept of the Person and the Value of Life," *Kennedy Institute of Ethics Journal* 9, no. 4 (1999): 293-308.

[25] Engelhardt, without getting involved in the labyrinth of theonomic and philosophical analysis, fully covers the concept of person, as it operates in the field of bioethics. He claims that "a person is self-conscious, rational, free to choose and in possession of a sense of moral concern." Engelhardt, 105.

[26] In modern bioethics, the concept of person is significant and many arguments in favor of one or the other "method" are based and/or rely thereon.

[27] From a bioethical viewpoint, the distinction between actual and potential persons is also significant, in reference to fetuses as potential persons and to humans in the face of euthanasia.

end (burial/cremation).[28] Furthermore, debates on the correlation between biological existence, personality and moral capacity have intensified - in addition to bioethics in environmental ethics. Of course, since animal ethics is part of bioethics, it would be an omission not to mention that some researchers supported that nonhuman animals can be persons. For example Daniel A. Dombrowski, who relies on the thought of neoclassical like Alfred North Whitehead, and Charles Hartshorne.[29] In any case the questions raised on bio-problems are many and complex. For instance:

1. Regarding fetal experiments, the key question is what a fetus is. Is it a person or just research material? Those who agree that fetuses are tissues of the female body are ready to accept medical experiments. Among those who believe that fetuses are potential or actual human beings, some do and some do not accept the challenge when protection of fetuses is ensured and their benefit is pursued. Both, however, ask whether a person who has dignity can be used in various ways as a guinea pig.
2. Regarding unused fertilized ovaries: If the fetus is not a person, then why not allow it to be sold? Ethically speaking, the fetus cannot be treated as a "simple means", as laboratory waste, in case of unused fetuses following medically assisted reproduction. Its treatment is ethically evaluated on the basis of care befitting the value associated with human persons.[30]
3. Regarding the legitimacy of (i) abortion, (ii) certain new practices of assisted reproduction (e.g. prenatal biomedical screening and embryo selection), (iii) genomic intervention. All these are associated with the normative issue of whether human persons are affected, and whether due respect and

[28] The concept of person is very important in the prenatal and the before-the-end-of-life painful state of humans in reference to the so-called borderline conditions. Δραγώνα-Μονάχου, 23.

[29] Daniel A. Dombrowski, "Are Nonhuman Animals Persons? A Process Theistic Response," *Journal of Animal Ethics* 5, no. 2 (2015): 135.

[30] Τσινόρεμα, 86, 109-110.

protection of persons includes future or potential persons. For instance, a pregnant woman does not hold power or ownership over the fetus as if it were a simple thing. When she decides to end a pregnancy or not, she takes action. She acts as a person capable of assuming the responsibility of becoming a mother. Because of its inherent characteristics, this decision is subject to moral accountability.[31]

4. Regarding cloning. This method threatens the sanctity, diversity and uniqueness of a person, since the original loses its uniqueness due to its substitution with the copy and the copy loses its uniqueness because it is deprived of originality and self-determination. Furthermore, as Hubert Doucet mentions "in the recent debates on human cloning, the respect and dignity of the person have influenced the concerns of those who are demanding an international moratorium on the possibility of cloning a human being."[32]

5. Regarding transplants. A moral issue is raised about the purchase and sale of organs. Any relevant commercial activity is an entirely immoral act because it shows lack of respect to human persons and life and offends human dignity.

6. Regarding treatment methods. The fact that the possibility of treatment, the method of treatment, the length of treatment and the method of treatment depend on the patient's financial status offends human dignity. Because is unfair to the financially weaker and also turns human persons into tools for wealth.

7. Regarding issues relating to the end of life. Moral dilemmas are raised concerning decisions relating to the end of people's lives, particularly with the development of new medical technologies that enable artificial prolongation of key biological functions of the body using mechanical means, even

[31] Ibid., 86.

[32] Hubert Doucet, "The Concept of Person in Bioethics Impasse and Beyond," in *Personhood and Health Care*, ed. David C. Thomasma, David N. Weisstub, and Christian Hervé, (Dordrecht: Springer, 1999), 121.

without expecting any medical benefit.[33] Euthanasia, in the context of Kant's approach, seems to distort the autonomy of the moral person. As a result, it is destroying its morality and is brutally offending its dignity because (i) it is an inherently contradictory moral choice and, therefore, it cannot become universal law, (ii) in the context thereof, the moral person ceases to be an end in itself and is demoted to a means. A gravely ill person lacking consciousness, a mentally retarded person or a person in a coma does not transform into something else as soon as such person loses their consciousness or mental powers.[34]

8. Regarding Neurological Science and Technology: "Modern advances in neurological science and technology pose profound challenges for our traditional concepts of the human person: they generate metaphysical and moral questions about beings at the edges of human life, from embryos that are not yet conscious, to persons who have lost their capacity for rational thought or have become permanently unconscious."[35]

At this point it should be noted that the major role of the concept of person in bio-problems has been widely disputed. For

[33] Kirsten Rabe Smolensky, "The Rights of the Dead," *Hofstra Law Review* 39 (2009): 764; Ευάγγελος Πρωτοπαπαδάκης, Κλωνοποίηση και Βιοηθική: Κλωνοποίηση Ανθρώπων και Δικαιώματα (Αθήνα: Παπαζήσης, 2013), 30; Stanley Benn, "Abortion – Infanticide and Respect for Persons," in *The Problem of Abortion*, ed. Joel Feinberg (Belmont, CA: Wadsworth Publishing Company, 1973), 99-100; Τσινόρεμα, 108-109.

[34] Ευάγγελος Πρωτοπαπαδάκης, "Η Ευθανασία και το Διακύβευμα της Αυτονομίας," στο *Βιοηθικοί Προβληματισμοί ΙΙ. Το Πρόσωπο,* επ. Μαρία Κανελλοπούλου-Μπότη, και Φερενίκη Παναγοπούλου-Κουτνατζή (Αθήνα: Παπαζήσης, 2016), 128.

[35] David Perry, "Some Issues in Contemporary Neurological Science and Technology," adapted from a presentation at a "Works in Progress" forum sponsored by the Center for Biomedical Ethics at Stanford University on December 11, 2001, https://www.scu.edu/ethics/focus-areas/bioethics/resources/ethics-and-personhood/.

example, Professor Bert Gordijn argues that "the concept of the person is unsuited to be a central concept in bioethical debates, because its use is connected with serious problems."[36] According to him "first, the concept is superfluous. Secondly, it is a confusing concept and it lacks pragmatic use. Thirdly, its use leads to simplifications". For this reason, he supports that "relinquishing the concept of the person could enhance the clarity and quality of bioethical debate."[37]

IV. Conclusion

The sacred character of human life gives meaning to human dignity, which science treats with respect. Of course, regarding the matter of founding the principle of dignity, positions differ. Some answers are atheistic and some are theistic. In any case, however, we would not now be talking about the morality of human rights and human dignity without the historical contribution of Christianity to the enhancement of human persons, since the concept of person, both historically and existentially, is integrally linked to theology. Human dignity is linked with the creation of humans in the image of God and the concept of human person that signals his/her relationship with God and fellow humans. Humans as persons, therefore as moral subjects, are not identified with their biological existence.[38] The demand for respect for the value of humans does not simply amount to nor is it exhausted in biological existence. Dignity is associated with the concept of person and self-determination and is defined by the person's ability to maintain moral autonomy so as to assess and make moral decisions on matters concerning them. Respect for human dignity is one of the fundamental individual rights and an obligation to protect human persons against all forms of power.

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[36] Bert Gordijn, "The Troublesome Concept of the Person," *Theoretical Medicine and Bioethics* 20 (1999): 347.

[37] Ibid.

[38] Τσινόρεμα, 112.

However, some of us ask ourselves whether the lack of respect for human persons and human dignity is due to the lack of love. Whether the bio-problems described above would not exist if there was real and selfless love. If love was the beginning, the middle and the end of bioethics, it is certain that the value of human persons would be respected, their rights would not be infringed and humans would never be used as means. Therefore, to overcome all dead-ends, we must be oriented towards the Bioethics of Love. Without it, the respect for human life and human person has no future.

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