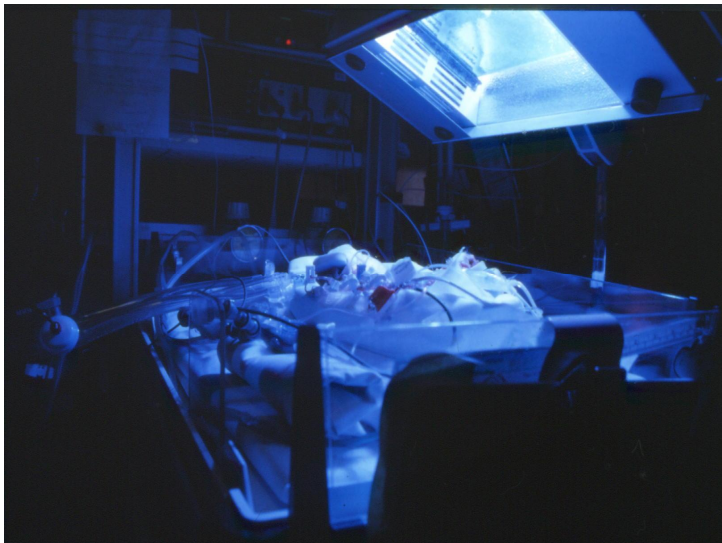


What does it mean to be a person – matters of life and death

Prof John Wyatt

What does it mean to be a person? Is it possible to be a human being but not a person? What duties do we as a society owe to persons as opposed to non-persons? These sound like the abstruse musings of philosophers light years away from the practical issues of modern medicine. But in fact disagreements about personhood lie at the heart of many current bioethical debates, including prenatal screening, medical infanticide, the persistent vegetative state, dementia and psychiatric illness. What is it about human beings that makes their lives special? And how should we treat human beings who are at the margins of life? How we answer these questions now and on into the next decades will have profound effects on the development of modern healthcare. In my own field of neonatology clinicians have to face troubling questions raised by the reality of brain injury, severe congenital malformations and extreme prematurity. Some years ago I was caring for an extremely premature baby whom I will call Sarah, born at 24 weeks of gestation, more than 3 months before term. Her mother made it plain that this was an unwanted pregnancy and that she felt that it would be best if Sarah was allowed to die. "As far as I am concerned doctor this is just an abortion."

So what are our responsibilities in this agonising situation? Is this baby a person or simply a potential person whose life is disposable?



At the other end of life I and my family had the painful experience of watching my mother, a lively, intelligent and vivacious person, transformed by progressive dementia, into a being who was terribly deformed, hallucinating, trapped within a body which could not respond. And the question comes, "Who is this being? Where is my mother?"

We must always remember that these complex issues are not just abstract philosophical musings.

They are primarily issues of human

pain which touch us all. I know very little about the people in this room but I know that there must be people here who have been touched by these painful issues of genetic disorders, prematurity, unwanted pregnancies, dementia and so on. We are all touched by these issues because of our common humanity.

For centuries it was part of our common intellectual heritage that the terms 'person' and 'living human being' were virtually equivalent. But over the last two decades, a number of influential modern philosophers, including Peter Singer, Jonathan Glover and John Harris, have challenged this traditional understanding.

For Peter Singer a person is a being who has a capacity for enjoyable experiences, for interacting with others and for having preferences about continued life. For John Harris a

person is any being who is capable of valuing their own life and existence. For Michael Tooley a person is a being who is capable of understanding that they are a “continuing self”. Closely related to this is the concept of autonomy – a person is a being who is able to determine their own path, to make choices; literally, the word autonomy means a self-ruling or self-governing entity.

Once this kind of definition is accepted, there are a number of logical implications. Firstly it is immediately obvious that in order to be regarded as a person, you must have an advanced level of brain function. In fact you must have a completely developed and normally functioning cerebral cortex. Secondly, there must be a significant group of human beings who are non-persons.

By undertaking sophisticated psychological testing it is possible to conclude that infants do not develop a sense of self-awareness until about one year of age.

Hence *non-persons* include fetuses, newborn babies and infants who lack self awareness, and a large group of children and adults with congenital brain abnormalities, severe brain injury, dementia and major psychiatric illnesses.

Those who meet the criteria of persons have moral rights and privileges. They deserve to be protected from those who would injure or kill them. They should be allowed to exercise their own choices or autonomy as much as possible. So for instance they can choose how their body should be treated. They can direct what medical treatment is provided and what is refused. As a donor they can choose to donate organs, and they can also choose to end their lives and kill their own bodies if they wish. This concept of personal autonomy over my body was central to the Assisted Dying bill, introduced by Lord Joffe in 2006.

But the same rights and privileges do not extend to non-persons. Peter Singer puts it like this, 'only a person can want to go on living, or have plans for the future, because only a person can understand the possibility of a future existence for herself or himself. This means that to end the lives of people against their will is different from ending the lives of beings who are not people...killing a person against his or her will is a much more serious wrong than killing a being who is not a person.' So who would qualify as a non-person. Not just the neonate or young infant but also the elderly human with Alzheimer's, the human with profound brain damage or learning difficulties, and the individual with severe and untreatable psychiatric illness

So these philosophers would say that Sarah, the extremely preterm baby, was not a person and hence she did not have an automatic right to life. Similarly my mother in the stage of advanced dementia had ceased to be a person. It would be reasonable and compassionate to end her life humanely.

Thirdly, it seems that there are many non-human beings on the planet who meet the criteria of persons. These include at least chimpanzees, gorillas, monkeys and dolphins, but may also include dogs, pigs and many other mammals. In fact it has even been argued that within the foreseeable future some supercomputers may meet the criteria to be regarded as persons.

When people respond with incredulity, Singer argues that to make moral distinctions on the basis of species is to be guilty of a new crime, 'speciesism'. To make invalid moral distinctions on the basis of age is ageism, on the basis of gender is sexism and so on. Speciesism is to make invalid moral distinctions on the basis of species membership.

Instead we should make moral distinctions on the basis of 'ethically relevant characteristics', such as the ability to choose and value your own life.

Of course there are major logical problems with this kind of definition of personhood. In effect Singer has replaced one form of discrimination with another. Instead of discriminating on the basis of species, he is now arguing that we should discriminate on the grounds of cortical function. In fact if we are into name-calling we could call him a 'corticalist'. But why should corticalism be preferable to speciesism? Of course Singer may wish to argue that cortical functioning is 'ethically relevant' whereas species membership is not. But this is an arbitrary distinction that is hard to defend on entirely logical grounds. Why should the functioning of a 5mm layer of neurones be the central and only moral discriminating feature between beings? On purely logical grounds species membership is a more coherent and fundamental basis for making ethical distinctions between beings.

Another logical problem is that this understanding of personhood is profoundly dualistic. There is the "me", the inner self, the conscious self-aware choosing person, and then there is my body, this thing which my self acts upon, the raw material that is at my disposal of my autonomous will.

But what is this self, where does this conscious awareness come from – answer it is the product of my brain cells firing, it is an "emergent property" of my cerebral cortex. Many neuroscientists would argue that our conscious awareness is merely an epiphenomenon of brain functioning. Consciousness has no causal importance, it is merely part of the froth on the surface of unconscious brain activity. In fact they argue that our sense of a "single continuing self" is an artefact created by our brains to help our evolutionary survival. In reality there is no self, there is no ghost on the machine, there is just the machine.

So as fast as philosophers and legal theorists are building up the significance of the autonomous choosing self – the neuroscientists are deconstructing and undermining the entire concept. It is fundamentally incoherent.

Thirdly personhood as defined in this way is a remarkably fragile and contingent property. At the moment as you listen to me you can be regarded as a person. But if, when you walk out of the lecture theatre, a brick falls on your head leading to cortical damage, you are no longer a person. "You" no longer exists – there is just your body. Of course if, following rehabilitation, your cortical function recovers, then you will become a person again. Can something which seems so fundamental as personhood be so fragile? On Singer's definition it is not at all clear if a human being who is anaesthetised, comatose, intoxicated, delirious, psychotically confused or merely asleep remains a person. If a burglar came into your room at night and killed you painlessly in your sleep, would they have committed a crime? Singer and colleagues answer this challenge by arguing that personhood is only lost if consciousness is permanently lost, but why on logical grounds should this be so? Suppose I suffer severe brain injury but have the prospect of gradual recovery to normal consciousness over the next ten years. Am I a person in the intervening period? If someone kills me in my unconscious state are they guilty of the serious crime of killing a person or the less serious crime of killing a non-person?

Finally this understanding leads to a loss of social integration and cohesion. Society becomes a collection of autonomous individuals who are making individual choices in their own self interests. I may cooperate with you, we may engage in joint ventures, but this is only to ensure that my interests, my preferences are preserved and enhanced. Society becomes divided between haves and have-nots. You earn the right to be called a person

by what you can do, by demonstrating that your brain is functioning adequately, by thinking and choosing.

In essence Peter Singer and many other philosophers wish to define personhood by other more fundamental properties, for example by conscious awareness. It is a natural tendency for scientists and philosophers to attempt to define complex entities in terms of more fundamental properties, but in this case I believe it should be resisted.

I would now like to put forward an alternative and much more ancient perspective on what is a person, which stems from the ancient world. In ancient Christian thought, the concept of “person” is an ontologically foundational concept – it cannot be defined in terms of more fundamental properties. It is the nature which we as human beings share.



The original Greek word for person (prosopon) means literally 'the face', but in ancient Greek it also referred to the mask that actors used to represent the character they were playing in the theatre. In Greek and Roman thinking what mattered about an individual was the face they showed to the world, the role they played in society. We have retained this meaning when we refer to someone's 'persona'. It is the public face they show to the world. It is interesting that this is how the word is used in the Greek New Testament. At several points God is described as one who shows no favouritism. The literal Greek says that he is not a respecter of persons, meaning that he is not influenced by our external and social role.

However in Hebrews 1:3 the Son is described as the exact representation of God's person and a different word is used, hypostasis, which literally means 'what lies under'. The early Church Fathers, as they reflected on the nature of the Godhead and the meaning of the Trinity, fastened on this word hypostasis to describe the three persons of the Trinity. God's ultimate being (what 'lay under' his activity), was in the form of persons - persons giving themselves to one another in love. And as human beings are made in God's image, we too are created as persons. We reflect God's nature in our personhood; we are created to give ourselves to God and to others in love.

Just as the three persons of the Trinity are individually unique, yet give themselves continually in love, so each human person is unique, yet made for relationship with others. Personhood is not something we can have in isolation - in Christian thinking it is a relational concept. Every human person is locked in a web of relations. Every person has a father and mother. All have relatives - brothers and sisters, sons and daughters - as well as those we voluntarily commit ourselves to, our partners and friends.

And because we have relatives, partners, friends, neighbours, we are all locked together. In fact we live lives where we are burdens to one another. As one theologian put it the life of the family is one of “mutual burdensomeness.”

Descartes came up with the famous statement, 'I think, therefore I am'. It's a definition that led ultimately to the modern concepts of Singer and Harris. By contrast we might suggest an alternative Christian version, 'You love me, therefore I am'. My being comes not from my rational abilities but from the fact that I am known and loved - first of all by God himself, and secondly by other human beings. This is why the experience of rejection and isolation can be so psychologically devastating, and why children who have never experienced love and acceptance fail to develop into normal healthy adults. But even if I am rejected by other humans, I am still a person. Ultimately my personhood rests on the fact that God called me into existence and that he continues to know and love me.

The idea of a person as hypostasis, derived from the Christian theology of the Trinity, gradually entered Western philosophy and remained of central importance up to the present century. Humanism took on essentially the same understanding of the human person, although its theological basis was conveniently forgotten. It is only recently that the basic concept has been derided and challenged by a number of philosophers, including Singer and colleagues.

For Peter Singer my personhood depends on what I can do, on the functioning of my cerebral cortex. But in Christian thinking my personhood rests on who I am, on the fact that God has called me into existence, and continues to know and love me. Human beings do not need to earn the right to be treated as godlike beings. Our dignity is intrinsic, in the stuff of our being, in the way we are made. In the way we are known and loved.

This Christian understanding of personhood is much more permanent, more resilient, than the secular one. As we saw, to Peter Singer your personhood might disappear at any moment if your cortex starts to malfunction. But in Christian thinking, whatever happens to you in the future, whatever disease or accident may befall your central nervous system, even if you are struck down by dementia or enter a persistent vegetative state, you will still be you: a unique and wonderful person. To be a person is to be a unique somebody - someone on a journey. We are becoming what we already are. From the time of your embryonic origins until now you have been on a journey - a process of becoming what we already are.

This is true as we look back to our individual origins. When you think of yourself as you were when you were a newborn baby, a fetus, an embryo, is there any point at which you can confidently say, "That being was not me." It seems to me that you cannot. When you were an embryo you were on the journey - you were in the process of becoming what you already were.

And this process of "becoming" continues throughout our life. Even when my mother was tragically affected by dementia she was still on the journey. Close to the end of her life I visited her in the nursing home where she was receiving 24 hour nursing care. It was meal time and I was trying to feed her from a yoghurt pot with a teaspoon. "Open your mouth, here it comes...". And I suddenly had a flashback - this was exactly what she used to do with me when I was an infant. And now the tables were turned. But in a strange sense this was not an evil, terrible thing. It was part of the narrative of a human life. She was learning more of what it meant to be a parent and I was learning more of what it meant to be a son. She was still my mother although tragically impaired and deformed. My duty was to treat her with love, respect and care.



So in Christian thinking dependence is not an evil, outrageous inhuman thing. To the secular philosopher dependence is a terrible threat because it robs us of autonomy – the essential defining characteristic of personhood. But in Christian thinking dependence is part of the narrative of a human life. You come into the world totally dependent on the love and care of others. The very fact that you are sitting there is only because someone loved you, fed you, protected you when you were a defenceless newborn baby. Then we go through a phase of life when others depend on us. And most of us will end our life totally dependent on the love and care of others. But this does not rob us of our humanity. No, it is part of the narrative of a human life.

Treating people with respect and dignity does not mean that we have a duty to provide every possible treatment, or to continue life-supporting treatment in every case. Sometimes it is right to withhold or withdraw medical treatment that is burdensome and can bring no lasting benefit. To say "enough is enough". But this is not because we estimate one life as less valuable or less morally significant than another. Each human being deserves our wonder, respect and compassionate care.

In my experience this understanding of personhood matches the intuitions of many people. What kind of society do you wish to belong to. One motivated by secular concepts of personhood as self-awareness, or one which enshrines this alternative understanding of what it means to be a person? Which principles would you prefer the healthcare system to be motivated by, when your elderly mother is admitted for terminal care?

So what are the practical implications for medical ethics? Firstly, in this way of thinking thinking my moral value and significance does not depend on the vagaries of my CNS function, but on my creation in God's image. Human beings are godlike beings. Only human beings, in all the vast array of life on planet Earth, have this privilege and responsibility. Hence we are to treat all human beings, however tragically incapacitated, with wonder, reverence and respect. We are called to protect all human beings from abuse, from manipulation and from any who would deliberately end their life. We cannot rate some lives as more worthwhile, more valuable than others. The malformed baby, the Alzheimer's sufferer, the unwanted fetus, and the person with terminal motor neurone disease; all have lives of unique significance and value, all are known and loved by God. This does not mean that we have an absolute duty to provide every possible treatment, or to continue life-supporting treatment in every case. Sometimes it is right to withhold or withdraw medical treatment that is burdensome and can bring no lasting benefit. But this is not because we estimate one life as less valuable or less morally significant than another. Each human being deserves our wonder, respect and compassionate care. This was why I felt it was my duty to care for little baby Sarah, that tiny premature baby, even though her mother wished her to be allowed to die.

Secondly, whereas the law does not recognise personhood until the moment of birth, this way of thinking points to the moral significance of the unborn fetus. And although we cannot ultimately know what the significance is of any individual embryo, it seems to me that we must treat even a microscopic human embryo as a unique and precious being who is being called into existence. And if this is right then we cannot destroy one human life to provide embryonic stem cells for the benefit of another human life.

Thirdly, as far as we know, of all the species on the planet only Homo sapiens is made in God's image, and hence only human beings can be called persons. Although we are called to treat not only chimpanzees and dolphins but all sentient beings with care, we cannot value their lives as equal to those of humans. As a Christian I must plead guilty to the charge of speciesism, because our God is speciesist!

Finally, as we saw, there is no such thing as an isolated human person, and therefore we cannot take ethical decisions as though human beings are isolated entities. In Christian thinking we are all bound together in bonds of duty and care. We are meant to be a burden to one another. In fact our lives are meant to be ones of 'mutual burdensomeness'! So



even if a patient with a terminal illness feels that their own life is worthless and requests the right to be killed, we cannot agree. The intentional killing of one person damages all of us, because we are all locked together in community. And by contrast when we show compassion and love for the weakest and most pathetic members of our society, we are expressing an essential element of our humanity.

This was brought home powerfully to me some years ago when close friends of ours, Alan and Verity Mitchell, became pregnant for the first time. Tragically antenatal tests showed that the fetus had a rare and lethal genetic disorder, Edwards syndrome or Trisomy 18. In this situation nearly all parents would choose to have an abortion. What possible reason would there be to continue the pregnancy knowing that the baby was destined to die? But after a great deal of heart-searching, Alan and Verity decided not to have an abortion and little baby Christopher was born. He had all the characteristic features of Edwards syndrome, including a major heart abnormality. But much to everyone's surprise he didn't die immediately but survived for nearly 6 months then passed away peacefully. He never was able to grow. When he was born he was 2.5 kg and when he died he was almost exactly the same weight. But after his death there was a memorial service at which several hundred people came to pay tribute to this tiny, malformed and pathetic little life. One of the friends of the family put it like this, "Although Christopher was not able to grow, he helped others to grow." So even Christopher was a person, one to be loved and respected, not rejected or marginalised.



A priest, Joseph Pieper, put it like this, "Love is to say to another, it's good that you are in the world. It's good that you exist."

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