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WHEN THE HUMAN BEING IS SEPARATED FROM THE HUMAN PERSON AND THUS ALSO FROM THE CONCEPT OF HUMAN RIGHTS. SOME ASPECTS OF CRITICISM OF PETER SINGER'S BIOCENTRIC CONCEPTION OF LIFE

INTRODUCTION

One of the most important themes in moral theology is that of the human person. It is therefore essential to know what the human person actually is and can be. It is for this reason that man is a moral being precisely because he is a person.¹ The concept of person affects the understanding of moral action insofar as the peculiarity of a reality becomes visible precisely in being active (*agere sequitur esse*).² According to Elio Sgreccia, one defines the person as a self-conscious, rational entity, capable of moral activity, endowed with autonomy, and points to the detail that human beings are not just this, and that, indeed, one of the characteristics of the human being is that of being corporeal, of being becoming.³

In recent decades, however, it is precisely the notion of the person that has been the focus of strong critiques of, say, anti-anthropocentric tendencies both in philosophy and in many other humanistic scientific disciplines. This criticism is very often a reaction to a strong anthropocentrism, where man seems to have forgotten that he cannot use everything as he sees fit. Biological evolutionary theory in particular casts much doubt on such anthropocentrism. Man is no longer the centre of the universe here. The possibilities of artificial intelligence, the ecological

¹ H. Rotter, *Person*, in: H. Rotter, G. Virt, *Neues Lexikon der christlichen Moral*, Innsbruck: Tyrolia 1990, pp. 580–588 and also C. Horn, *Person*, in: O. Höffe (ed.), *Lexikon der Ethik*, Munich: C.H. Beck 2007, p. 238.

² Saint Thomas Aquinas, *Summa contra Gentiles*, I, 43, 2, cf. H. Rotter, *Person*, p. 582.

³ Cf. E. Sgreccia, *Manuale di bioetica*, vol. 1: *Fondamenti ed etica biomedica*, Milano: Vita e pensiero 2007, p. 182.

crisis, and the globalization of technology require, according to many philosophers, a new anthropology.⁴ It is here that Christian-oriented philosophies and ideas about created man can make an important contribution to the discussion of a body-related, personalistic image of man. Sgreccia asks the question, why are deformed human bodies, bodies perceptible only under the microscope, as in the case of the embryonic stage, bodies that are inert and lacking obvious signs of consciousness, human beings? Persons? On what do we base anthropological equality, that which connects the healthy and the sick, the deformed and the normal? He answers himself, with the phrase of Adriano Pessina, that the poor but decisive argument for establishing who is and who is not a human person is to look at the origin: a human being is one who is born of other human beings [...] it is the condition for proceeding to any further and deeper definition of man.⁵

Biblically seen, theological ethics must proceed from the special position of the believer and the doer. Even a theocentric vision cannot be guided against a substantive and methodological anthropocentric vision according to which God stands neither at the centre of the universe nor at the apex of evolution.⁶

In contrast to anthropocentrism, biocentric ethical theories regarding the rights of nature began to be reformulated in the 1980s, ascribing moral relevance to all living beings, as well as to plants and animals.⁷ Within these theories, so-called animal rights (as part of *animal welfare ethics*), of which Peter Singer is one of the most popular representatives, began to be emphasized for a number of reasons. It was his theories that contributed to the use of the term speciesism. Singer stated from a preference-utilitarian perspective, writing that speciesism violates the principle of equal consideration of interests, the idea based on Jeremy Bentham's principle: "each to count for one, and none for more than one."⁸ According to Singer, all natural components other than man have *moral relevance* if they are endowed with the ability to feel pleasure and pain. "The principle of equal consideration of interests therefore may be a defensible form of the principle that all humans are equal."⁹ This principle implies that consideration of others should not depend on race or their abilities, but on the ability to experience pain and pleasure. The ability to feel pain, according to Singer, is not a characteristic note among others,

⁴ B. Irrgang, *Mensch*, in: A. Franz, W. Baum, K. Kreutzer (eds.), *Lexikon philosophischer Grundbegriffe der Theologie*, Freiburg: Herder 2007, pp. 263–265.

⁵ E. Sgreccia, *Manuale di bioetica*, vol. 1, p. 183 after A. Pessina, *Bioetica. L'uomo sperimentale*, Milano: Bruno Mondadori 1999, p. 88.

⁶ Cf. B. Irrgang, *Christliche Umweltethik. Eine Einführung*, München: Reinhardt 1992, p. 264.

⁷ E. Sgreccia, *Manuale di bioetica*, vol. 2: *Aspetti medico-sociali*, Milano: Vita e Pensiero 2011, p. 715.

⁸ P. Singer, *All Animals are Equal*, in: T. Regan, P. Singer (eds.), *Animal Rights and Human Obligations*, Englewood Cliffs, NJ: Prentice Hall 1989, p. 152.

⁹ P. Singer, *Practical Ethics*, Cambridge: Cambridge University Press 1979, p. 23 (Italian trans.: P. Singer, *Etica pratica*, Napoli: Liguori 1989, p. 31).

such as the ability to speak, but is a prerequisite for having interests in general; so, whatever the nature of the being, the principle of equality requires that his suffering counts with the analogous suffering of any other being. Therefore, the maxim that inspires and regulates all human conduct towards other living beings must be that of avoiding inflicting any kind of suffering on them.¹⁰ As we shall see later, as far as the definition of the person is concerned, Singer denies personhood not only to embryos but also to young children.¹¹ In essence, it is true for Singer that there is a pluralism of moral approaches; however, those inspired by the sanctity of life are incompatible with the facts and must be replaced by the new ethics of quality of life. The latter is not a procedural approach, but a rationalist point of view that aims to establish justified conclusions in the light of scientific facts and technological possibilities. Therefore, according to Singer, the Darwinian revolution demonstrated the fallacy of the thesis that human beings are unique creatures, separated from others by virtue of their similarity to God; in principle, ‘all animals are equal,’ i.e., all are entitled to the same consideration of their interests.¹²

The question of Singer’s antispeciesism is also discussed quite often in Slovak and Czech academic journals. In the Slovak academic journal “Filozofia,” a philosophical discussion on a scientific and argumentative level between Peter Volek from the Faculty of Philosophy of the Catholic University in Ružomberok and Peter Sýkora from the Faculty of Philosophy of the University of St. Cyril and Methodius in Trnava has been going on for a long time about the necessary protection of the human zygote.¹³ Also Inocent-Mária V. Szaniszló from Institute Alexander Spesz of Košice reacted to this discussion with an article in the Czech academic journal “Filosofický časopis,” which aroused a vigorous response, especially among the proponents of Singer’s theory, both from the Czech and Slovak side (Černý, Sýkora).¹⁴

¹⁰ Cf. P. Singer, *Animal Liberation. A New Ethics for Our Treatment of Animals*, New York: Random House 1975; cf. P. Singer, *Gli animali hanno “diritti”?*, in: P. Ciaravolo (ed.), *Filosofia ed ecologia*, Roma – Rieti: Aracne 2005; cf. P. Sgreccia, *Manuale di bioetica*, vol. 2, p. 716.

¹¹ C. Horn, *Person*, p. 239.

¹² Cf. M. Chiodi, M. Reichlin, *Morale della vita. Bioetica in prospettiva filosofica e teologica*, Brescia: Queriniana 2017, pp. 108–109.

¹³ P. Sýkora, *Prečo život každej ľudskej zygoty netreba bezpodmienečne chrániť?* [Why the Life of Every Human Zygote Does Not Need to Be Unconditionally Protected?], “Filozofia” 63 (2008), no. 9, pp. 804–816.

¹⁴ I.-M.V. Szaniszló, *Má človek vo vesmíre zvláštne postavenie medzi inými živočíchmi?* [Does Man Have a Special Status in the World in Relation to Other Animals?], “Filosofický časopis” 60 (2012), no. 2, pp. 255–271.

CRITICISM OF SINGER'S VIEWS BY MORAL PHILOSOPHERS AND THEOLOGIANS

In this chapter, we would like to present a summary of the opinions of selected important experts, which we often repeated in our polemics with several utilitarian bioethicists in the Czech and Slovak scientific space and even in the ecumenical theological dialogue.¹⁵

Justified scepticism of Singer's and analogous arguments in favour of antispeciesism¹⁶ was clearly found in the thoughts that fundamentally protested against these theories.¹⁷ Against such views, we shall attempt to point out a few counter-arguments by important moral theologians and philosophers who were concerned with antispeciesism at the time. As a final note, the protests by many organizations in West Germany, which caused the cancellation of Singer's lecture tour (June 23, 1989) also constituted a fundamental reaction to this kind of thinking.¹⁸ We must add, however, that Singer's later lectures did not have this effect. On the contrary, his popularity continued to grow with the addition of new topics (e.g., ecological ethics), so that these lectures were hopelessly sold out for a long time.

Singer is engaged in the implementation of "preferential utilitarianism" and applies it exclusively to those with special interests. Because the force and scope of the terms "person" and "member of the species *homo sapiens*" diverge, Singer says that what is implied by the term "person" is the distinction between "person" and "member of the species *homo sapiens*." In other words, merely living beings that possess self-consciousness may enjoy the benefit of the prerogative of being preferred. This is because they alone are capable of experiencing pleasure or pain,

¹⁵ See e.g.: I.-M.V. Szaniszló, *Pokus o malú odpoveď (nielen) Petrovi Sýkorovi a Davidovi Černému na kritiku našej analýzy Singerovho (anti)druhizmu* [An Attempt at a Small Response to (Not Only) Petr Sýkora and David for a Critique of Our Analysis of Singer's (Anti)Speciesism], "Filosofický časopis" 61 (2013), no. 4, pp. 591–601. In addition, we presented our polemics between Czech and Slovak bioethicists in foreign periodicals such as I.-M.V. Szaniszló, *Resurrection of Singerism in our Czech and Slovak Post-Communist Society*, "Bogoslovni vestnik" 74 (2014), no. 3, pp. 359–372 and I.-M.V. Szaniszló, *Do Smart Monkeys Have more Value than Human Babies? A Cross Section of Theological-Philosophical Reflection on Peter Singer's Revived Theory of Speciesism and the Place of Man among Other Animals*, "Symposium" 29 (2022), no. 1, pp. 27–44.

¹⁶ The term "speciesism" was first coined by Oxford psychologist Richard Ryder, and Singer applied it to a review of his work *Experiments on animals*, cf. A. Schlegel, *Die Identität der Person. Eine Auseinandersetzung mit Peter Singer*, Fribourg: Academic Press Fribourg – Herder 2007, p. 154.

¹⁷ A.G. Wildfeuer, „Person“ und „Mensch“. *Anmerkung zu einer folgenreichen Unterscheidung in der aktuellen Diskussion um Leben und Tod*, "Arzt und Christ" 38 (1992), pp. 201–211, New Edition in E. Schockenhoff, (ed.), *Medizinische Ethik im Wandel. Grundlagen – Konkretionen – Perspektiven*, Ostfildern: Schwabenverlag 2005, pp. 86–96.

¹⁸ Cf. E. Schockenhoff, *Ethik des Lebens*. Mainz: Matthias Grünewald 1993, p. 46. Schlegel goes on to say that there has been no mention of other protests and the need for his personal protection as a professor at Princeton University, cf. Schlegel, *Die Identität der Person*, p. 12.

and hence of autonomously gaining one's self privileges. For Singer, a person's preferences are particularly significant because they have a greater ability to influence the future than non-person preferences. In contrast to nonpersons, nonetheless, preferences of a person are similarly relevant to each person, like "not to feel pain," so that a preference viewed along these lines is interpreted broadly in terms of what predetermines a person's being.¹⁹

Obviously, such an idea is in stark contradiction to the teaching on the sacredness of human life. Alexander Schlegel thinks that antispeciesism is harmful to animals as a species, particularly when one recalls the numerous arguments about the moral status of man and animal and the duties and rights that go with them.²⁰ Singer seeks to point to the unwarranted bias and supremacy of man seen to be a deformity that originated in Christendom. He identifies speciesism as an integral part of the indisputable ethical orientation of European civilization.²¹ In fact, it seems that the implication of his thoughts is that if it is permissible to allow the testing of animals, then by the same logic, it would be permissible to allow the testing of humans who have no reason or self-awareness to do the identical thing. Singer, however, did not take his views to such an extreme. He nonetheless emphasizes the need to relieve suffering in this world, that is, the suffering of those creatures without self-consciousness, and on the other hand claims that adherence to human or any other species should be no criteria of a living being's ethical status. The only thing that separates species from each other or that is intrinsic to their moral status is the special qualities that are inherent in them.²²

The antispeciesism proposition appears very attractive at first glance in a permissive society. Nevertheless, using race or gender as a criterion for assigning, taking into account or completely ignoring an individual's interests necessarily causes social action to become racist or sexist. But if man treats every species and acts in the exact same manner, if he applies speciesism as a criterion, he is speciesist in his actions.²³

While Singer's view is nothing entirely groundbreaking, the manner in which it was re-established by 20th century utilitarianisms quite clearly raises it to an extremum.²⁴ Naturally, each extremum is a reaction to the preceding extremum. The reason for these more extreme views was mainly a reflection of the disproportionate animal abuses that have been perpetrated in many of the research studies. In the United Kingdom only, at a minimum of 4.5 million animals were subject to these practices in the 1980s.²⁵ Consequently, for Singer, the consumerism and pleasure

¹⁹ Cf. A. Schlegel, *Die Identität der Person*, p. 420.

²⁰ A. Schlegel, *Die Identität der Person*, p. 154.

²¹ Cf. P. Singer, *Practical Ethics*, p. 89.

²² Cf. P. Singer, *Practical Ethics*, p. 78.

²³ Cf. A. Schlegel, *Die Identität der Person*, p. 154.

²⁴ Cf. A. Schlegel, *Die Identität der Person*, p. 155.

²⁵ Cf. H. Weber, *Spezielle Moraltheologie*, Graz: Styria 1999, p. 161.

of eating animal meat and getting it sold inexpensively cannot be preferred to the misery and agony that animals must bear for the sake of human enjoyment.²⁶

The absolutely shocking part of that argument, nonetheless, is Singer's inflammatory claim implying disabled children are not accorded a fundamental right to life until weeks after they are born, that indeed it is not until then that we can predict with certainty their possible future growth and development. It follows that the parents of a child suffering from haemophilia would, for illustration, be entitled to have the child aborted at this point or even murdered, to 'swap' it for other healthy children even if they do not want to exceed the possible number of children they might want to have, or if they simply want to make room for able-bodied children at the cost of disabled children. So even under this hypothesis, they would be able to significantly affect the final total amount of happiness.²⁷

To kill a person like this, Singer argues, is comparable to smashing a rock, since the entity is incapable of adopting any preferences, having no capacity for feeling. Similarly, termination of pregnancy and infanticide (i.e., the termination of a child's life by his parents) are, on the face of it, similarly evaluable from a moral perspective.²⁸

Marek Vácha, a well-known Prague bioethicist, opposes such speciesism and argues that if, according to this argument, you advocate a disabled infant at the expense of a canine, then you are discriminating in favour of one being over another solely on the grounds of its speciesism.²⁹

Eberhard Schockenhoff (the recently deceased moralist from Freiburg im Breisgau and former vice-chairman of the German government's ethics commission) adds that subtle versions of this apologetic theory assume that humans have different intrinsic worth depending on how famous or successful they are, or how long their life expectancy is. From this perspective, their level of self-fulfilment, the strength of their happiness experiences, and the expectation of their continued lifespan determine the moral evaluation of how reprehensible it would be to kill them.³⁰ Before his arrival at Princeton University, on the other hand, Singer himself had considerably revised his comments of this type in his forthcoming book on

²⁶ Cf. A. Schlegel, *Die Identität der Person*, p. 422.

²⁷ Cf. E. Schockenhoff, *Ethik des Lebens*, p. 46, according to P. Singer, *Practical Ethics*, pp. 125, 183 (German trans.: E. Schockenhoff, *Praktische Ethik*, Stuttgart: Ditzingen Reclam 1984, pp. 168, 184).

²⁸ Cf. A. Schlegel, *Die Identität der Person*, p. 421.

²⁹ O. Nezbeda, M. Uhlíř, *Epidemie dnešní doby: Rozšířená verze rozhovoru s Markem Váchou o dětech ze zkumavky, morálce a pobytu v trapistickém klášteře* [The Epidemic of Our Time: An Extended Version of an Interview with Marek Vácha on Test Tube Babies, Morality and the Trappist Monastery], "Respekt," <http://respekt.ihned.cz/rozhovory/c1-48363870-epidemie-dnesni-doby-rozsirena-verze> [access: 15 II 2023].

³⁰ E. Schockenhoff, *Ethik des Lebens. Grundlagen und neue Herausforderungen*, Freiburg: Herder 2009, p. 209.

life and death, as reported by Schockenhoff.³¹ Schockenhoff continues by saying the importance of recognizing that ethics articulated in this manner is terrifying. When the human person is not anymore, the bearer of indivisible human rights, but is measured only in terms of his or her input to the totality of the common good and the good future of the community, we find ourselves in a powerless position of resistance. It is not unless and till we elucidate the philosophical basis that renders that thesis permissible. Schockenhoff notes that the same background is interestingly observable in a number of bioethicists who come from diametrically opposed schools of thought.³²

That an entirely ethical principle is grounded in a purely deontological principle of morality, like the principle of respect for autonomy, or the utilitarian principle of maximizing happiness, is unlikely to play any factor in granting an inviolable right to life to human embryos, newborn babies or gravely disabled children. According to Singer, potentiality is not actuality and therefore irrelevant as a free-standing ethical objection. In his view, in vitro potentiality demonstrates this. Therefore, research on those embryos that do not possess sensitivity are only conducted for the profit of those that do. As concerns cloning, Singer is provisionally opposed to it on the grounds of the danger of physical malformations. Despite this, he appeals for a worldwide discussion, not the present laissez-faire political status quo.³³ Instead, following Schockenhoff, Singer attaches less importance to respect for the autonomy of human persons than to utilitarian evaluations of their “‘lousy’ lives” or of the implications of the results of their slaughter for others. The fundamental assumption underlying the notion that human embryos or foetuses, as well as babies and small children for that matter, may result in the non-recognition of their right to life remains equally valid in contemporary ethical argumentation theory in justifying claims to these rights. While not explicitly defensible, it owes its plausibility through an established moral standard specifically to sweeping recognitions that, notwithstanding intensive attempts, *do not remain purely evidential and are not subject to supplementary philosophical examination*.³⁴

Singer’s claim of speciesism seeks to fill this niche. The allusive name “speciesism” is used to denounce talk of human exceptionalism in the cosmos as biased toward a non-human world. Thus, the fundamental ethical mistake of fractional exclusion, to which members of foreign nations or ethnic minorities have fallen victim in their own country, is constantly repeated. Such speciesism is considered to be an amplification of racism and sexism, spreading the white man’s pride and superiority over the nonhuman world. To counter this view, a theory of non-discriminatory

³¹ P. Singer, *Rethinking Life and Death. The Collapse of Our Traditional Ethics*, New York: St. Martin’s Press 1994 (German trans.: P. Singer, *Leben und Tod. Der Zusammenbruch der traditionellen Ethik*, Erlangen: Fischer 1998).

³² Cf. E. Schockenhoff, *Ethik des Lebens. Grundlagen*, p. 47.

³³ Cf. A. Schlegel, *Die Identität der Person*, p. 421.

³⁴ E. Schockenhoff, *Ethik des Lebens*, p. 53.

perception should change man's approach to the nonhuman world and induce man to bid farewell to the idea of his domination and, in effect, to acknowledge all revealed forms of nature as the same. Thus, adherence to the human species (*homo sapiens*) in no way implies acknowledgement of one's particular life chances.³⁵ However, Singer sees the liberty accorded to animals as a sequel to the ongoing process of emancipation from racism and sexism that started in the French Revolution. It is a speciesism which precludes its accomplishment on nonhuman entities.³⁶

This essential argument of the philosophy of nature is compounded when we understand the human person *as the actual existence of an empirically determined concept of personality*. Such an interpretation of the person implies that it is not a matter of belonging to a particular biological species, but only of the level of consciousness, the exercise of reason, and the ability to make a future project, that are crucial to the recognition of the right to life which some species of life attain.³⁷

Helmut Weber, the moralist of Trier, vehemently opposes Singer's conception of the person and the human being. The fundamental objection, Weber argues, is that this method restricts the image of man, contrary to the whole human understanding, to the actual possessing of mental abilities.³⁸ Weber further states that in the almost uniform view of philosophy and theology, what constitutes the person is not the actual possessing of intellect and liberty, but the very *capacity* to hold this possessing. If this were not so, sleeping and comatose people – living in a state of unconsciousness – would be unable to be called human beings as well. Weber asserts that one is both a person and a human being through *membership* of the human species. He goes on to note that Singer confuses person and personality following the Viennese moralist Günter Virt.³⁹ Sgreccia asserts that there is a surplus of the person over his or her own acts and this finds the difference between being a person (first act) and personality. Personhood depends on the progressive acquisition of qualities that belong to the person insofar as they flow from his essence, but which do not necessarily accompany the person's being from the beginning. Becoming a person is not a process, but an instantaneous event or act, whereby one is established in being a person once and for all, whereas personality is something that is acquired processual, through the performance of personal acts (secondary acts).⁴⁰

³⁵ Cf. P. Singer, *Animal Liberation. The Definitive Classic of the Animal Movement*, New York: Open Road 2009 [40th anniversary Edition], p. 51 (German trans.: P. Singer, *Befreiung der Tiere*, München: Hirthammer 1982, p. 26).

³⁶ Cf. E. Schockenhoff, *Ethik des Lebens. Grundlagen*, p. 578.

³⁷ Cf. P. Singer, *Rethinking Life and Death (Leben und Tod*, p. 135).

³⁸ Cf. H. Weber, *Spezielle Moraltheologie*, p. 97.

³⁹ Cf. H. Weber, *Spezielle Moraltheologie*, p. 97. Quotation is from G. Virt, *Das Menschenleben an seinem Beginn*, in: J. Gründel (ed.), *Leben aus christlicher Verantwortung. Ein Grundkurs der Moral*, vol. 3, Düsseldorf: Patmos 1991, pp. 95, 102.

⁴⁰ Cf. E. Sgreccia, *Manuale di bioetica*, vol. 1, p. 613.

Karl-Heinz Peschke, the other famous Austrian moralist, concludes: "Even though for Peter Singer a sane mature human being is of higher value than a mouse, there must nonetheless be non-human living entities for whom life is, according to all criteria, more worthwhile than the life of some humans. Singer would not want to sanctify the lives of swine and canines to the extent that they could not be saved out of desperate suffering. However, the same is equally true for humans in the identical condition. That is, under the principle of the intrinsically same value between animal and human life, both might or might not be removed on the same grounds, e.g., in cases of grave imbecility or senility. That's a very reasonable but particularly condemnable implication of the denial of the crucial distinction separating human and animal. It leaves an opening for a dangerous miscalculation: where, after all, is the line drawn that separates a human life being liveable from a life unliveable?"⁴¹

Schockenhoff responds back against such claims by arguing if the concept of person implies the qualification that concrete forms of life are autonomous from the species of which they are a part, then this possibility is uncontroversial. If, however, the assumption is that man and person can be regarded as two human characteristics which, although factually identical in a large number of cases, cannot strictly speaking be regarded as present simultaneously, this leaves us with no convincing argument to oppose Singer's outrageous assertion. To be a person in the ethical terms and a human being in the biological terms in such a perspective would mean that two unrelated alternatives, showing overlapping peripheral regions on either side of a conditioned, common, cross-sectional surface, would now be determined in their interrelations by a thought-provoking formula: *not all persons are persons, and not all humans are persons*.⁴² It results from Singer's way of thinking, unlike the traditional conception of the person ("humans are born of humans"), where the being of a man and the being of a person merge to become one, which is the definition of a new hypothesis, which can be called, in scientific terms, *the separation of the being of a man and the being of a person*.

Schockenhoff recognizes the first sentence of that formula is not novel whatsoever. A survey of the philosophical thesaurus historically shows us already to know the concept of the person in the ancient art of theatre (as a 'role' or 'mask'). But only with the theological apprehension by the Christians of the ideas of God and the Christological creed did the notion receive additional impetus. Bringing it into the field of anthropology provides, finally for the primary time, a second attitude wherein we can discern a significant input from the Christian religion to human beings' philosophical self-affirmation. But even the appeal to a teaching about the Holy Trinity, or the hypotheses of the Christian dogmata about angels,

⁴¹ K.-H. Peschke, *Křesťanská etika* [Christian Ethics], Prague: Vyšehrad 1999, p. 661.

⁴² E. Schockenhoff, *Ethik des Lebens*, p. 49, after H.T. Engelhardt, *The Foundations of Bioethics*. New York: Oxford University Press 1986, p. 107.

which presuppose the possibility of non-human persons, do not demonstrate the radical consequence implied in the second half of the formula in issue: *that certain member of the human species bearing human beings, as we do, have been deprived from the right to be persons*. But would it be permissible to deprive a human embryo, a newborn, a mentally handicapped child or a comatose patient irreversibly unconscious of their right to be a human person, and thereby exclude that person from the sheltered area of human dignity? According to Schockenhoff, that's the key problem of Singer's bioethics, one that necessarily requires an elucidation of its underlying natural philosophical presuppositions.⁴³

Armin G. Wildfeuer, a philosopher from Cologne, is very hesitant to evaluate Singer's claims and wonders about the possibility of defining a person in a non-arbitrary and value-neutral way through description (in the end, all his attempts remain within this boundary). Attempts in these arguments defining a moral and practical concept like "person" or "personal dignity" come to be suspected of being grounded in the resources of theoretical reason and only acquire moral relevance as a second matter, as expressed by George E. Moore in 1903 when he famously countered David Hume's formula "*the being – must be – a false conclusion*."⁴⁴

The ultimate argument against acknowledging the boundaries of human being, following Weber, can likewise be read as such: "This line of reasoning (that a person is not made up of being, merely of the capacity for a rationality and self-awareness) is beyond universal admissibility, and is essentially inapplicable to any further discussion. Nevertheless, a fundamental complaint may be raised there, namely, that the actual possession of some faculties does not determine who a person is, but rather *the biological membership of the human species*. To define personality in any other way results in unlimited arbitrary."⁴⁵

Schockenhoff suggests that in today's bioethical debate, the concept of human dignity is often objected to as an idle formulation capable of being infused with any worldview and therefore having no valid claim to any kind of universal reference. Indeed, as Peter Singer and the philosopher of law Norbert Hoerster point out, the concept of human dignity is directly related to the Jewish-Christian heritage. Both find in this notion only a veiling of the Christian doctrine of man as the image of God, which confers on this image a secular pseudo-legitimacy. Schockenhoff concludes by saying the whole socio-philosophical and bioethical controversy demonstrates how the recognition of the irreducibility of human life is not part of

⁴³ E. Schockenhoff, *Ethik des Lebens*, p. 49.

⁴⁴ E. Schockenhoff, *Ethik des Lebens*, p. 96. From a number of pure sentences about being, no sentences about duty can be deduced, unless we imperceptibly insert a sentence about duty beforehand. This is a critique of the "naturalistic fallacy of inference" (cf. G.E. Moore, *Principia Ethica*. Stuttgart: Reclam 1970). This argument speaks of an invalid direct inference which concludes a norm from some fact in the world.

⁴⁵ This justification is given by Weber when arguing against euthanasia in general, cf. H. Weber, *Spezielle Moralthologie*, p. 221.

the secure inheritance of the human ethos, even though it must always be regained and maintained. Both the Social Darwinism of recent centuries and the utilitarianism of the just concluded 20th century contradict to the point of literal condemnation identical claims that the dignity of every human being is intrinsically unalienable.⁴⁶

Wildfeuer reminds us that these debates about the individual and human dignity, as conducted by contemporary utilitarians, show an extremely regrettable reliance of ethics on the standing of natural sciences and give the unjustified appearance of “the need to perform permanent amputations in order to keep up with technological progress, in order not to fail ‘ethically.’”⁴⁷

Wildfeuer goes on to point out that the problem of human dignity and the beingness of the person constitutes not so much a properly theoretical but a more practical problem, i.e., not so much a matter of metaphysics as one of ethics. The bias of antispeciesism neglects to consider why in traditional but not utilitarian ethics we attribute personhood or human dignity to all members of the human race, because, as Joseph Simon and Wolfgang Kluxen in 1986 and 1989 state: “It is not membership in a biological species that establishes a right to moral approval, but this membership is the criteria to be followed if we wish to preserve the universality of respect for the human person, just as we do not make moral approval conditional on some qualifications, but attribute them to the human person as a human person.”⁴⁸

The problem remains with the fact of such effects of dealing with human life, which follow from an implemented actual-qualitarian conception of the person, being inconsistent with basic moral expertise. Clarifying, not denying, them poses a more fundamental challenge for philosophical ethics. However, the types of species-level ethical theories that have been presented, especially in utilitarian form, are based on assumptions that are at least philosophically dubious, and therefore require caution in dealing with questions of the treatment of life and death.⁴⁹

Ludger Honnefelder, a philosopher from Bonn, observes: “If we regard man not as essence, but merely as a set of attributions, as has been the case from Hume to Singer, then we must consider his being as depending on the actualness given to such attributions, and the potentialities of the growth of such attributions must be regarded as a mere contrivance. However, nothing forces us to adhere to this kind of metaphysics. Identity is nonetheless expressed in a psychological continuum throughout history, no matter how fine the grounds given for affirming that identity

⁴⁶ E. Schockenhoff, *Ethik des Lebens*, p. 96.

⁴⁷ This is how Wildfeuer presents the view of J.-P. Wills, professor of philosophical ethics from Nijmegen in the Netherlands, cf. A.G. Wildfeuer, »Person« und »Mensch«. *Anmerkungen zu einer folgenreichen Unterscheidung in der aktuellen Diskussion um Leben und Tod*, “Arzt und Christ” 38 (1992), pp. 201–211.

⁴⁸ A.G. Wildfeuer, »Person« und »Mensch«. *Anmerkungen zu einer folgenreichen Unterscheidung in der aktuellen Diskussion um Leben und Tod*, in: E. Schockenhoff (ed.), *Medizinische Ethik im Wandel. Grundlagen – Konkretionen – Perspektiven*, Ostfildern: Schwabenverlag 2005, p. 92.

⁴⁹ E. Schockenhoff, *Medizinische Ethik im Wandel*, p. 92.

in that same continuum, as John Locke and his followers believe. And potentiality itself, thereafter, provides no clue to the personhood if one supposes that the personhood resides in the current continuum rather than in any other.”⁵⁰

Likewise, Wildfeuer again asks whether the presumed bases of ethics, which are understood as the appropriate resolution of life-and-death issues in a limited period of time, can actually be achieved through a purportedly qualitative conception of personhood and the imposition or prioritization of some allegedly evidenced qualities of the person, given that the essential concepts and distinctions involved have been built up in an ambiguous terms without cogent arguable evidence (self-defining, self-determining, dogmatic). Indeed, an overall reassessment of the ethical position takes place, albeit to the extent that it holds instead of the moral subject not being determined by the goods in issue in relation to itself, the values in issue are themselves established by aims or goods in relation to the judging moral subject. Furthermore, the person/personality dichotomy has been correctly identified as an arguably ‘non-economic’ strategy because ‘personality is a sufficient criteria for defending life, granted, the absence of personality is not a good enough reason to abrogate the commandment – thou shalt not kill.’⁵¹ Drawing on in Kant’s thesis of the person as a reason in itself, Wildfeuer claims that adherence to the species *homo sapiens* (i.e., to the species of the highest intelligible being) is not a reason to attribute and recognize personality, but only an indicator of a locus of unconditional acceptance not verifiable by experiential procedures. Consequently, thinking has to follow this line of reasoning: *embryos, foetuses, comatose patients and invalids of any kind inevitably come under the notion of personality.*⁵²

During his presentation “Ausverkauf der Menschenwürde?” (The sell-out of human dignity?) Schockenhoff answered to the following question: Is it conceivable to differentiate between man and person in Locke’s understanding? In this symposium *Leben am Prüfstand* (“Life on Trial”), held on December 13, 2008, at the Theological Faculty of the Karl Franzens University in Graz, he answered no. If this were not the case, then a university professor would have become more of a human being than a workforce. Furthermore, at length in his book *Ethik des Lebens*, Schockenhoff tries the critique of Singer’s recognition of the potential status of personhood also for animals. Against this background, Jürgen Koller’s observation seems interesting when he states that although Singer tries to avoid accepting what he calls the speciesist specific particular position of humans within nature, he applies solely human properties to animals to define the notion of person, even

⁵⁰ E. Schockenhoff, *Medizinische Ethik im Wandel*, p. 92. According to L. Honnefelder, *Person und Menschenwürde: Zum Verhältnis von Metaphysik und Ethik bei der Begründung sittlicher Werte*, in: W. Pöldinger, W. Wagner (eds.), *Ethik in der Psychiatrie*, Berlin – Heidelberg: Springer 1994, pp. 22–39.

⁵¹ Cf. E. Schockenhoff, *Medizinische Ethik im Wandel*, p. 93.

⁵² E. Schockenhoff, *Medizinische Ethik im Wandel*, p. 94.

apart altogether from examining critically the cognitive and theoretical capacity and admissibility of such an additional population, in particular.⁵³

The philosophical direction according to which personal, individual life must be envisaged from the outset has lately been termed ontological personalism, with potentiality as its central point (“if there is something from which an adult, independent being can arise, I must deal with it as if it really is a living being”). Vácha states, “In this case, it is about existence: ‘On the whole, all parties would be well served if, at certain moments in the womb, the human foetus sat up, mopped the perspiration from its forehead, started to think cognitively, became able to sense pain, turned into a person able to make ethical judgments.’ Except that all of this is a continuum.” Ontological personalism is invoked once more: “In part, it echoes the Christian philosophy and its teaching of an immortal soul which is proper to humans alone, ejecting them to a level qualitatively superior to that of animals. You chop down a linden tree, it gets chopped up and dies, the canine dies, and there it ends. But in the case of man, it is not.”⁵⁴ Simultaneously, this is the attitude of the instruction *Dignitas personae*, expressed, e.g., in Pope Benedict XVI’s letter on the occasion of the World Day of Peace on January 1, 2009.⁵⁵

On the basis of Singer’s opinion about the feeling of pain in animals, Sgreccia adds that the feeling of pain in animals is fundamentally different from the feeling of pain in humans: the animal suffers, but the human knows he is suffering and seeks a meaning of suffering. However, genetic interventions can be seriously damaging even if they are carried out in the stages of life when there is no pain.⁵⁶

From his ideas we can quote Singer’s perspective on the notion of the human person: “One strand of the reasoning for an affirmative answer to this question is as follows. A self-aware being recognizes itself as a separate entity with both a past and a future. [...] Taking the life of any one of these entities without their permission is to frustrate its aspirations for the future. Killing a snail or a day-old baby will not thwart such desires, because snails and neonates are not able to have a desire of this kind.” Even from one of his detractors as well as partial disciples

⁵³ Cf. J. Koller, *Personalität und Tierethik*, “Ethica” 16 (2008), p. 343, cf. E. Schockenhoff, *Sterbehilfe und Menschenwürde. Begleitung zu einem eigenen Tod*, Regensburg: Pustet 1991, p. 565.

⁵⁴ Cf. O. Nezbeda, M. Uhliř, *Epidemie dnešní doby*.

⁵⁵ Congregation for the Doctrine of the Faith, *Instruction Dignitas Personae, On Certain Bioethical Questions*, https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20081208_dignitas-personae_en.html [access: 15 II 2023]; cf. Benedict XVI, *Message of His Holiness Pope Benedict XVI for the Celebration of the World Day of Peace*, January 1, 2009, https://www.vatican.va/content/benedict-xvi/en/messages/peace/documents/hf_ben-xvi_mes_20081208_xlii-world-day-peace.html [access: 15 II 2023]. The Pope calls the destruction of unborn children elimination of the poorest.

⁵⁶ Cf. E. Sgreccia, *Manuale di bioetica*, vol. 1, p. 410.

he goes on to say: “The survival interest of that living being is such that it has an express wish to continue its life.”⁵⁷

Many philosophers and theologians of the Catholic Church have identified the problem of the comprehension of the human person and his or her dignity as a particularly important one. This insight can be summed up in the statement, “The embryo is not developing towards the human person, but as a human person.” Schlegel describes Singer’s favouring of utilitarianism as “the view from nowhere” (*der Blick von Nirgendwo*). In his opinion, the view itself, conceived as an ethical method of universalization, is inherently problematic from a logical point of view. Replacing the good with the merely utilitarian makes it impossible to grant universal rights, like human rights, while being neither descriptive nor satisfying for moral experience. In particular, the use of preferential utilitarianism, like any other argument, runs the danger of not recognizing any substantive limits (e.g., the ethos of human rights), e.g., that all is disposable to its calculation.⁵⁸ It is precisely human rights that are coming to the fore as a common consent in a globalized society.⁵⁹

The basic principle of preferential utilitarianism is that of calculating the consequence of action on the basis of the cost/benefit ratio. Sgreccia explains that this ratio has validity when it is referred to the same value and the same person in a homogeneous and subordinate sense, i.e., when it is not taken as the ultimate principle, but as a factor of judgment to be referred to the human person and his values. Thus, such a principle is validly used when it is applied, for example, by the surgeon or doctor in view of a decision on the choice of a therapy, which is rightly assessed on the basis of the foreseeable harms (or rather “risks”) and benefits to the patient’s life and health. But such a principle cannot be used in an ultimate and foundational way by ‘balancing’ goods that are inhomogeneous with each other, as when comparing money costs with the value of a human life.⁶⁰

Sgreccia continues that in the terrain of the pursuit of happiness and quality of life, some authors reduce the category of person to that of sentient being. One thus remains on a horizon in which one does not specify ‘whose’ utility is to be sought and in order ‘to what,’ or rather one deduces that human life is assessed in order to the presence-absence of suffering and in order to the economic criteria of the productiveness or non-productiveness of expenditure.⁶¹ According to Sgreccia, Singer’s mistake is to replace the basic distinction between human and non-human life with that between human life and person. These positions can be countered with ‘scientific’ and ‘philosophical’ arguments. He continues that from a philosophical point of view, the embryo is a person, because its life principle is the same as that

⁵⁷ Cf. N. Hoerster, *Sterbehilfe im säkularen Staat*, Frankfurt am Main: Suhrkamp 1998; 2nd Edition: N. Hoerster, *Ethik des Embryonenschutzes*, Stuttgart: Reclam 2002, p. 74.

⁵⁸ Cf. A. Schlegel, *Die Identität der Person*, p. 423.

⁵⁹ Cf. A. Schlegel, *Die Identität der Person*, p. 427.

⁶⁰ Cf. E. Sgreccia, *Manuale di bioetica*, vol. 1, p. 66.

⁶¹ Cf. E. Sgreccia, *Manuale di bioetica*, vol. 1, p. 67–68.

of the adult man. This vital principle is not biological in nature, but spiritual. It is an immaterial principle, which in Western tradition has been called the soul.⁶²

CONCLUSION

In this study, we have highlighted the perspectives of several leading contemporary philosophers and theologians in evaluating the utilitarian antispeciesism of Singer. Our analysis has shown that in the camp of opponents of Singer's theory of antispeciesism, the argumentation is very similar. We have reached an important interface in understanding the human person as such, rather than trying to conduct our philosophical and ethical thinking in mathematical terms. Here we find ourselves on the same threshold of philosophical reflection where, during the "Religions – Threat or Hope for Our Societies?" lecture at the seminar "Religions and societies in the face of sciences and ethical dilemmas" on the occasion of the 83rd French Social Week, Xavier Lacroix, philosopher, moral theologian and member of the Consultative National Ethics Committee of France, in the seminar "Religions and Societies in the Face of the Sciences and Ethical Dilemmas," described the authentic notion regarding the meaning of the human person as a threshold at which even philosophical admiration is unable to assist us anymore. Only by facing the unknown will we ever be in a position to transcend the limit of human comprehension of the meaning of the human person, Lacroix closed.⁶³

According to Sgreccia, the duties of persons are also exercised towards those who are persons but do not live as such, that is, they do not exercise their personal faculties. The fact that there are people who can and must currently decide for others who cannot, depends on the fact that other people have allowed them to reach the stage where they can fully (but still temporally) exercise this power. Finally, Sgreccia adds an important definition, which several before him have already formulated in a similar way, that the human being is structurally a person: this condition does not depend on his will but on his origin.⁶⁴

Concerning the personality of man, Sgreccia quotes also a very frequent objection of the German philosopher Robert Spaemann, who stresses that "the only criterion for personality is *biological membership of the human race*. That is why even the beginning and end of the person's existence cannot be separated from the

⁶² Cf. E. Sgreccia, *Manuale di bioetica*, vol. 1, p. 613.

⁶³ See I.-M.V. Szaniszló, *Sú náboženstvá ohrozením, alebo nádejou pre dnešný svet?* [Are Religions a Threat or a Hope for Today's World?], "Duchovný pastier. Revue pre teológiu a duchovný život [Spiritual Shepherd. Journal for Theology and Spiritual Life]" 2 (2009), pp. 100–105.

⁶⁴ Cf. E. Sgreccia, *Manuale di bioetica*, vol. 1, p. 182.

beginning and end of human life. If 'someone' exists, he has existed as long as this individual human organism exists, and he will exist as long as this organism lives. The being of the person is the life of a human being."⁶⁵

Man shares with plants the vegetative life and with animals the psychic life. Between the life of plants, animals and man, however, there is a quantum leap. This leap is given by man's faculty of thinking, which is also proof of the spirituality of his soul. The word 'person' means, according to St. Thomas Aquinas, the noblest thing in all the universe and indicates the individual of a rational nature (*Summa Theologica* I, q. 29, a. 3) who, as such, is free to choose his ultimate end and has full responsibility for his actions.⁶⁶

With this study, we have highlighted the serious problem of assigning the necessary respect and right attitude to human life within Singer's thoughts of preferential utilitarianism and his conception of the human person. This is because in a broader context it is a search for an attempt to respond to questions concerning the nature of the human person, of creation, and the cosmos. It is very difficult to suppose that anyone else can protect nature (but also freedom of moral action) if humans lose meaning and importance within the natural world.⁶⁷

We can end our considerations with that of Sgreccia that man has a pre-eminent role in the world, based on his profound ontological diversity from the rest of creation, his spirituality is indivisible from matter and places him on a higher level; this supremacy, however, does not exempt him but obliges him to respect nature.⁶⁸ And we may safely add that this thesis has been formulated and supported by the Catholic Church almost from its beginnings to the present day.

KIEDY ISTOTA LUDZKA ZOSTAJE ODDZIELONA OD OSOBY LUDZKIEJ, A TYM SAMYM OD KONCEPCJI PRAW CZŁOWIEKA. NIEKTÓRE ASPEKTY KRYTYKI BIOCENTRYCZNEJ KONCEPCJI ŻYCIA PETERA SINGERA

Abstrakt

Kwestia osoby ludzkiej jest bardzo ważna dla teologii moralnej ze względu na możliwość odpowiedzialnego ludzkiego działania. Dawny utylitaryzm, który wywodzi się z empirystycznego stanowiska Hume'a, sprowadzał kalkulację kosztów i korzyści do oceny przyjemności/nieprzyjemności odczuwanej przez indywidualny podmiot. Nowy utylitaryzm, czerpiący inspirację od Jeremy Bentham'a i John Stuart Mill'a, można podsumować w potrójnym nakazie: maksymalizacji przyjemności, minimalizacji bólu i rozszerzenia sfery wolności osobistej dla jak największej liczby osób. Jednym z popularnych propagatorów

⁶⁵ E. Sgreccia, *Manuale di bioetica*, vol. 1, p. 183, cf. R. Spaemann, *Persone. Sulla differenza tra "qualcosa" e "qualcuno"*, trans. L. Allodi, Roma – Bari: Laterza 2005.

⁶⁶ Cf. E. Sgreccia, *Manuale di bioetica*, vol. 1, p. 613.

⁶⁷ Cf. E. Sgreccia, *Manuale di bioetica*, vol. 1, p. 123.

⁶⁸ Cf. E. Sgreccia, *Manuale di bioetica*, vol. 1, p. 123.

utilitaryzmu preferencyjnego w czasach współczesnych jest australijski etyk Peter Singer, którego kontrowersyjne poglądy stały się popularne pod koniec lat 70. ubiegłego wieku, nie tylko w środowisku naukowym. W niniejszym artykule postaramy się przedstawić krytykę tego stanowiska w kilku formach w ramach etyki filozoficznej i teologicznej, a także obronę znaczenia pojęcia osoby ludzkiej i godności ludzkiej dla integralnej ochrony życia ludzkiego od poczęcia do naturalnej śmierci oraz antropocentryzmu jako takiego w kontekście szacunku dla całego stworzenia i całej przyrody.

S ł o w a k l u c z o w e: Peter Singer, antygatunkowizm, istota ludzka, osoba ludzka, wolność i odpowiedzialność podmiotu, godność ludzka, prawa człowieka.

WHEN THE HUMAN BEING IS SEPARATED FROM THE HUMAN PERSON
AND THUS ALSO FROM THE CONCEPT OF HUMAN RIGHTS. SOME ASPECTS
OF CRITICISM OF PETER SINGER'S BIOCENTRIC CONCEPTION OF LIFE

Abstract

The question of the human person is very important for moral theology because of the possibility of responsible human action. Nevertheless, the old utilitarianism that already comes from the empiricist position of Hume reduces the calculation of costs and benefits to an evaluation of the pleasant/unpleasant of the individual subject. The new utilitarianism takes its inspiration from Bentham and Mill and can be summarized in a threefold injunction: maximizing pleasure, minimizing pain, and expanding the sphere of personal freedom for the greatest number of persons. One of the popular promoters of preference utilitarianism in modern times is the Australian ethicist Peter Singer, whose controversial views attracted much attention not only from the scientific community in the late 1970s. In this paper we will try to show a critique of this position in several figures of philosophical and theological ethics as well as a defence of the importance of the notion of the human person and human dignity for the integral protection of human life from conception to natural death and of anthropocentrism as such in respect for all creation and all of nature.

K e y w o r d s: Peter Singer, antispeciesism, human being and human person, freedom and responsibility of the acting subject, human dignity, human rights.

WENN DAS MENSCHLICHE WESEN VON DER MENSCHLICHEN PERSON
UND DAMIT AUCH VOM KONZEPT DER MENSCHENRECHTE GETRENNT
WIRD. EINIGE ASPEKTE DER KRITIK AM BIOZENTRISCHEN LEBENSKONZEPT
VON PETER SINGER

Abstrakt

Die Frage nach der menschlichen Person ist [für die Moralthologie] wegen der Möglichkeit eines verantwortlichen menschlichen Handelns für die Moralthologie sehr wichtig.

Dennoch reduziert der alte Utilitarismus, der bereits von der empiristischen Position Humes ausgeht, die Berechnung von Kosten und Nutzen auf eine Bewertung des Angenehmen/Unangenehmen des einzelnen Subjekts. Der neue Utilitarismus ist von Bentham und Mill inspiriert und lässt sich in einer dreifachen Aufforderung zusammenfassen: Maximierung des Vergnügens, Minimierung des Schmerzes und Ausweitung des Bereichs der persönlichen Freiheit für eine größtmögliche Anzahl von Personen. Einer der populärsten Vertreter des Präferenz-Utilitarismus in der heutigen Zeit ist der australische Ethiker Peter Singer, dessen kontroversen Ansichten in den späten 1970er Jahren nicht nur in der Wissenschaft viel Aufmerksamkeit erregten. In diesem Beitrag wird versucht, eine Kritik an dieser Position anhand verschiedener Vertreter der philosophischen und theologischen Ethik aufzuzeigen sowie die Bedeutung des Begriffs der menschlichen Person und der Menschenwürde für den ganzheitlichen Schutz des menschlichen Lebens von der Empfängnis bis zum natürlichen Tod und den Anthropozentrismus als solchen in Bezug auf die gesamte Schöpfung und die gesamte Natur zu verteidigen.

Schlüsselwörter: Peter Singer, Antispeziesismus, menschliches Wesen und menschliche Person, Freiheit und Verantwortung des handelnden Subjekts, Menschenwürde, Menschenrechte.

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