

“Some one, from the start”

Arguments for *Personal* Humanity*

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ABSTRACT: Robert Spaemann, in his path-finding work *Persons*, presents six arguments for the thesis that all human beings are persons from conception until death, regardless of any disability from which they might suffer. Here I sketch each of these arguments and highlight a corollary of each that is important in the public abortion debate. Then I identify a distortion of the civility that this debate requires. Finally I juxtapose Spaemann’s analysis with Nicholas Wolterstorff’s view that secular thought cannot ground universal human rights.

IT WOULD BE HARD to overstate my debt to Robert Spaemann for these reflections. Since, alas, Spaemann does not enjoy the name recognition of Peter Singer, much less John Locke, a few words of introduction are in order.

An exemplary octogenarian, Robert Spaemann was born in Berlin in 1927. In due time, within the rigors of the German academy, he came to be Professor of Philosophy at the Universities of Stuttgart, Heidelberg, and Munich. He retired in 1992, but the retirement was institutional rather than intellectual. Among other activities, Spaemann regularly contributes to Pope Benedict XVI’s *Schülerkreis*, a study group that the then Cardinal Ratzinger began in the 1970s.

In 1996 Spaemann published his seminal work *Persons*. But only in 2006 did this work become available in English. Herein we find vintage Spaemann: a thinker attuned to both analytic and continental philosophy, at home in the classics, in literature and music, and *au courant* in psychology and the social sciences. He is ready as well to take his turn in constructing the thought experiments in vogue among today’s philosophers.

In light of such considerations, last year I chose Spaemann’s *Persons* as the lead text in a seminar on the metaphysics of the person. The choice proved fortunate. He engaged and challenged my students by pointing

them in the direction of places hitherto unvisited. Perhaps Spaemann succeeds in opening fresh lines of inquiry because he is a public intellectual as well as an academic philosopher. Perhaps, too, he succeeds because of his academic independence.

Prof. Spaemann's thought has great significance for pro life work. Specifically, I want to explore his arguments for the thesis that each human being is a "some one," and is so *from the start*. Often the placards of our civil rights movement read "I am some one." The "I," we know, refers to each and every human being. Spaemann's arguments advance our understanding of the pro-life insistence that this "I" refers as well to each of us *from the start*.

ARGUMENTS FOR PERSONAL HUMANITY AND THE PUBLIC DEBATE

In the final chapter of *Persons* ("Are All Human Beings Persons?") Spaemann presents six arguments for the affirmative answer to just that question. In what follows, I sketch each argument and highlight a corollary of each that is important in the public abortion debate. Then I address a distortion of what civil debate or "civility" involves in a culture of death. Lastly, in a brief sequel, I juxtapose Spaemann's view that every human being is a person, from the start, with Nicholas Wolterstorff's case that secular thought cannot ground universal human rights and thus betrays justice. But let us first consider Spaemann's arguments, beginning with his genealogy argument, which itself invites two distinctive supplements.

1. *The Genealogy Argument*

We daily experience what philosophers call "kinds." Broadly construed, the things for which we regularly meet kinds include inanimate objects, like the chairs on which we sit. Each chair has a likeness to other chairs, although no chair needs to have a *direct* relation to another. And there would still be the kind that we might call "chair" even if there were but a single chair in the universe.

Now what about a living species, considered as a natural kind? Here, membership depends on genealogy, which in *our* case is sexual. Our sexuality finds expression in a personal context. So, it matters hugely that there is, and has been, more than one human being. Moreover, our human personhood has its place – is situated – in the *life* that we each live. Thus,

Spaemann underscores our genealogical character, namely, that “members of the species *homo sapiens sapiens* are not merely exemplars of a kind: they are kindred, who stand from the outset in a personal relation to one another.”¹

A critical corollary of this argument is that the charge of speciesism, that is, the supposedly arbitrary affinity for our own species, wrongly denies the moral relevance of the category of kindred. “Natural kind” is an analogical rather than a univocal concept. As such, it embraces both personal and impersonal species, and it admits of the deep and consequent moral differences between the two. Thus, facile talk about invidious speciesism is metaphysically myopic.

Because of its neglected importance, I will add a pair of sharply different yet supporting considerations to Spaemann’s genealogy argument. Unfortunately, time does not allow for a similarly strategic supplements of his other arguments.

The first supplement is from Thomas Aquinas. In discussing the incorruptibility of the soul, he notes that how we “come to be” shares a bond with what it is for us “to be.” He observes: “*Being generated* and *being corrupted* belong to a thing in the same way as does its *esse*, which is acquired through generation and lost through corruption.”² What is relevant here with respect to the genealogy argument is that the human being, in whom the soul is united to body as form, does not achieve personhood but rather is a person in the context of his or her very “coming to be.” Nor could the human soul forfeit its “to be” by way of the only too familiar vicissitudes of life.

A postscript to this first supplement also merits mention. When Thomas discusses the commandment “Thou shalt not kill,” he reminds us that Augustine does not extend its scope to animals. For Augustine, they “have no fellowship with us,” that is, no rational association.³ This fellowship and association, we might note, has its own genealogical basis.

¹ Robert Spaemann, *Persons: The Difference between “Someone” and “Something.”* Translated by Oliver O’Donovan (Oxford UK: Oxford Univ. Press, 2006), p. 240.

² Thomas Aquinas, *Summa theologiae* [hereafter, ST] I, q. 75, a. 6.

³ See ST II-II, q. 64, a. 1

The second supplement, in contrast, is Marxist in inspiration. Not surprisingly, Marxist support for genealogical context is social rather than metaphysical. Its formulation comes from Louis Althusser, the French theorist of ideology. In keeping with Marx's historical concreteness, as Freud redeploys it, Althusser considers the unborn child as socially situated. He writes:

Everyone knows how much and in what way an unborn child is expected. Which amounts to saying..., if we agree to drop...the forms of family ideology...in which the unborn child is expected, it is certain in advance that it will bear its father's name, and will therefore have an identity and be irreplaceable. Before its birth, the child is therefore always-already a subject, appointed as a subject in and by the specific familial ideological configuration in which it is "expected" once it has been conceived.⁴

To be sure, this appraisal of the unborn child hardly shapes the policy of Communist states. But moral *inconsistency* mars any political state! What remains pivotal is the link between the historically situated and the genealogical.

Thus, Jacques Maritain, perhaps the foremost Thomist of the last century, pointedly traces our lineage. Christianity, he writes, affirms our "historical and genealogical character...by teaching that here we are concerned with a blood relationship...all men being descended from the same original parents, and being brothers in Adam before they are brothers in Christ."⁵ So understood, genealogy points to our deepest identity. But now let us turn to Spaemann's second argument.

2. *The Recognition Argument*

Characteristically, and spontaneously, a mother recognizes her child as someone whom she encounters rather than as something to manipulate.

⁴ Louis Althusser, "Ideology and Ideological State Apparatuses" in *Lenin and Philosophy and Other Essays*, translated by Ben Brewster (Monthly Review Press, 1971), retrieved May 17, 2011, at <http://www.marxists.org/reference/archive/althusser/1970/ideology.htm>. Dan Olsen called my attention to this citation.

⁵ Jacques Maritain, *Ransoming the Time*, translated by Harry Lorin Binsse (New York NY: Charles Scribner's Sons, 1946), p. 19.

Mothers do not suppose that their children must exhibit preselected markers of personhood before winning recognition as persons. To do so would be rather like not speaking to a child until the child showed a preference for one rather than another natural language. No wonder, then, that the children of deaf-mutes learn to speak only when people speak to them; an audio-visual teaching apparatus cannot supplant personal speech. For Spaemann, the broad and deep experience of treating human beings, from the start, as persons, shows that “there is no graduated transition from a ‘something’ to a ‘someone.’”⁶

A corollary of this second argument is that claims that propose philosophical theory as a corrective for maternal instinct are experientially false. It is one thing to introduce a conceptual distinction; it is quite another to introduce a distortion of any of the human practices from which authentic philosophy emerges. Reflections on personhood begin with the recognition of persons, and one that is direct rather than inferential. Let us turn now to Spaemann’s third argument.

3. *The Argument from Uncertainty*

Ordinarily, when we speak to persons we do so because we recognize them as persons. In speaking to persons, we can recognize a personal intentionality, that is, a range of beliefs and purposes that make human action intelligible. For the most part, our recognition of this intentionality is sympathetic and straightforward. But what are we to say about human beings who are psychologically disabled and profoundly so?

In such cases, Spaemann observes, we are unsure about the intentionality at work. Sympathy can become hesitant. Even so, we ought not to suppose an absence of intentional structure in the life of the disabled. Indeed, we address him or her as a patient rather than as an object. We often decide that the patient is not culpable for his or her actions. But we cannot rightly decide that patient is no longer rational in kind. In practice, we look for a therapeutic course that might encourage the rationality of the disabled.

A critical corollary of this third argument is the need to give public voice to the mentally disabled in their struggle for medical care. We can advocate for intensive medical research on their behalf. Too often the

⁶ Spaemann, *Persons*, p. 242.

mentally disabled are isolated in their efforts to gain recognition of their dignity. In our engagement with the seriously disturbed, we can seek their inclusion within the community of persons. We turn now to the fourth argument.

4. The Argument from the Logic of Disability

Disabilities are painfully varied. For the most part, though, even the mentally disturbed can order their physical movements in a way that prompts us to puzzle over the intentionality thus suggested. But what are we to say about those whose disability precludes them from even basic levels of physical co-ordination?

We grieve over such profound disabilities, and in doing so we recognize that those who suffer from them share in our humanity. As a matter of logic, we could not grieve over such a profound disability *unless* we recognized a still more profound ability. We care for the severely disabled, because we do not suppose them to be destroyed in their deepest personal nature. But a person, unlike an organism circumscribed by nature, is someone who has a nature. The severely disabled do not lapse into a closed animality. Were it so, we could weep over the loss of what they once were. But we grieve over the loss that they are now suffering and because of who they now are.

A corollary of this fourth argument, like the third, is that we best live our humanity when we stand in solidarity with the disabled. To do so we must attend to their silent message; the profoundly disabled are not exhausted by their observable qualities. While we sometimes flaunt our visible assets at the cost of our deepest reality, they cannot. Their poverty shows what our foolishness obscures. In their own way, they witness to the mystery of the human person. As Spaemann notes, “[t]heir existence is the acid test of our humanity.”⁷ The way we care for them reveals what we have made of our own humanity. We turn next to his fifth argument.

5. The Argument from Actuality

In public discourse we sometimes hear about potential persons. We hear, too, the qualified admission that some concern for them is in order. Such sentiments, perhaps, motivate those who find that abortion is

⁷ Ibid., p. 243.

troubling enough that government policy should limit it. Abortion, they say, should be rare.

Now for every potential person, *if* there be any, there must be a “something” that develops into a person, into a “some one.” But is there any such “something?” To be a “some one,” to be a person, gives rise to a set of properties. It is not the case, however, that “some thing” gradually acquires a set of properties that leads it into personhood. The person, as a substance, is one who is present to us. The person is the subject in which development takes place. A person develops a personality, but there is no “some thing” that develops into a person. A person has the potential to act freely and well, to form intentions and to execute them; but such a potential presupposes a “some one.” In more technical terms, Spaemann concludes that if there are any persons, and there are, “they are actual, *semper in actu*...the *protē energeia* or first reality, which contains in itself the possibility of a multitude of further actualizations.”⁸ That is, we might say, persons *first!*

A corollary of this fifth argument is that we carefully distinguish among the possible, the potential, and the actual. Given these distinctions, we can and should intervene whenever our public discussion fails to honor them. Of course, to carry off this intervention we need to recognize the metaphysical basis of the critical differences at issue. On occasion this might be taxing, but failing to recognize what is at issue invites a competing metaphysical commitment that misconstrues personhood. We come now to Spaemann’s sixth and final argument.

6. *The Argument from Unconditional Demand*

Suppose one says of one’s neighbor, “Quite possibly, I ought not to kill her.” Now suppose, for comparison, one says “Quite possibly, it is always wrong to kill one’s neighbor.” The first statement is extraordinary; a decent person would not quite know what to make of it. The second statement, to be sure, is provocative. But one might mull it over. Perhaps it comes from an ethical intuitionist who recognizes competing moral demands and, in light of this, hesitates to admit more than a *prima facie* duty to honor any of them. Yet when we turn from the speculative, we find that in the *particular* case in which we encounter a fellow human

⁸ Ibid., p. 246.

being, innocent of malice, we also encounter a radical demand. It is a demand for unconditional respect.

This demand trumps any methodology-driven test of one's fellow human beings to ascertain whether such respect is due. No, we begin with such respect. Self-defense is the only defeater in terms of ruling out lethal force, and even this defeater does not require that one first assess the theoretical grounds of the respect that one owes oneself as a human being. Spaemann helps us to identify the metaphysical basis of unconditional respect. "'Person' is not a generic term," he writes, "it is the way in which individuals of the human genus exist. Each of these individuals occupies an irreplaceable position in the community of persons that we call 'mankind.'"⁹ One's neighbor is unique and non-fungible, and each of us is a neighbor to all.

A critical corollary of this sixth argument is that we identify abstractions that tempt us to lose sight of the face of the person situated in the human condition. Here we welcome the life-saving significance of the private prenatal ultrasound. In the public square, as well, the image can have a decisive impact. Images of the shackled slave helped prepare the way for Great Britain's abolishing of the slave trade. The brilliant reds and yellows of the consuming flames in J. M. W. Turner's *The Slave Ship* (first exhibited in 1840) served to highlight abolitionist demands. In this country and in the memory of some of us here today, the image of Emmett Till's lynched body made it all but impossible to ignore the civil rights movement.

Imagery, of course, depends on context. But Flannery O'Connor made just this point when she wrote "When you can assume that your audience holds the same beliefs you do, you can relax a little and use more normal ways of talking to it; when you have to assume that it does not, then you have to make your vision apparent by shock – to the hard of hearing you shout, and for the almost blind you draw large and startling figures."¹⁰ O'Connor's own imagery exemplifies her injunction.

For his part, John Paul II knew well the darkening of conscience that

⁹ Ibid., p. 247.

¹⁰ Flannery O'Connor, "The Fiction Writer and His Country" in *Flannery O'Connor: Collected Works* (New York NY: The Library of America, 1988), pp. 805-06.

an acceptance of abortion causes. Thus his warning: “[W]e need now more than ever to have the courage to look the truth in the eye and to *call things by their proper name*, without yielding to convenient compromises or to the temptation of self-deception.”¹¹ These words call for an examination of conscience on the part of academics and their institutions.

CIVILITY, AGAIN

To be sure, if we think with Robert Spaemann and speak with Flannery O’Connor, there is a price to pay. Often, one is charged with failing to be civil. Now if one truly fails to be civil, one fails to act as a citizen should. But if one fails to act as a citizen, so goes the slander, should not one be excluded from the public square? (Perhaps this exit can be expedited by questioning whether one has any rational grounds for speaking as one does.)

There is, to be sure, a counterfeit civility, and it has its practitioners. On their telling, one is less than civil if one gives “offense” simply by holding accountable one’s fellow citizens for what they do. Indeed, one is less than civil if one speaks in a way that is “inappropriate,” even if the inappropriateness is simply an insistence of accountability. But it is this counterfeit civility that old John Bunyan, in *Pilgrim’s Progress*, located on a decidedly downhill path.¹²

Yet civility, rightly understood, is a virtue; it is the mark of character that helps us to speak as we should in the pursuit of civic friendship. But, as St. Thomas teaches, in that the good is one, so also the virtues form a unity. Civility, as a virtue, works in harmony with the truth that has a splendor all its own. The human person, made in the Creator’s image, testifies to that splendor. In the words of John Paul II, “It is precisely in the ‘flesh’ of every person that Christ continues to reveal himself and to enter into fellowship with us, so that *rejection of human life*, in whatever form that rejection takes, *is really a rejection of Christ*.”¹³ A nation that

¹¹ John Paul II, *Evangelium Vitae* §58.

¹² John Bunyan, *Pilgrim’s Progress* (London UK: J.M. Dent & Sons, 1907), p. 20. Bunyan’s Mr. Worldly Wiseman introduces Civility as the son of Legality; both are ready to relieve Christian of his burden.

¹³ *Evangelium Vitae* §104.

excludes an insistent and public defense of human life as less than civil has lost both its vision and its way.

A SEQUEL

Suppose, now, that we put aside the question of civility. Let us return, by way of a sequel, to Spaemann's case for the personal humanity of the preborn and the severely disabled. To my mind, it is nearly compelling. Still, a skeptic might say that some human beings, even if personal in kind, lack the individual worth on which robust human rights depend. Such a skeptic, one supposes, would be comfortable in a secular milieu. Yet Spaemann wants his arguments to be accessible in just such a venue.

But now comes Nicholas Wolterstorff. In his rigorous new work, *Justice: Rights and Wrongs*, he argues, first, that it is unlikely that there is any secular grounding for universal human rights. Since Spaemann gives us at least the materials for making such a case, I am not ready to accept Wolterstorff's thesis. But Wolterstorff argues, second, that the Judaeo-Christian appeal to each human person's being made in the image and likeness of God, if it is understood in rational and volitional terms, cannot ground the human rights of severely and cognitively-disabled human beings. The sad truth is that the severely and cognitively-disabled lack the requisite rationality. Without it cannot they enjoy free choice. Thus neither secular nor theistic analysis, in one of its chief forms, can ground the "deep humanism" of universal human rights. Rather, Wolterstorff contends, there is a single adequate source for human rights: namely, that God's *love* for each of us, as human beings, creates a bestowed worth that grounds an inviolable dignity. Now I am not convinced that he succeeds in making the argument for this second thesis, especially given Spaemann's defense of the personhood of the profoundly disabled. Still, Wolterstorff has clearly stated and stoutly defended his thesis.

In any case, the closing words of his new work deserve close consideration. Suppose, he comments, that secularization proceeds apace. Then what he terms the "moral subculture of rights" will quickly become more precarious than it is. Soon it will have become but "a brief shining

episode in the odyssey of human beings on earth.”¹⁴ Now Wolterstorff does not accept this prognosis, because he does not think that such secularization is inevitable. Insofar as it is not, let’s pray that it will be due to the work of groups like University Faculty for Life.¹⁵

¹⁴ Nicholas Wolterstorff, *Justice: Rights and Wrongs* (Princeton NJ: Princeton Univ. Press, 2008), p. 393.

¹⁵ I thank Anne Barbeau Gardiner, Elizabeth Hanink, and James S. Kintz for their helpful comments on this essay.