

Neuroscience and Personhood

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Abstract

The concept 'personhood' lies at the center of contemporary disputes concerning whether certain biological interventions are ethical. Thus, if 'personhood' could be located or its existence evidenced by observations available to biologists, then each of these controversies could be resolved in biology's own terms. I argue that this is a fruitless task. The attempt to track down a material object, 'personhood,' reveals ignorance of an important metaphysical presupposition underlying contemporary culture's Cartesian/ Kantian concept of 'personhood.'

Keywords

Neuroscience, Personhood, Abortion, Euthanasia, Genetic Enhancement, Descartes, Kant

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When does abortion become the destruction of a person rather than the destruction of a group of cells? Does being in a ‘vegetative’ state mean that personhood is lost? Do biological interventions which purposefully enhance the rational, intellectual or even physical capabilities of a human being trespass on the domain of personhood?

The concept of ‘personhood’ stands at the center of a good many contemporary bioethical controversies. In fact, it often seems like all that divides people in contemporary bioethical debates is a lack of clarity about what constitutes ‘personhood.’ When it comes to a matter of choosing whether to make a biological intervention or not, even people who agree on principles of ethics – that is, people who agree on basic rules laying out how persons should be treated – will still have to come to terms with answering, “what is ‘personhood,’ what evidence do we have of its existing in any particular case, and how is it effected by biological intervention?”

What are the chances that the scientific discipline of human biology (specifically neuroscience) will be able to help answer this question? Well, let’s keep in mind that contemporary science concerns itself with the physical, material constitution of the universe. Contemporary human biology, likewise, concerns itself with the material constitution of human beings. Biologists locate observable physical objects, poke around at them, and measure how those objects are effected. Hence, it seems that if we could find the *material constitution* of personhood, we could deal with the ethical questions raised by biological intervention in biology’s own terms. If we could locate and observe a physical object, “person-hood,” we would quickly generate answers to some of the central questions of our contemporary debate. We would simply observe the existence of “personhood” and measure how our biological interventions cause effects on the “personhood” object. The trouble seems to be that, as of yet

(and many optimistically stress this “yet”) we do not know the physical constitution of personhood. And thus contemporary neuro-scientists set off to find this elusive quarry.

Within biology, the natural field in which to seek ... personhood is neuro-science. The human brain is responsible for the abilities identified by Locke and his successors as crucial for personhood: intelligence, rationality, self awareness, ... and all forms of consciousness ... naturalizing personhood will require understanding the cortical bases of these traits, a task well underway in the field of cognitive neuroscience. (Farah, 2007)¹

Despite heralds of the task’s being “well underway” and confidence that “this empirical, neuroscience-based approach to defining personhood will eventually be successful in translating the psychological criteria [self-consciousness, rationality, intelligence] ... into neurological criteria”² this project is destined for failure. The reason is that the concept of “personhood” operative in our culture today – that is to say, operative in the legal and ethical systems using “person” as a foundational concept – has its origin in a metaphysics which divides the universe into two incommensurate types of substance: material things and thinking things. This division of the universe into two owes its prominence in contemporary culture to Descartes, and the “psychological criteria” chosen to identify personhood reveal that origin. If we look back to that origin, we will see that the self-conscious, rational, intelligent “thinking thing” which the above mentioned scientists identify as ‘personhood’ is by *definition* not a material thing. Furthermore, it is only insofar as it is not a material thing that it has ethical importance to Descartes, Kant, and all who today still live implicitly within the understanding of personhood these two laid out. Let me explain.

Descartes separates everything that exists into two categories: material things – dumb, inert, malleable objects which are only effected; and (by contrast) thinking things – variously called “mind”, “will”, or “intelligence”, which cause and are not effected.

By “body”, I understand all that is suitable for being bounded by some shape, for being enclosed in some place, and thus for filling up space ... for being moved in several ways, not surely by itself, but by whatever else that touches it. For I judged that the power of self-motion, and likewise of sensing or of thinking, in no way pertains to the nature of the body. (Descartes, 1980)³

This separation of the universe into two types of thing, ‘that which causes’ and ‘that which is effected’, is not only the foundational basis of our contemporary science (which deals exclusively with material things), but it is also taken up into the foundation of Kant’s ethics. The will, that part of the human being with which ethics is concerned, is again *by definition* a thing that is purely cause. *The will is free*. It is not effected, it generates its own motion. This is not an empirical observation, it is a condition of the possibility of any ethics (according to Kant). And, of course it is certainly a founding concept of our contemporary ethical-legal system of individual personal responsibility.

One hundred years after Descartes, Kant carefully and methodically articulated the ethical implications of the Cartesian identification of the essence of human being with its free will. But Descartes himself manages to give a terse statement containing much of Kant’s articulation:

In fact, I cannot complain that I have received from God an insufficiently ample and imperfect will, or free choice, because I observe that it is limited by no boundaries. And it seems eminently

worth noting that nothing else in me is so perfect or so great [as] ... the will or free choice; I observe it to be so great in me that I grasp an idea of nothing greater, to the extent that the will is principally the basis for my understanding that I bear an image and likeness of God ... We are moved by it [will] in such a way that we sense that no external force could have imposed it on us. (Descartes, 1980)⁴

Tracking down a material object, ‘personhood,’ is a futile enterprise. The very concept of ‘personhood’ operative in our culture today was created as a contrast-class to material things. In short, the ethically relevant concept of personhood is *that which is uncaused*, the scientifically relevant concept of ‘material thing’ is *that which is passively effected*. One type of object can not be composed of elements of the other type. That is, personhood (if it is to be ethically relevant, i.e. uncaused) can not be composed out of material elements.

Nevertheless, there seems to be another project available to neurologists interested in using biology to answer ethical questions. Rather than treat personhood as a material object, they can seek to locate the material objects without which personhood could not exist. So, let’s say we have identified personhood correctly when we characterize it as “that which is always free to choose an action, affirm (or deny) a proposition, make a judgment of good (or bad).” There are certain parts of the brain which, if severely damaged, seem to destroy a human being’s ability to affirm or deny propositions, choose (or reject) an action, make a judgment of good (or bad). These parts, then, can be said to be material conditions of the possibility of personhood. Knowing some material conditions of the possibility of personhood can then help guide biological interventions.

The combination of biological knowledge and the ethical injunction not to destroy persons, will tell us to avoid certain interventions because

of their damaging the conditions of the possibility of personhood. Of course, this is not big news. Asphyxiating a human being, depriving him of oxygen, is similarly depriving him of a material condition of the possibility of his affirming, judging, willing. So what promise for resolving contemporary bioethical questions does the project of locating material conditions of personhood in the brain hold? I fone is truly convinced by the evidence that the material conditions of the possibility of personhood have been identified, then this biological knowledge may help solve controversies concerning human beings in 'vegetative' states. Say we know that willing, judging, affirming/denying are impossible when certain parts of the brain are destroyed. There may be a patient whose brain is damaged in such a way that willing, judging, affirming/denying are impossible, but yet despite this brain damage, the other parts of his body can continue to function. We would say that asphyxiating the patient would not amount to killing a person, since personhood no longer existed.

The limitations of this approach are two-fold. First of all, there is the problem that finding evidence for determining the absence of something is notoriously difficult. To quote Donald Rumsfeld, "The absence of evidence is not evidence of the absence." On the strength of what evidence can we conclude that the willing, affirming, judging, thinking thing of another person no longer exists? It is a difficult task (probably insoluble given only empirical observations) to conclude that another person's thinking thing exists even when you are chatting and having coffee with him. The second limitation of this approach is evident when we look to use it to solve abortion controversies. First of all, there is ambiguity in the phrase, "possibility of personhood." If we mean the conditions of the possibility of a future personhood, then a zygote or even an unfertilized egg would land in our protected class. This would expand the class to cover so many conditions and entities that it would

seem to be of no use in solving any contemporary controversy. If on the other hand, we refer only to the conditions of the possibility of *currently existing* personhood, then we are back at the initial problem of being unable to confirm (or deny) the existence of personhood in any particular circumstance. The fetus may embody personhood, or it may not. Biological investigation is unhelpful. Our knowledge of some conditions of the possibility of personhood does not tell us whether personhood exists in any particular case. At best, it can tell us that personhood does not exist. And it can convince us of the absence of personhood only if one of the *necessary* material conditions of the possibility of personhood is absent.

Finally, there is a third way that the work of neuroscience is thought to be helpful in resolving the problems of bioethics. The fact that neuroscientists have yet to locate 'personhood' can be taken as an indication that this entity, 'personhood', does not exist.

The real contribution of neuroscience to understanding personhood may be in revealing not what persons are, but rather why we have the intuition that there are persons. Perhaps this intuition does not come from our experiences with persons and non-persons in the world, and thus does not reflect the nature of the external world; perhaps it is innate and structures our experience of the world from the outset. Thus, instead of naturalizing the concept of personhood by identifying its essential characteristics in the natural world, neuroscience may show us that personhood is illusory, constructed by our brains and projected onto the world. (Farah, 2007)⁵

The ethically relevant neurological project then seems to show how we are all hard-wired to be Cartesian dualists. Leaving aside the plausibility of this thesis, if the intention of the neurological project is to

help resolve bioethical dilemmas – i.e. questions concerning whether it is ethical to perform particular biological interventions – this approach has a big problem. Namely, it destroys the foundational concept of our contemporary ethical system. Personhood, which currently serves as the signpost giving us guidelines as to what actions are ethical and which are not, is said to be an illusion. But then, if we are better off casting off this illusion, we need an entirely new understanding of ethics to solve not only the bioethical problems listed at the beginning of this paper, but all the legal, social and individual questions that currently get resolved in terms of personhood and individual responsibility.

NOTES

1. Farah, Martha J. and Heberlein, Andrea S., "Personhood and Neuroscience: Naturalizing or Nihilating?", *The American Journal of Bioethics* 7 : 1 (2007) : 39.
2. Ibid.
3. Descartes René, *Meditations on First Philosophy*, Tr., Donald A. Cress (Hackett, 1980), 62.
4. Descartes René, *Meditations on First Philosophy*, Tr., Donald A. Cress (Hackett, 1980), 81.
5. Farah, Martha J. and Heberlein, Andrea S., "Personhood and Neuroscience: Naturalizing or Nihilating?", *The American Journal of Bioethics* 7 : 1 (2007) : 37 - 48.