

**CURRENT POLITICAL ISSUES IN LIGHT OF THOMAS AQUINAS
PERSONALIST HUMANISM IN BIOETHICS**

One of the current political issues that most degrade our society is the expansion of abortionist wave, the gender ideology and the increasingly globalized approval of euthanasia. All of them bioethical issues, where philosophy of Aquinas, as *Doctor Humanitatis*, has much to offer to rationally argue against them in defense of a "Culture of Life".

If, nowadays, the awareness about bioethics appears as one of the most frequent contemporary demonstrations, we should not be surprised, because the advance of positive science led man to similar situation of his first parents, the temptation to feel like gods. But, same as Adan and Eve needed to justify temptation in front of the Creator transforming their nature, with the sin, into a fallen nature; contemporary pseudo-gods on the brink of abyss need to justify manipulations, so a battered nature does not turn against themselves. So, bioethical questioning arises, some ones assume as authentic ethical approach and others as a simple way to solve disputes. However, for all, certain conception of man is imposed as the basis of their position. It is not possible to speak about a morally upright or morally vitiated behavior, if the subject and the specific properties of this subject are not clear. At least, all tendencies agree about it.

Nowadays, we often hear about "customary morality" as opposed to "naturalistic morality" or "morality of principles". All these expressions are ambiguous since it depends on what we understand by "person", "nature" and "principles".

On this point, Christian humanism has much to say. From the Thomas Aquinas Doctrine it could and should illuminate bioethical discussions focused on the establishment of a true "culture of life" leaving behind a very well-known and contemporary "culture of death"¹ This can only be based on the ontological foundation of person, which is absent when is not expressly rejected by most of contemporary philosophical currents, even the so-called "personalists".

¹ Cfr. S. S.Juan Pablo II, *Evangelium Vitae*, 1995, n.19.

In a contemporary perspective, the **person** is only considered in his/her relational and self-creating power² which leads to the subjectivation of morality. In turn, **nature** is considered as the imposed data, as something blindly determined and, on the contrary, a person submitted to despotism of biological laws would be against the human dignity³ Finally, **principles** in contemporary bioethics (*principle of beneficence, principle of autonomy, principle of justice and principle of non-maleficence*) are usually proclaimed dogmatically, as if they were incontrovertible truths or they are supposed as result of a convention.

Before analyzing the various notions of a person that give rise to different bioethical solutions, let us briefly examine these pseudo-principles as they are formulated in current bioethics. The first thing that strikes us is the disconnection between these principles and the objective good. Precisely, the main problem of contemporary bioethics is not only the discussion of the good or bad morality of some praxis, but rather how to obtain action rules, which can be effectively applied to solve controversial situation through consensus decisions. In formerly mentioned principles, there is no reference to any objective criterion about what is right or wrong, since every procedure is subordinated to consensus, subjectivity is imposed as primary source of moral legitimization.

On the other hand, the so-called "bioethical principles" do not correspond to what is classically understood as "principles", that's why we have called them pseudo-principles. As referred by Aristotle and Thomas Aquinas⁴, principles are first the truth from which reasoning is structured. These are evident starting points; therefore, they are enunciated and not consensual. These are points "from" which new conclusions are revealed or illuminated and the point "towards" they are sought to be founded and justified⁵. Ethically, principles are evident demonstration of imperative values for man to meet. On the contrary, Tristram Engelhardt Jr., one of the most influential exponents of Anglo-Saxon bioethics argues in his work *The Foundation of Bioethics*, a paradigmatic model of contemporary bioethics, that ethics does not consist of a set of

² Cfr. Mounier, E., *Oeuvres*, III, Editions du Seuil, Paris, 1962, p.442: "El hombre trasciende la naturaleza. El hombre no está hecho, sino haciéndose"; *Oeuvres*, I, ed. citada, 1961, p.523: "La persona unifica toda su actividad en la libertad y genera, a través de sus actos creadores, la singularidad de su vocación".

³ Cfr. Mounier, E., *Oeuvres*, III, Editions du Seuil, Paris, 1962, p.442: "El hombre trasciende la naturaleza. El hombre no está hecho, sino haciéndose"; *Oeuvres*, I, ed. citada, 1961, p.523: "La persona unifica toda su actividad en la libertad y genera, a través de sus actos creadores, la singularidad de su vocación".

⁴ Cfr. Aristóteles, *Analíticos Posteriores* I, 2, 71b 20 ss.

Tomás de Aquino, *Scriptum super libros Sententiarum*, L II, D.39, q.3, a.1; *S.Th.*I-II, q.94, a.2.

⁵ Cfr. Aristóteles, *Analíticos Posteriores* I, 2, 71b 20 ss.

truths that society should assume, but "a way to solve controversies"⁶. This American author takes a skeptical position on morality and fideist in his expressions, because he thinks that moral contents are only reached by faith. For him, it is not possible to set a moral point of view through solid reasonings. At the beginning of his work, he argues "as rational argumentation fails in principle when attempting to establish moral notion with content, we are only left with agreement"⁷. Therefore, the consensus is the only to solve moral controversies with the authority. In this regard, he also argues that the "moral controversies in biomedical field are a public policy disputes, which must be peacefully solved through agreement about procedure to use in the creation of moral rules".⁸.

However, a real contradiction must be noticed between skeptical position and postulate stating the need of agreement. If it is not possible, for human intellect, to reach acceptable ethical answers, how can we reach agreement that satisfies everybody? Engelhardt is aware both of this contradiction and the difficulty to reach agreement. However, as he intends to overcome failure of discussions, he proposes to create the "appearance of the consensus", as one of the wise strategies of peaceful *Realpolitik*, making "minimal ethics" as expressed in the aforementioned "bioethical principles". Let's continue with a brief review about them.

Analyzing the "principle of beneficence" expressed in proposal "Do the good to others" it may, at first, seem similar to the traditional universal principle of practical order: "*bonum faciendum et prosequendum, malum vitandum*". But if there are no objective contents in these principles, as Engelhardt argues, what does doing good mean? Just doing to others what they think is their good. It is not the moral or honest good itself, but that which seems to be good for patient or his family members.

Indeed, the concept of beneficence supposes the concept of good, but a skeptical and consensual view denies this concept can be achieved, so it has nonsense to postulate the "principle of beneficence" while renouncing the notion that gives rise and justifies it.

Tomás de Aquino, *Scriptum super libros Sententiarum*, L II, D.39, q.3, a.1; *S.Th.*I-II, q.94, a.2.

⁶ Cfr. Aristóteles, *Analíticos Posteriores* I, 2, 71b 20 ss.

Tomás de Aquino, *Scriptum super libros Sententiarum*, L II, D.39, q.3, a.1; *S.Th.*I-II, q.94, a.2.

⁷ Cfr. Aristóteles, *Analíticos Posteriores* I, 2, 71b 20 ss.

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⁸ Cfr. Aristóteles, *Analíticos Posteriores* I, 2, 71b 20 ss.

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Other difference between the "principle of beneficence" of contemporary bioethics and the classical universal principle of practical philosophy is that the "principle of beneficence" does not express prohibition of making damage. Therefore, that principle is often used in bioethical discourse to decide in favor of action that leads to useful result, leaving aside the intrinsic nature of the action, which may involve harm to others or moral malice. Thus, the "principle of beneficence" of contemporary bioethics and the classic universal enters in what we can call utilitarian ethics, where the end justifies the means.

Now, moving to the second of these bioethical principles, we examine the "principle of autonomy" that, in practical application, obliges to respect patient's decision. It should be made clear we distinguish between "principle of autonomy" as proclaimed in bioethical discourse and the due respect for patient's wishes, because the aforementioned principle is used to be identified with the right of patient to do what he or she wishes about his or her life and health. Seen this way, this supposed principle implies negation of any moral order, since the will is not subordinated as it claims to be autonomous with respect to morality. Here, the matter is the moral lawfulness of the patient's right to dispose of himself. On this subject, we repeat the wise words of Pius XII: "the patient, for his part, the individual itself has no right to dispose of his existence, of the integrity of his organism, of his particular organs and his capacity to function, except the total good of the organism request it"⁹.

This principle called by Engelhardt, in the last editions of his work, as "principle of permission" is considered the central principle of every Bioethics, because it justifies, in the last instance, acting in accordance with the principle of beneficence and the rest of bioethical principles. According to Engelhardt, the "principle of permission" expresses the circumstance where to solve moral disputes in a pluralistic society, the authority cannot rely or give rational arguments on common beliefs, but only on the agreement of participants¹⁰. This "principle of autonomy" or "principle of permission" is an expression of contemporary secular morality, which sustains that basic ethical value lies in the possibility of each subject to choose, without external coercion or conditions, the way of life he wants, rejecting as inadmissible any kind of heteronomous precept or value, that is, not formulated and accepted by the person

⁹ Cfr. Pío XII, *Alocución en el Primer Congreso Internacional de Histopatología del sistema nervioso*, 13.9.1952, n.4.

¹⁰ T. Engelhardt, *op. cit.*, p. 138.

himself, who elaborates his own "life project" with the only limit of not causing direct damage to any other .

The first criticism arising questions the moral value of autonomy. By itself, as the ability to choose, it is an entitative perfection followed by human nature. Therefore, it is an anthropological assumption which is necessary for moral activity, but lacks the moral value by itself. Any way, it is the necessary condition for moral consideration of acts arising as the ability for decision and choice. On the other hand, autonomy by itself does not provide any reason to act. Indeed, man always seeks to make good in his actions; no one acts only to update his own autonomy. Therefore, it would not correspond to speak about moral principle of autonomy that make to prescribe the mere autonomous action.¹¹.

Moreover, it should be noted that the "principle of autonomy" cannot be a general principle of bioethics, as intended, since it is not applicable for people who are not capable of making decisions on their health or their life, such as embryos, fetuses, children, mentally handicapped people, etc.

Now, let's see the third bioethical principle enunciated, the "principle of justice". It refers to the equality responsibility in treatment and, with respect to the State, the equitable distribution of health care services in the community. It is the principle governing to decide about people to benefit with certain scarce or expensive therapies or medical technology. Here cost-benefit equation is used, where the term *cost* is, as a whole, basically understood in economic sense. This makes questioning about the true justice, which is to give the due to each one.

But, from all the principles reviewed, this is the one with less reason to object since, undoubtedly, every bioethical issue involves a question of justice, there is an observation concerning the name, in the sense it is not sufficiently precise. Here, we are dealing, restrictively, with distributive justice or social justice, but this is only one part of justice since, in a whole sense, the principle of justice has a wider scope, even including problems related to principles of beneficence and non-maleficence.

Precisely, with respect to the latter, we should say that some authors, not all of them, include this principle as complement and modification of the principle of beneficence, so not to say about the latter that if any benefit is obtained, it does not matter if any damaged is caused. Others, present it as a fourth principle and, finally,

¹¹ Cfr. C. I. Massini Correas, "De los principios éticos a los bioéticos", en AA.VV., *Principios de Bioética*, op. cit, p.61-102.

like Engelhardt, do not even take it into consideration. The application of the "principle of non-maleficence" involves the risk-benefit calculation as criteria for decisions. The benefit to be received by people must be higher than the damage suffered, and when there is no certainty, the risk of damage must be over the probability and the value of expected benefit. Undoubtedly, this fourth principle improves the bioethical theory that currently prevails, however, provided that it is not reduced to the mere requirement of a relation between harm and benefit, but to be interpreted as requirement that, in addition to that relation, calls for the abstention of behaviors involving intrinsic malice. In other words, to be a truly bioethical principle in what meaning and scope is concerned, it must be understood as the prohibition of causing any harm directly to human being. The principle about no harm is a genuine principle of bioethics, because it can be universally applied. The "*primum non nocere*" is the medical maxim recognized by Hippocrates in his Oath; it is the most universal of principles of justice. The principle of non-maleficence is the most frequently engaged in bioethical issues, mainly in cases where some good aim is sought, but through intrinsically bad actions. This is not lawful, since the aim does not justify the means, not even arguing the search for a common good¹². St. Thomas' Doctrine is very clear: a bad act is totally and simply bad at any event, that is, it does not possess any formal virtue, in spite it can be considered materially or physically good under any other aspect. Paraphrasing Dionysius, Thomas argues: "*quilibet singularis defectus defectus defectus causat malum, bonum autem causatur ex integra causa*"¹³ Using same examples used by Thomas, Basso illustrates: "Give alms as vainglory is simply an evil act; to steal to give alms is another simply evil act. That's why it is said that neither the aim justifies means, nor the means justifies the aim"¹⁴. Never a same act can be simultaneously good and bad, because moral species necessarily subordinate between them.

¹² Cfr. Tomás de Aquino, *S.Th.* II-II, 68, 3 c: "Nullus autem debet alicui nocere iniuste ut bonum commune promoveat".

¹³ Cfr. Tomás de Aquino, *S.Th.* II-II, 68, 3 c: "Nullus autem debet alicui nocere iniuste ut bonum commune promoveat".

¹⁴ Cfr. Tomás de Aquino, *S.Th.* II-II, 68, 3 c: "Nullus autem debet alicui nocere iniuste ut bonum commune promoveat".

Reviewing, at first sight, the various "principles" of contemporary bioethics, we conclude there is nothing more than a renewal of classical relativism, enclosed in the expression "man is the measure of everything", and the attitude that separate man of substance and the real content of his acts, as well as the objectivity of being and good¹⁵.

From now on, we will concentrate on the various philosophical conceptions about the person hidden behind the generic term "personalism" which support the aforementioned principles, giving rise to the most diverse bioethical solutions.

Most of contemporary personalism, such as, Christian personalism of Maritain and Mounier, the atheistic personalism of McTaggart, the idealistic personalism of Royce, the relativistic personalism of Renouvier, the liberationist personalism of Freire, the Christocentric personalism of Teilhard de Chardin, the mystical personalism of Berdiaev, the existential personalism of Marcel and Buber, etc., state the primacy of human person over material needs and collective mechanisms¹⁶, however, ethical perspective prevails in all of them, which they assume as metaphysical, but which lacks a clear ontological foundation of the person.

"Personalism", as terminology, was firstly coined by Renouvier in 1903 as title of one of his works, however, the concept is older. More than a philosophical system, is a basic attitude that takes the person as supreme value and fundamental principle to explain reality. The person is a transcendent value. It cannot be object of logical definition and even less for experimentation. It can only be known through the act of personalizing itself. The ambiguity of personalism arises from the same fact of being a dialectical synthesis of other philosophical movements (idealism, phenomenology, psychoanalysis, anarchism, Marxism and existentialism).

If, for the majority of the so-called "personalists" the individual becomes a person through his acts¹⁷, this position will not allow them to explain why man is a

¹⁵ Cfr. Sánchez Parodi, H., "El antropologismo y el puesto del hombre en Santo Tomás de Aquino", en *Santo Tomás de Aquino humanista cristiano*, Jubileo del Cincuentenario, Sociedad Tomista Argentina, Buenos Aires, 1998, p.43-51.

¹⁶ Cfr. Mounier, E, *Manifiesto al servicio del personalismo*, Taurus, Madrid, 1966, p.72: "Llamamos personalismo a toda doctrina y a toda civilización que afirma el primado de la persona humana sobre las necesidades materiales y sobre los mecanismos colectivos que sustentan su desarrollo".

¹⁷ Mounier, E.: "El conocimiento de la persona es posible sólo a través de un acto de su misma naturaleza, no como conocimiento objetivo, sino como descripción y experiencia de su acto, que es movimiento de personalización de sí misma" (citado por Maceiras en "La realidad personal en el pensamiento de E. Mounier", en Lucas, J.(director), *Antropologías del siglo XX*, Sígueme, Salamanca, 1978; "El hombre trasciende la naturaleza. El hombre no está hecho, sino haciéndose. Hay en la naturaleza una aspiración a la trascendencia, que impide que la persona esté definida de una vez por todas", en *Oeuvres*, III, ed. citada, p.431 y 442. Freire, P.: "el hombre no sólo está en el mundo, sino que está con-el-mundo, abierto a él, para captarlo, comprenderlo y transformarlo. Esta transformación implica la lucha política contra las

person from the moment of conception or, why man is a person even if he is in lower physical, moral or intellectual integrity condition. Therefore, from these notions of person, certain bioethical issues such as **abortion, euthanasia, genetic manipulation**, etc., will have different answer than the other proposing a **notion of person ontologically founded on subsistence, on being subsistent in itself**

From “*ontological personalism*”, Vittorio Possenti argues that in a very substantial determination of person, superiority is protected with respect to his acts, which, anyway, are *signa personae* and not person itself¹⁸. The Italian philosopher warns against restriction of being of a person to his conscious psychical activity, by means of a wrong change of the order of substance to the order of function. He also warns against the misunderstanding, frequent in our time, that identifies the order of being with the order of acting. In this regard, he argues that “by virtue of the non-collapsible gap between being and acting, the possibility should remain open so that the person can be present even without his operations”¹⁹

Elio Sgreccia also favors the *ontological personalism* over *relational personalism*, which outstands subjectivity value and intersubjective relationship, or *hermeneutic personalism*, which emphasizes the role of subjective consciousness to interpretate reality. “About ontological meaning - says Sgreccia - without denying the importance of relational subjectivity and consciousness, we want to emphasize that the foundation of subjectivity itself lies in the existence and essence constituted by body-spirit unity²⁰. The renowned catholic bioethicist also sees the need to clarify what type of personalism he proposes as a model. “We must not confuse personalism which we refer with subjectivist individualism, a conception in which the capacity for self-decision and choice is emphasized, almost as the only constituent of person... Classical personalism, realist and Thomistic type - without denying this existential component or capacity for choice, which constitutes destiny and drama of person - also claims to affirm, as priority, an objective and existential (ontological) status of the person²¹.”

opresiones”, en *Pedagogía del oprimido*, Siglo XXI, Madrid, 1977. Rogers, C.: “Solo existimos en la medida en que existimos para los otros”, en *El proceso de convertirse en persona*, Paidós, Buenos Aires, 1975.

¹⁸ Cfr. Possenti, V., “L’embrione è persona? Sullo statuto ontologico dell’embrione umano”, *Approssimazioni all’essere*, Il Poligrafo, Padova, 1995, p.110-129.

¹⁹ *Idem*, p.119.

²⁰ Cfr. Sgreccia, E., *Manual de Bioética*, Ed. Diana, México, 1994, p.73.

²¹ Cfr. Sgreccia, E., *Manual de Bioética*, Ed. Diana, México, 1994, p.73.

Classics made the human person dignity to derive not only from intellectuality or rationality of man's nature (or self-awareness) but previously from its subsistence dimension²². The advantage offered by Boethius classical formula, which defines person as "individual body of rational nature," comes from merging **the human roots** in a **being**. The being is mainly supported by the body; a body is basically "a being," that is, "something existing in itself or by itself" or "that subsisting by itself and not in other." It means to consider it a **unit**, or **being-one** or, which is the same, a **substantive whole**, an individual being, complete and perfect in itself and diverse from everything else. If "subsistence" of person is emphasized, it means that all qualities (perfection, totality, incommunicability) have their foundation and root in a being.

On the other hand, the individual is more special and perfect in bodies own of their own acts. Therefore, we say that the person is the body that exists by its own right. The human being is own by itself," that is why the singulars of rational nature have, among other substances, a special name: *person*. This is the ultimate and highest perfection in the body gender.²³ Moreover, the behavior of person is the most dignified, since it is something existing in itself and by itself²⁴. Therefore, **only the subsistent individual possessing the rational nature can be called person**.

This emphasis on substantivity does not deny the importance of rationality, the self-consciousness or freedom in the structure of personal being, mainly, because a person supposes a rational nature which considers all these properties. But, it is firstly necessary to recognize the profound ontological root of a person to provide these properties of solid supporting basis, which is not a mere substratum or support, as actualists critically point out, but the principle of all human dynamism.

When this **ontological realism** is abandoned and, under the influence of various currents of thought, one moves to idealism, immanentism, psychologism, existentialism, etc., a weak conception of the person arises, based on purely accidental criteria. Such a notion of the person cannot respond to the serious challenges to which the great contemporary bioethical questions expose it.

Only the **ontological foundation of the person** can effectively respond to "culture of life" as opposed to a "culture of death", since it is the only one that does not reduce the person to specific acts, but accepts the existence of the person as a substance

²² Cfr. Sgreccia, E., *Manual de Bioética*, Ed. Diana, México, 1994, p.73.

²³ Cfr. Tomás de Aquino, *Suma Contra Gentiles*, 4, 38.

²⁴ Cfr. Tomás de Aquino, *De Potentia*, q. 9, a. 3; *S. Th.* III, q. 2, a. 2, ad 2 et ad 3.

when his acts do not still reflect all his capacities, due to lack of development, as the embryo, or when the already developed capacities cannot express themselves, due to physical or intellectual disability that occurs accidentally.

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